

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER BY REAL PROPERTY SERVICES

For the Hearing to be Held
Thursday, July 30, 2015 at 9:00 AM

PETITIONER: PUYALLUP TRIBE OF INDIANS

FILE NO. 124.1350

A. SUMMARY OF REQUEST:

Real Property Services has received a petition from the Puyallup Tribe of Indians to vacate all that certain alley right-of-way lying between East 29th and East 30th Street from Portland Avenue to East R Street, excepting therefrom the Westerly 18 feet thereof, as depicted on the attached Exhibits 2 and 3, for the construction of a multi-leveled garage structure in anticipation of the upcoming Emerald Queen Casino Relocation project soon to follow. Conceptual renderings of the project overview are attached hereto as Exhibit 4.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

All that certain alley right of way lying between and abutting Blocks 7946 and 8045 of the Indian Addition to the City of Tacoma, as per Plat recorded in Volume 7 of Plats at Page 30, records of Pierce County, Washington.

EXCEPT therefrom the Westerly 18 feet thereof.

Situate in the City of Tacoma, County of Pierce, State of Washington; within Section 10, Township 20 North, Range 03 East of the Willamette Meridian.

2. Notification:

9.22.060 NOTICE OF PUBLIC HEARING The Public Works Department shall cause a 30-day notice to be given of the pendency of the petition by written notice posted in three of the most public places in the City, a like notice in a conspicuous place on the street or alley sought to be vacated, a like notice in a newspaper of general circulation in the City, and a like notice to the legal property owners of all property abutting the right of way requested for vacation as enumerated on the applicant's vacation petition, and to any other interested parties of record. In addition to posting notices of the hearing, the Public Works Department shall mail a copy of the notice to all owners and occupants of the property which lies within 300 feet of the street or alley to be vacated. The said notice shall contain

the statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

In all cases where the proceeding is initiated by the City Council without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, notice shall be sent as provided above. Failure to send notice by mail to any such property owner where the current address for such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation.

C. PUBLIC NOTICE:

Real Property Services in conjunction with the City of Tacoma Clerk's office issued the following public notice:

The Public Hearing Notice was posted June 25, 2015 at approximately 11:00 a.m. at location described in item 1 below:

1. Placed yellow public notice sign at the westerly and easterly margins of the alley at Puyallup Avenue and East "R" Streets.
2. Public notice memo placed into the glass display case located on the second floor of the Municipal Building.
3. Public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
4. Public notice memo advertised on the City of Tacoma web site at address: <http://www.cityoftacoma.org/page.aspx?nid=596>
5. Public Notice advertised in the Daily Index newspaper.
6. Public Notice mailed to all parties of record within the 300 feet of vacation request.
7. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

As stated earlier, the Petitioner plans on acquiring the vacated area for the construction of a multi-leveled garage structure in anticipation of the upcoming Emerald Queen Casino Relocation in furtherance of Tribal development.

E. HISTORY:

The City of Tacoma acquired the alley right of way proposed to be vacated by Plat filing of the Indian Addition to the City of Tacoma as filed of record in Volume 7, at Page 30, records of Pierce County, Washington. Copy of filed Plat attached as Exhibit 5 and enlargement of the platted vacation area attached as Exhibit 6.

F. PHYSICAL LAND CHARACTERISTICS:

This alley is graveled, relatively flat, pocked with potholes, not used as a primary thoroughfare, and does not contain curbs, gutters or sidewalks with alley approaches as both Portland Avenue and East R Street.

G. APPLICABLE SECTIONS OF THE OFFICIAL CODE OF THE CITY OF TACOMA:

9.22.010 PETITION TO VACATE AUTHORIZED: The owners of an interest in any real estate abutting on any street or alley who may desire to vacate any street or alley, or any part thereof, shall petition to the City Council to make vacation in the manner hereafter provided in this chapter and pursuant to RCW 35.79 or the City Council may itself initiate by Resolution such vacation procedure. The City Council shall require the petitioners to compensate the City in an amount which equals one-half of the appraisal value of the area vacated; provided that if the street or alley has been a public right of way for 25 years or more, the City shall be compensated in an amount equal to the full appraised value of the area vacated; provided that when the vacation is initiated by the City or the City Council deems it to be in the best interest of the City, all or any portion of such compensation may be waived. Except as provided below, one-half of the revenue received hereunder shall be devoted to the acquisition, improvement, and maintenance of public open space land and one-half may be devoted to transportation projects and the management and maintenance of other City owned lands and unimproved rights-of-way.

In the case of vacations of rights-of-way in the tide flats area, defined as easterly of the Thea Foss Waterway (inclusive of the Murray Morgan Bridge), northerly of State Route 509 and westerly of Marine View Drive, the total revenue received hereunder shall be devoted to transportation projects in the tide flats area.

9.22.040 PUBLIC'S RIGHT TO TRAVEL – UTILITIES: Vacation of any portion of a street that is designated as an arterial under Section 11.05.490 of the Municipal Code shall be of a minor nature only and shall not unreasonably limit the public's right to travel upon said street or interfere with the ancillary right to occupy said street for utility purposes.

