

**ORDINANCE NO. 672**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, APPROVING THE REVISION OF THE CORPORATE BOUNDARY OF THE CITY OF UNIVERSITY PLACE, WHERE IT COINCIDES WITH A PORTION OF 44<sup>TH</sup> STREET WEST IN ORDER TO FULLY INCLUDE THAT AREA WITHIN THE CORPORATE LIMITS OF THE CITY**

WHEREAS, State law provides that the governing bodies of a county and any code city located therein may by agreement revise any part of the corporate boundary of the city which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as to fully include or fully exclude that segment of the public street, road or highway from the corporate limits of the city; and

WHEREAS, the revision of a corporate boundary as authorized by State law is not subject to review by the Boundary Review Board; and

WHEREAS, at the time of City incorporation there was an oversight on 44<sup>th</sup> Street West (between 67<sup>th</sup> Avenue West and Alameda Avenue West). The north half of the road right-of-way is in Fircrest. The south half, which should have been included in the boundary of University Place, was omitted and still shows Pierce County as the jurisdiction for the entire south half; and

WHEREAS, City of University Place and Pierce County wish to agree to revise the City of University Place boundary so as to expand the corporate boundaries of the City of University Place to include said right-of-way; and

WHEREAS, Pierce County and the City of University Place have mutually determined that a revision of certain boundaries of the City is beneficial and will aid in defining jurisdictional responsibilities such as public road maintenance and law enforcement;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Legislative Findings. The above recitals are hereby incorporated as if fully set forth herein.

Section 2. Boundary Revision. The revision of the corporate boundary of the City of University Place where it coincides with certain portions of the right-of-way for 44<sup>th</sup> Street West is hereby approved to fully include said area legally described as follows:

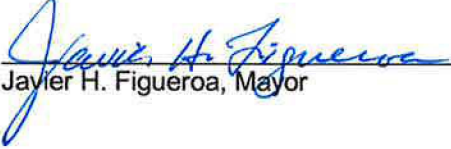
That portion of 44<sup>th</sup> Street West lying south of the east-west centerline of the right-of-way in the southwest quarter of Section 14, Township 20 North, Range 2 East W.M., excepting therefrom those portions lying within 67<sup>th</sup> Avenue West, and Alameda Avenue.

Section 3. Completion of Revision. The revision of the corporate boundary authorized by this Ordinance shall become effective when approved by legislation of the Pierce County Council.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. Publication and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED BY THE CITY COUNCIL ON AUGUST 1, 2016.

  
\_\_\_\_\_  
Javier H. Figueroa, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Emelita Genetia, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Steve Victor, City Attorney

Published: 08/03/16  
Effective Date: 08/08/16

UNOFFICIAL DOCUMENT