

**RESOLUTION NO. 170**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO THE TRANSFER OF 67<sup>TH</sup> STREET RIGHTS-OF-WAY TO THE CITY OF UNIVERSITY PLACE**

WHEREAS, the incorporation of the City of University Place left a County island area of street right-of-way lying between the City of Fircrest on the East and the City of University Place on the West;

WHEREAS, Pierce County is desirous of transferring this street right-of-way as provided in State law to either Fircrest or University Place;

WHEREAS, a short half-street section of 67<sup>th</sup> Street currently also lies within the City of Fircrest;

WHEREAS, Fircrest officials have stated to University Place officials that they are willing to see the 67<sup>th</sup> street rights-of-way transfer to University Place if assurances can be made that the road will not be widened to the East into Fircrest without approval by the City of Fircrest;

WHEREAS, the City of University Place has no intentions of widening 67<sup>th</sup> to the East with or without Fircrest approval, but State law provides no easy guarantees in such situations;

WHEREAS, an annexation dispute relating to Fircrest Acres exists between the two cities and 67<sup>th</sup> Street rights-of-way is affected by this annexation dispute; and,

WHEREAS, a Declaratory Judgement action, either separately or as a part of the Fircrest Acres, annexation could be brought before the Court, and with the consent of the cities of University Place and Fircrest and of Pierce County a Judgement Order could be reached that any widening of 67<sup>th</sup> Streets rights-of-way East into Fircrest shall not be allowed without the approval of the City of Fircrest. **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:**

Section 1. Rights-of-Way transfer of 67<sup>th</sup> Street from Pierce County and Fircrest to University Place is requested.

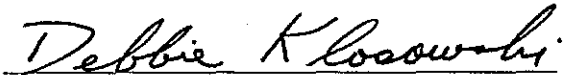
Section 2. The City of University Place agrees not to widen 67<sup>th</sup> Street rights-of-way to the East into Fircrest without the approval of the City of Fircrest.

Section 3. The City of University Place agrees to prepare and file necessary action items for Declaratory Judgement, with support from the City of Fircrest and Pierce County.

Section 4. The City of University Place seeks the approval of the City of Fircrest to the above transfer of County island areas and Fircrest half-street areas of the 67<sup>th</sup> Street rights-of-way to the City of University Place as provided in this Resolution.

Section 5. This resolution shall take effect immediately upon signing.

**ADOPTED BY THE CITY COUNCIL ON MARCH 2, 1998**

  
Debbie Klosowski, Mayor

Attest:

  
Susan Matthew, City Clerk