CRITERIA: Section 9.22.070 of the Official Code of the City of Tacoma. The following criteria have been considered:

1. That the vacation will provide a public benefit and/or will be for a public purpose.
2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.
3. That the public need shall not be adversely affected.

4. That the right-of-way is not contemplated or needed for future public use.
5. That no abutting owner becomes landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.
6. That vacation of right-of-way shall not be in violation of RCW 35.79.035

Regarding the above Criteria, Real Property Services finds the following:

1. The vacation is a public benefit because:
 - a. It will produce and add commercial uses of the lands to the tax rolls;
 - b. Will provide economic, and employment viability to the community; and
 - c. Facilitate economic development.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object to the vacation.
3. No general public is served by this dead end road segment.
4. The vacation area is not contemplated or needed for future public use as a right of way.
5. No abutting owner, not contemplated under this development project, becomes landlocked nor will their access be impaired.
6. The vacation area is not close to a body of water as contemplated under RCW 35.79.035.

H. ADDITIONAL INFORMATION:

The area to be vacated has not been assessed for sanitary sewers and is subject to a Connection Charge In-Lieu-of-Assessment per T.M.C. 12.08.350. Should the petitioner wish to clear this item from title, please contact Sue Simpson of the Public Works Department, L.I.D. Section, at 591-5529 for the most current assessment amount. Please note that the ordinance establishing the rate of assessment is updated every few years, and the amount quoted may increase in the future. When the petitioner has submitted a development plan, an in lieu of amount will be computed.

I. PROJECT RECOMMENDATIONS:

As part of the City's review process for street vacation petitions, notice of this application was mailed to various City departments as well as many outside quasi-governmental agencies. These agencies, as noted below, have provided comments and recommended conditions to the Real Property Services Division. These comments, where appropriate, have been incorporated in the "Recommended Conditions of Approval" section of this preliminary report.

Preliminary Report – Exhibit 1
Map Exhibit – Exhibit 2
Aerial Map Exhibit – Exhibit 3
Conceptual Drawings – Exhibit 4

Plat – Exhibit 5
Plat Enlargement – Exhibit 6
PW Traffic – Exhibit 7
Environmental Services – Exhibit 8
Tacoma Power & Click! – Exhibit 9
Public Works/LID – Exhibit 10
Comcast Communications – Exhibit 11
CenturyLink – Exhibit 12

Tacoma Water – No Objection
Tacoma Fire – No Objection
Solid Waste – No Objection
Pierce Transit – No Objection
Puget Sound Energy – No Objection

PW Engineering – No Response
Police – No Response
Planning & Development Services – No Response

J. RECOMMENDED CONDITIONS OF APPROVAL:

Should this street vacation request be approved, the Real Property Services Department of Public Works recommends that the following conditions be made conditions of approval:

1. PAYMENT OF FEES

The petitioner shall compensate the City in an amount equal to the full appraised value of the area vacated. One-half of the revenue received shall be devoted to the acquisition, improvement and maintenance of public open space land and one-half may be devoted to transportation projects and /or management and maintenance of other City owned lands and unimproved rights-of-way. *TMC 9.22.010*

2. PUBLIC WORKS TRAFFIC

- a. Please contact Jennifer Kammerzell at (253) 591-5511 regarding Traffic's comments.
- b. Traffic has no objection; however, they advise the Petitioner that a finalized Traffic Impact Study will be required prior to development.

3. ENVIRONMENTAL SERVICES

- a. Please contact Larry Criswell at (253) 591-5787 regarding Environmental Service's comments.
- b. Environmental Services has no objection; provided, all existing infrastructure is relocated, operating and accepted in accordance with an approved Work Order.

4. TACOMA POWER & CLICK! NETWORK

- a. Please contact Jeffrey Rusler at (253) 502-8309 regarding Tacoma Power and Click! Network's comments.
- b. Tacoma Power and Click! Network have no objection; provided all existing infrastructure is relocated, energized and accepted prior to completion of this vacation action.

5. PUBLIC WORKS/LID

- a. Please contact Sue Simpson at (253) 591-5529 regarding LID's comments.
- b. LID has no objection; however has provided an Advisory Comment for the Petitioner that there currently is an in-lieu of assessment for sanitary sewer in the amount of \$1,325.80.
- c. *Note: Advisory Comment only*

Third Party Comments for the record:

6. COMCAST

- a. Please contact Aaron Cantrel at (206) 510-4222 regarding Comcast's comments.
- b. Comcast has no objection; provided all existing infrastructure is to be protected by either independent Easement and/or relocated, at Petitioner's sole expense, in coordination with Tacoma Power.

7. CENTURY LINK

- a. Please contact Jeff Lawrey at (206) 345-0333 regarding CenturyLink's comments.
- b. CenturyLink has no objection; provided all existing infrastructure is to be protected by either independent Easement and/or relocated, at Petitioner's sole expense, in coordination with Tacoma Power.

8. PUBLIC COMMENT

Real Property Services has received the following public comment:

The applicant shall comply with all City regulations for any future use of the subject site.

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.



