**ORDINANCE NO. 03-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, APPROVING THE REVISION OF THE CORPORATE BOUNDARY OF THE CITY OF BUCKLEY, WHERE IT COINCIDES WITH CERTAIN PORTIONS OF THE RIGHT-OF-WAY FOR 298TH AVENUE EAST / SOUTH DIVISION STREET AND HINKLEMAN EXTENSION ROAD EAST IN ORDER TO FULLY INCLUDE SAID AREAS IN THE CORPORATE LIMITS OF THE CITY OF BUCKLEY.**

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**WHEREAS,** Revised Code of Washington (RCW) 35A.21.210 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 therefore a right-of-way line of the same public street, road or highway so as fully to include or fully to 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 RCW 35A.21.210 is not subject to review by the Boundary Review Board; and

**WHEREAS,** certain portions of the right-of-way for 298th Avenue East / South Division Street associated with City of Buckley Annexation Ord. 543, are partially located within the corporate boundaries of the City of Buckley and partially located in unincorporated Pierce County; and

**WHEREAS,** the entire portion of Hinkleman Extension Road East right-of-way between Hinkleman Road and Sumner-Buckley Highway East is currently located in unincorporated Pierce County; and

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

**WHEREAS,** Pierce County and the City of Buckley 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; and

**WHEREAS,** upon completion of the described boundary revisions, the City of Buckley will have permitting authority over the included right-of-way for 298$^{th}$ Avenue East / South Division Street and Hinkleman Extension Road East; and

**WHEREAS**, the Pierce County Council adopted Ordinance No. 2020-21 on March 17, 2020, approving such revisions; and

**WHEREAS**, RCW 35A.21.210 requires the adoption of a corresponding City ordinance effectuating such revision; now therefore

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1**. The revision of the corporate boundary of the City of Buckley where it coincides with certain portions of the right-of-way for 298th Avenue East / South Division Street and Hinkleman Extension Road East as described in the whereas clauses of this ordinance is hereby approved to fully include said area legally described as follows and shown in Exhibit A, which is attached hereto and incorporated herein by reference.

*The east 25 feet of the South half of the Northwest quarter of the Northwest quarter, and the Southwest quarter of the Northwest quarter of Section 10, Township 19 North, Range 6 East, W.M.*

Along with a strip of land 30 feet in width described as follows:

*That portion of Hinkleman Extension Road bounded on the north by the southwesterly right of way margin of Sumner Buckley Highway East (Mason Avenue East),and bounded on the south by the north right of way line of Hinkleman Road extended easterly to the east edge of said 30-foot strip.*

*Situated in Pierce County, Washington.*

**Section 2**. The City Clerk shall mail a copy of this Ordinance to the Clerk of the Pierce County Council and to the County Engineer.

APPROVED by the Buckley City Council this 10th day of March, 2020.

Pat Johnson

Pat Johnson, Mayor

Attest:

Treva Percival

Treva Percival, City Clerk

APPROVED AS TO FORM:

Phil Olbrechts, City Attorney

PUBLISHED: March 18, 2020

EFFECTIVE: March 23, 2020