RESOLUTION # 11-16 **DECEMBER 5, 2011**

A RESOLUTION OF THE CITY OF MILLWOOD, WASHINGTON, AUTHORIZING AGREEMENT WITH SPOKANE COUNTY FOR THE REVISION OF A CITY-COUNTY BOUNDARY TO CITY OF MILLWOOD AT VISTA ROAD AND BESSIE ROAD, SPOKANE COUNTY ENGINEER'S ROAD FILE NOS. 1399 AND 1201.

WHEREAS, the City of Millwood, Spokane County, Washington ("City") is a non-charter code city, by virtue of the Constitution and laws of the State of Washington; and

WHEREAS, pursuant to Chapter 35A.11 RCW, the City Council (the "Council") may adopt and enforce ordinances and resolutions of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, the present City-Spokane County ("County") boundary lies east of the centerline of Vista Road between Liberty and Courtland Streets and east of the centerline of Bessie Road between Grace and Buckeye Streets; and

WHEREAS, the City has maintained these aforementioned portions of roadway for both Vista Road and Bessie Road; and

WHEREAS, RCW 35.21.790 provides for the revision of a City-County boundary on a road by agreement between the City and County; and

WHEREAS, the City requested that the City-County boundary be revised by agreement to incorporate the aforementioned County half width rights-of-way of Vista Road and Bessie Road per the legal description below; and

WHEREAS, the City of Spokane Valley has been consulted and supports the request of the City; and

WHEREAS, the Board of County Commissioners of the County passed Resolution No. 11-1006 on November 8, 2011, agreeing to revise the corporate limits of the City to include the half width rights-of-way of Vista Road and Bessie Road per the legal description below;

WHEREAS, the Council believes it is in the best interests of the City to execute an Agreement as provided for in RCW 35.21.790;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MILLWOOD, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Agreement Regarding Boundary Adjustment. That pursuant to RCW 35.21.790, the corporate limits of the City be revised to include the street or road right-of-way adjacent thereto described as follows:

Vista Road – lying south of the north line of Glass/Courtland Avenue and north of the north line of Liberty Avenue located in the southwest quarter of Section 6, Township 25 North, Range 44 E.W.M.

Bessie Road – west half lying south of the north line of Grace Avenue and north of the north line of Buckeye Avenue located in the northeast quarter of Section 7, Township 25 North, Range 44 E.W.M.

And that this Resolution shall serve as the agreement between the City and County regarding this boundary revision and is hereby approved.

Section 2. Severability: If any section, sentence, clause, or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 3. Repeal: All resolutions, laws, and regulations, or parts thereof in conflict with this resolution are, to the extent of said conflict, hereby repealed.

Section 4. Effect: This resolution shall be in full force and effect from and after its adoption.

ADOPTED BY THE COUNCIL OF THE CITY OF MILLWOOD THIS 5th DAY OF DECEMBER, 2011.

Daniel N. Mork

DANIEL N. MORK, MAYOR

Attest:

Thomas G. Richardson

THOMAS G. RICHARDSON, CLERK