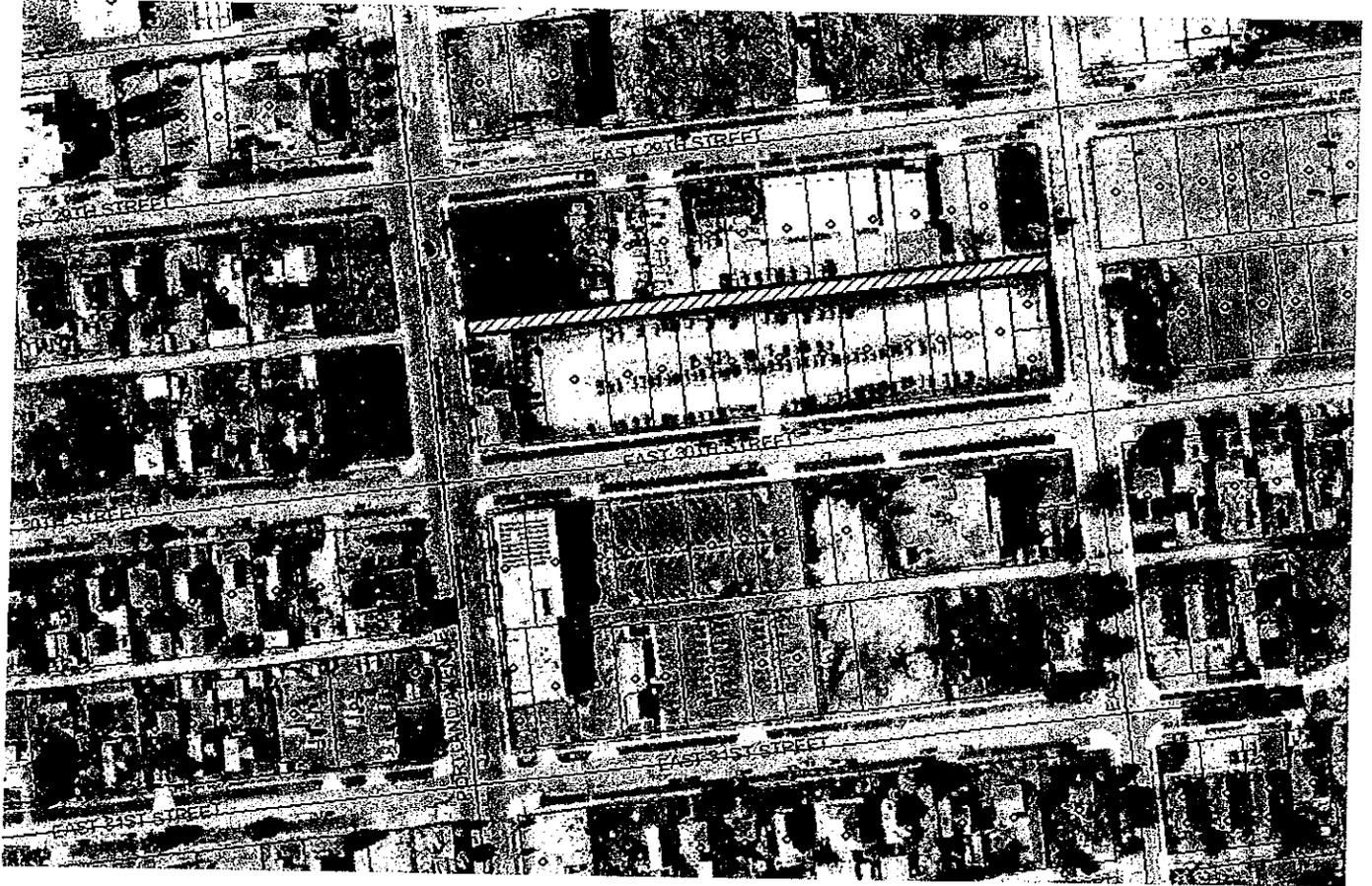
Puyallup Tribe of Indians

STREET VACATION NO. 124.1350

Alley between Portland Ave./ East R Street & East 29th / East 30th Streets

NE 1/4 SEC. 10, T20N, R3E

NOT TO SCALE



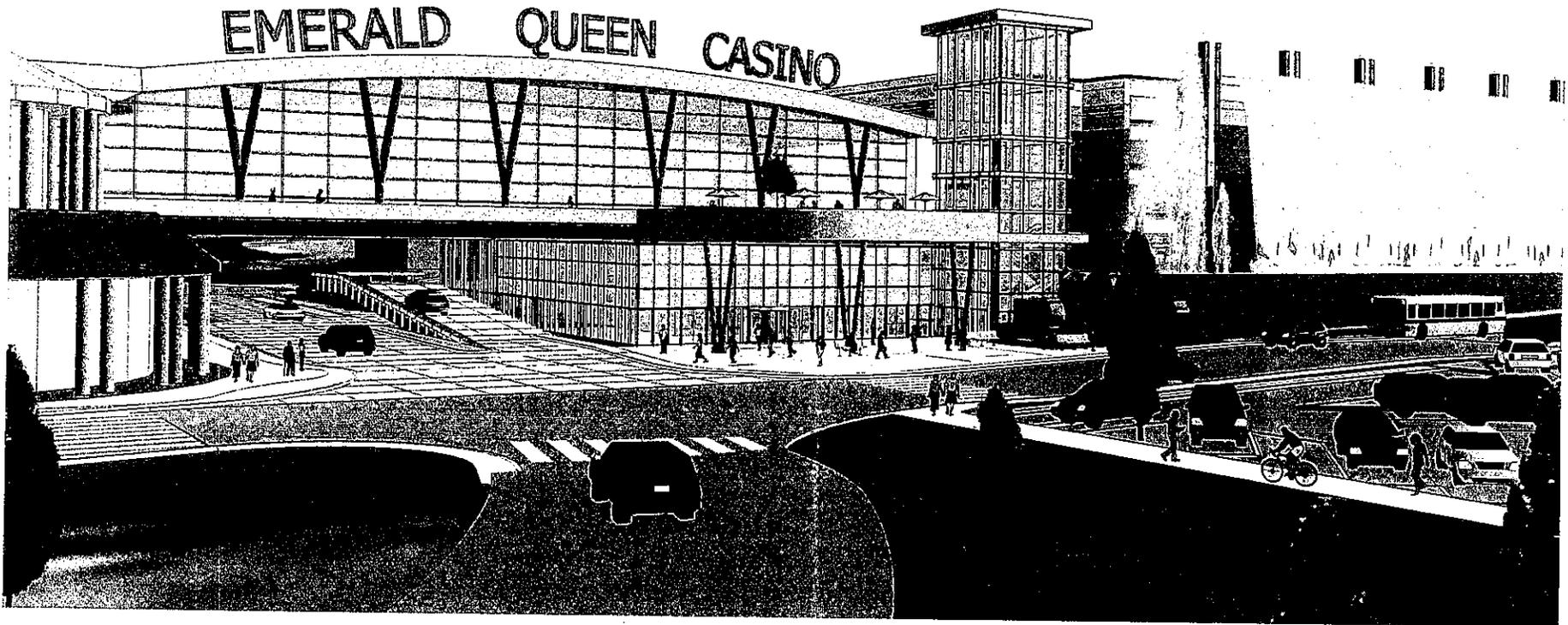
Puyallup Tribe of Indians

STREET VACATION NO. 124.1350

Alley between Portland Ave./ East R Street & East 29th / East 30th Streets

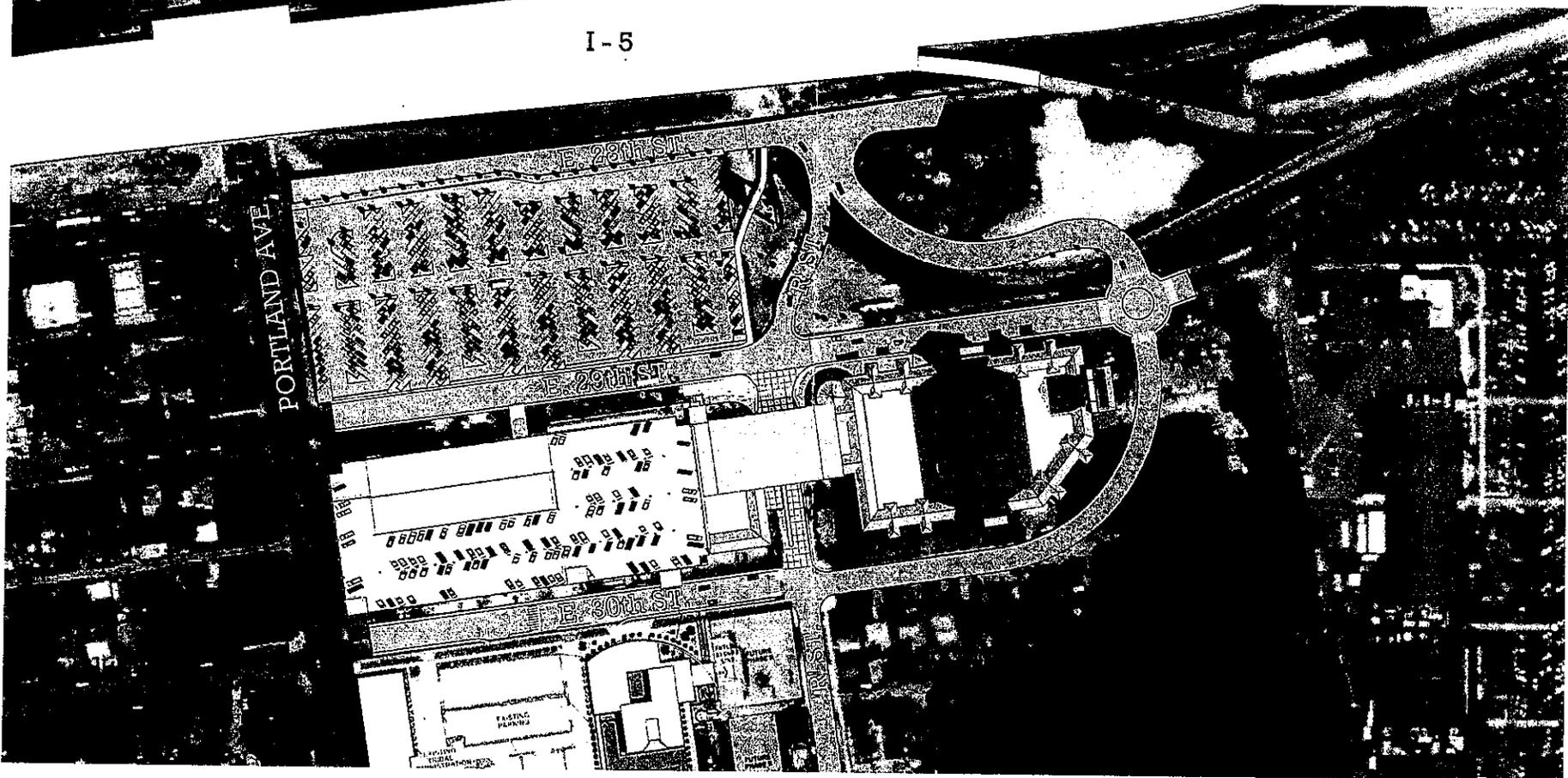
NE 1/4 SEC. 10, T20N, R3E

NOT TO SCALE



CONCEPTUAL DESIGN SKETCH

PUYALLUP TRIBE OF INDIANS
EMERALD QUEEN CASINO | 12.3.2014



SITE PLAN

PUYALLUP TRIBE OF INDIANS
EMERALD QUEEN CASINO | 12.3.2014

MAP OF

THE INDIAN ADDITION

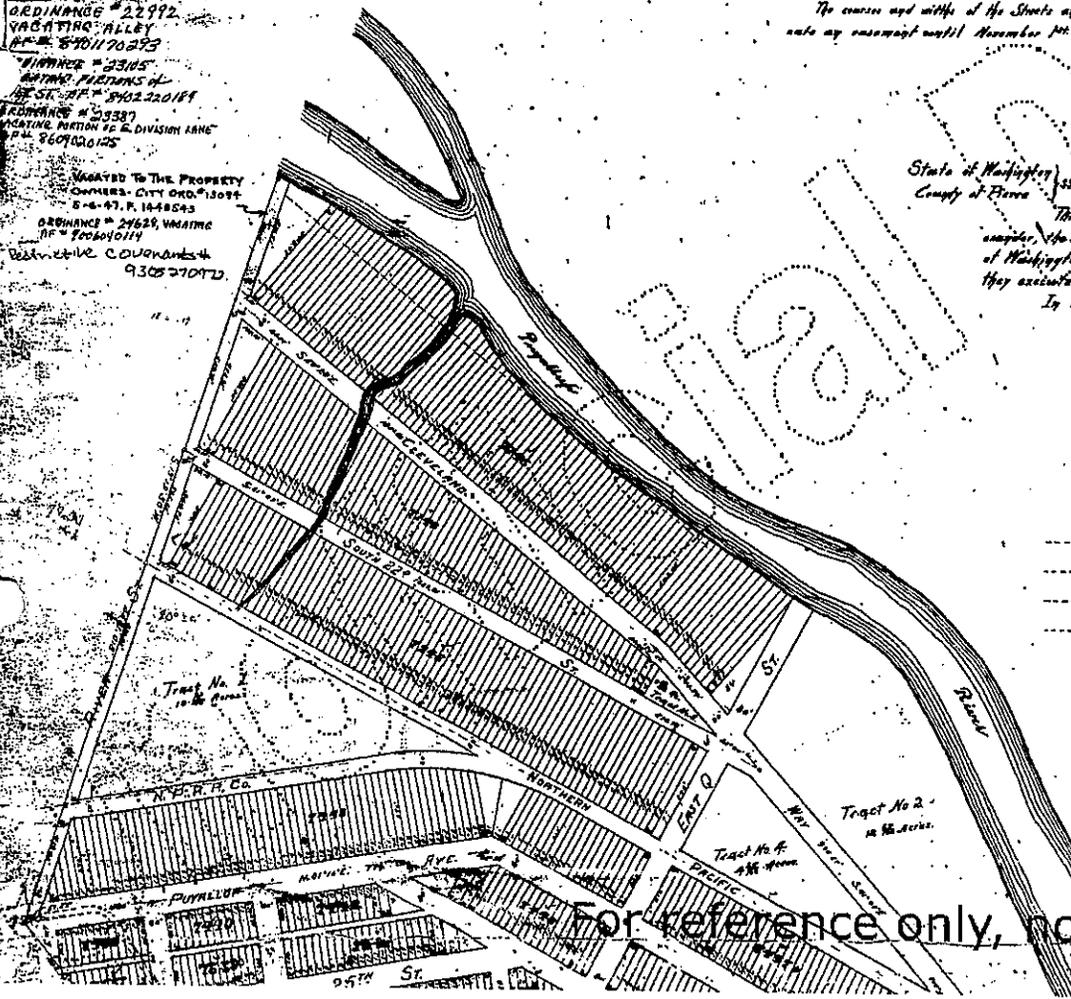
TO THE
CITY OF TACOMA

Exhibit 5

Washington County Commissioners' Order 13th 1946,
Vacating all that portion of "M" Street lying between
Blocks 7538 and 7510, and between south line of A.M. St.
and north line of alley running east and west along
the side of said blocks 7538 and 7510, produced across
"M" Street, and also all that portion of "N" Street
lying between blocks 7510 and 7512 and between
south line of South 25th Street and north line of alley
running east and west along the south side of
Blocks 7510 and 7512, produced across said
Street, subject to certain terms and conditions.
Volume 26, page 409, Commissioners' Record.

ORDINANCE 20667
VACATING PORTION OF
"M" ST. # 2651993
ORDINANCE 22992
VACATING ALLEY
2651170293
ORDINANCE 23105
VACATING PORTION OF
"M" ST. # 265220181
ORDINANCE 23387
VACATING PORTION OF E. DIVISION AVE
2652100125

VACATED TO THE PROPERTY
OWNERS - CITY ORD. 15094
6-6-47, P. 1448543
ORDINANCE 24625, VACATING
OF "M" ST. 10/11/51
RESTRICTIVE COVENANTS #
9305270710



You will say by their parents that we, James J. Anderson of Illinois, John M. Penrose of Georgia, and Francis Alexander of Ohio, Puyallup Indian Commission under and by virtue of an Act of Congress approved March 3rd A.D. 1893, do hereby liquidate and plot into quiet title, School Lands, Church Lot, Cemetery, Lots, Blocks, Streets and Alleys the following described tract of land, lying and being in the Puyallup Indian Reservation, viz.: Lots 5, 6, 7 and 8 in Section 8; Lots 2, 3, 4 and 5, the N.E. 1/4 of the N.W. 1/4, the N.W. 1/4 and the S.W. 1/4 of the S.E. 1/4, and the S.E. 1/4 of the S.W. 1/4 of the S.W. 1/4 in Section 11, all in Township 28 North Range 5 East of Willapa Meridian, in Pierce County, State of Washington, containing about 585 acres, to be known as The Indian Addition to the City of Tacoma; And we do hereby donate and dedicate all the streets and alleys as shown on this map to the uses of the public forever, reserving the right to invade and maintain a water supply system, in or along any of said streets or alleys for use of the Indian School and Agency.
The corners and widths of the Streets and Alleys, the dimensions of the Lots and Blocks and their angles are substantially as shown upon this map. We also dedicate any easement until November 1st 1896 and so begin upon the 11th day of this month by linking lines.
In witness whereof we have hereunto set our hands and seals this 29th day of October A.D. 1894.

James J. Anderson }
John M. Penrose } Puyallup Indian Commission
Francis Alexander }

State of Washington }
County of Pierce }

This is to certify that on this 29th day of October A.D. 1894 James J. Anderson, John M. Penrose and Francis Alexander, the said Puyallup Indian Commissioners, personally appeared before me, a Notary Public in and for the State of Washington, claiming to me to be the same individuals who executed the foregoing instrument and who acknowledged that they executed the same freely and voluntarily for the uses and purposes therein set forth.
In witness whereof I have hereunto set my hand and official seal this day and date first above written in this certificate.



J.H. Baird
Notary Public in and for the State of Washington,
Residing at Tacoma.

A.V. Fawcett
W.L. Bartholomew }
William Boyd } County Commissioners
Approved Oct. 25th 1894. } Pierce County
Washington.

Tacoma, May 17 1896.
I hereby certify that all State and County taxes heretofore levied and which have become a charge on the property described within according to the books and records of my office, have been fully paid and discharged.



John C. Hedges
Treasurer Pierce County, Wash.
By Harry R. Bartholomew, Deputy.

For reference only, not for re-sale.

Reserve Government
9211160273

Scale 1 inch = 500 feet



DEPARTMENT OF THE ARMY
ENGINEERING DISTRICT
WASHINGTON, D. C.
PLANS 2010102.81

For reference only, not for sale

Flood map recorded at the request of
James J. Cleveland, H.D. 1896
This district only is shown. H.D. 1896
at 5 1/2 inches per foot, which is not
to apply to the whole of the
District of Columbia.

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

SOUTH 29TH

11
10
9
8
7
6
5
4
3
2
1

SOUTH 30TH

11
10
9
8
7
6
5
4
3
2
1

SOUTH 31ST

11
10
9
8
7
6
5
4
3
2
1

SOUTH 32ND

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1

11
10
9
8
7
6
5
4
3
2
1



Cornforth, Ronda

From: Kammerzell, Jennifer
Sent: Wednesday, April 29, 2015 3:21 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Traffic Engineering has no objections. As a reminder, a finalized Traffic Impact Study will be required prior to development.

Jennifer Kammerzell

Senior Engineer
City of Tacoma Public Works Engineering

From: Cornforth, Ronda
Sent: Tuesday, April 28, 2015 4:25 PM
To: Barnett, Elliott; Bateman, Joy; Ben Han (bhan@piercetransit.org); Boczar, Sue; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilynn; Erickson, Ryan; Fletcher, Gloria; Howatson, James; Jeff Lawrey ; Johnson, David (PDS); Kammerzell, Jennifer; Larson, Chris; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development Group ; Standley, Steven; Trohimovich, Merita
Subject: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1350, as requested by the Puyallup Tribe of Indians, and provide comments for your respective utility/agency **on or before MAY 12, 2015**. Responses received later than May 12, 2015 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth

City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
rcornfor@cityoftacoma.org

We are made wise not by the recollection of our past, but by the responsibility for our future.

Cornforth, Ronda

From: Criswell, Larry
Sent: Thursday, May 07, 2015 8:13 AM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Ronda,

SDG has no other comments for Vacation 124.1350; all requirements will be done per the Work Order.

If I can be of further assistance, please don't hesitate to contact me.

Sincerely,

Larry Criswell

Construction Engineer
Site Development Group
Science & Engineering Division
City of Tacoma, Environmental Services Department
253-591-5787

From: McLeod, Bonnie **On Behalf Of** Site Development
Sent: Wednesday, May 06, 2015 3:04 PM
To: Criswell, Larry
Subject: FW: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians
Importance: High

Larry,

Can you respond to this one, near E R St?

Thank you,

Bonnie McLeod

Engineering Technician II - (253) 591-5752
Site Development Group, Science & Engineering Division
City of Tacoma, Environmental Services Department

From: Cornforth, Ronda [<mailto:rcornforth@cityoftacoma.org>]
Sent: Tuesday, April 28, 2015 4:25 PM
To: Barnett, Elliott; Bateman, Joy; Ben Han (bhan@piercetransit.org); Boczar, Sue; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fletcher, Gloria; Howatson, James; Jeff Lawrey; Johnson, David (PDS); Kammerzell, Jennifer; Larson, Chris; Reynolds, Tanara; Seaman, Chris; Simpson, Sue; Site Development Group; Standley, Steven; Trohimovich, Merita
Subject: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians
Importance: High

Agency Reviewer,

Cornforth, Ronda

From: Fletcher, Gloria
Sent: Monday, May 11, 2015 12:16 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Hi Ronda,

Tacoma Power and Click! have been working with the Tribe on the relocation of all of their facilities, and therefore does not want this vacation to proceed until that relocation is complete. Therefore, their comments are as follows:

“Tacoma Power and Click Network have no objections to the proposed street vacation providing all existing Tacoma Power/Click Network facilities are relocated and re-energized prior to the completion of the street vacation.”

Let me know if you have any questions.

THANKS!
-Gloria

From: Cornforth, Ronda
Sent: Tuesday, April 28, 2015 4:25 PM
To: Barnett, Elliott; Bateman, Joy; Ben Han (bhan@piercetransit.org); Boczar, Sue; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fletcher, Gloria; Howatson, James; Jeff Lawrey ; Johnson, David (PDS); Kammerzell, Jennifer; Larson, Chris; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development Group ; Standley, Steven; Trohimovich, Merita
Subject: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1350, as requested by the Puyallup Tribe of Indians, and provide comments for your respective utility/agency on or before MAY 12, 2015. Responses received later than May 12, 2015 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
rcornfor@cityoftacoma.org



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

FROM: RJ CORNFORTH
PUBLIC WORKS /REAL PROPERTY SERVICES

SUBJECT: STREET VACATION REQUEST NO. 124.1350

DATE: April 28, 2015

Real Property Services has received a petition from the Puyallup Tribe of Indians to vacate all that certain alley lying between Portland Avenue and East "R" Street and between East 29th Street and East 30th Street in preparation for the proposed Emerald Queen Casino relocation and associated parking structure.

In order to be considered, your comments must be received by Real Property Services, TMB, Room 737, by May 12, 2015. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

- Attachment(s)
- AT&T Broadband
- Pierce Transit
- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
- PW/BLUS (2)
- PW/Construction
- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

_____ No Objections

_____ Comments Attached

5/14/2015 Date

[Signature] Signature

PW/RPS Department

In LIEU of ASSESSMENT
 \$ 1,325.80

Cornforth, Ronda

From: Cornforth, Ronda
Sent: Wednesday, April 29, 2015 8:19 AM
To: Rusler, Jeffrey; Cantrel, Aaron R
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Jeff,

This is just the alley for the garage and casino – between 29th & 30th.

From: Rusler, Jeffrey
Sent: Wednesday, April 29, 2015 8:13 AM
To: Cantrel, Aaron R
Cc: Cornforth, Ronda
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Aaron,

I'm not sure which vacation this is for if it's for both alleys, since the exhibits didn't make their way through the replies. But for both the 28th/29th St alley and 29th/39th St alley vacations we'll be wrecking out the pole line and routing it underground around the south side of the blocks. Jim Smith with BCE (253)922-0446 is the engineer working on the Tribe's plans. I've attached their latest set of plans, or at least the most recent ones I have. They were planning on putting in 4" for all the telecom companies. You can direct any questions to Jim if you have additional needs and requirements you want added to their plans. I sent a Letter of Agreement out to the Tribe a month or so ago but haven't gotten it back. Once I get that along with a deposit, I'll get some drawings out for our preliminary plans.

Thanks,

Jeff Rusler, P.E. | Tacoma Power
T&D Electrical Services - New Services Engineering
P: (253) 502-8309 | F: (253) 502-8659
<http://www.mytpu.org/tacomapower/permitting/>

From: Cornforth, Ronda
Sent: Wednesday, April 29, 2015 7:52 AM
To: Cantrel, Aaron R
Cc: Rusler, Jeffrey
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Perfect – Jeff's been inundated with multiple renditions for Tribal designs within this same 5 block area. I will trust that coordination between the two of you will occur as this proceeds forward.

Thanks for your quick response.

From: Cantrel, Aaron R [mailto:Aaron_Cantrel@cable.comcast.com]
Sent: Wednesday, April 29, 2015 7:48 AM
To: Cornforth, Ronda
Cc: Rusler, Jeffrey
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

I don't recall any exist project for that vacation area. We would are than likely follow the same relocation path as TPU.

From: Cornforth, Ronda [mailto:rcornforth@cityoftacoma.org]
Sent: Wednesday, April 29, 2015 7:46 AM
To: Cantrel, Aaron R
Cc: Rusler, Jeffrey
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Aaron,

Have you been in communication with Jeff Rusler regarding any possible relocation plans, and is it accurate to state that you will relocate to any future TPU location?

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
rcornfor@cityoftacoma.org

We are made wise not by the recollection of our past, but by the responsibility for our future.

From: Cantrel, Aaron R [mailto:Aaron_Cantrel@cable.comcast.com]
Sent: Wednesday, April 29, 2015 7:23 AM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians

Comcast comments attached.

From: Cornforth, Ronda [mailto:rcornforth@cityoftacoma.org]
Sent: Tuesday, April 28, 2015 4:25 PM
To: Barnett, Elliott; Bateman, Joy; Ben Han (bhan@piercetransit.org); Boczar, Sue; Boudet, Brian; Cantrel, Aaron R; Cornforth, Ronda; Coyne, Richard; Danby, Marilyn; Erickson, Ryan; Fletcher, Gloria; Howatson, James; Jeff Lawrey ; Johnson, David (PDS); Kammerzell, Jennifer; Larson, Chris; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development Group ; Standley, Steven; Trohimovich, Merita
Subject: Street Vacation 124.1350 - Comments DUE May 12th - Puyallup Tribe of Indians
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1350, as requested by the Puyallup Tribe of Indians, and provide comments for your respective utility/agency **on or before MAY 12, 2015**. Responses received later than May 12, 2015 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

FROM: RJ CORNFORTH
PUBLIC WORKS /REAL PROPERTY SERVICES

SUBJECT: STREET VACATION REQUEST NO. 124.1350

DATE: April 28, 2015

Real Property Services has received a petition from the Puyallup Tribe of Indians to vacate all that certain alley lying between Portland Avenue and East "R" Street and between East 29th Street and East 30th Street in preparation for the proposed Emerald Queen Casino relocation and associated parking structure.

In order to be considered, your comments must be received by Real Property Services, TMB, Room 737, by **May 12, 2015**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

- Attachment(s)
 AT&T Broadband
 Comcast
 Pierce Transit
 Puget Sound Energy
 Qwest Communications
 Fire Department
 Police Department
 TPU/Power/T&D
 TPU/Water/LID
 PW/Director (3)
 PW/BLUS (2)
 PW/Construction
 PW/Engineering
 PW/Engineering/LID
 PW/Engineering/Traffic
 PW/Environmental Services
 PW/Solid Waste
 PW/Street & Grounds
 Tacoma Economic Development
 Click! Network

RESPONSE

No Objections
 Comments Attached

4-29-15 Date
Ramon Gutierrez Signature
Planning & Design Department

* Comments :
 Comcast has aerial system attached to TPU poles the entire length of the vacation area. The easement is protected by the City Act and the Master Pole Agreement with TPU. Any relocation of the facilities will at the developers expense.

RECEIVED
MAY 14 2015



CenturyLink®

May 12th 2015

CITY OF TACOMA
FACILITIES MANAGEMENT

City of Tacoma
Real Property Services
Attn: R J Cornforth
747 Market Street, Room 737
Tacoma, Washington 98402

RE: Street Vacation 124.1350 – Puyallup Tribe of Indians

Dear Ms. Cornforth,

This letter is in response to the notice for the above referenced vacation. **Qwest Corporation (d/b/a CenturyLink) has facilities in the area addressed by this action and wishes to retain any and all rights to remain in said area and to add facilities in the future as needed.**

At this time, Qwest (d/b/a CenturyLink) will not have issues with the proposed vacation **so long as provisions are made to retain our rights by means of an easement containing explicit language granting to “Qwest Corporation d/b/a CenturyLink QC and its successors” rights that will cover our existing & future facilities.**

Please feel free to contact me as needed; I can be reached at 206-345-0333 or R.Lawrey@CenturyLink.com. Thank you for your time.

Sincerely,

Qwest Corporation d/b/a CenturyLink QC
R. Jeff Lawrey
Network Real Estate
Western Washington
1208 NE 64th St. Rm 401
Seattle, WA 98115

1208 NE 64th St., 4th floor
Seattle, WA 98115-6722
www.centurylink.com

Exhibit 12