



## RESOLUTION NO. 39201

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 July 9, at 9:00 a.m. as the date for a hearing before the City of Tacoma  
3 Hearing Examiner on the request to vacate that portion of South 22nd  
4 Street lying between the easterly margin of Interstate 705 and the westerly  
5 margin of Dock Street, to facilitate full closure of the rail crossing as  
6 negotiated in the Exchange Agreement between the City and the BNSF  
7 Railway Company, dated April 17, 2014.

8 WHEREAS Resolution No. 38638, adopted Mach 5, 2013, authorized the  
9 execution of an Exchange Agreement between the City and the BNSF Railway  
10 Company, dated April 17, 2014, and

11 WHEREAS, through the agreement, BNSF agreed to grant the City various  
12 easements necessary for projects such as the Prairie Line Trail and Pedestrian  
13 Crossing Improvements at "A" and "D" Streets, and the City agreed to vacate  
14 portions of "A" Street for use by BNSF, and

15 WHEREAS BNSF has petitioned for the vacation of the following legally  
16 described right-of-way area to facilitate full closure of the rail crossing as  
17 negotiated in the Exchange Agreement between the City and BNSF:

18 South 22nd Street lying between the Easterly margin of  
19 Interstate 705 and the Westerly margin of Dock Street, within  
20 the Northeast Quarter of the Northwest Quarter of Section 09,  
21 Township 20 North, Range 3 East, W.M., within the City of  
22 Tacoma, County of Pierce, State of Washington;

23 Now, Therefore,

24 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

25 Section 1. That Thursday, July 9, 2015, at 9:00 a.m., is hereby fixed as the  
26 date and time, and the Council Chambers on the first floor of the Tacoma  
Municipal Building, 747 Market Street, in the City of Tacoma, as the place when



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and where the request by BNSF Railway Company (“BNSF”) to vacate that portion of South 22nd Street lying between the easterly margin of Interstate 705 and the westerly margin of Dock Street to facilitate full closure of the rail crossing as negotiated in the Exchange Agreement between the City of Tacoma and BNSF, dated April 17, 2014, will be heard by the Hearing Examiner and her recommendations thereafter transmitted to the Council of the City of Tacoma.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney

Property description approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: That portion of South 22nd Street lying between the easterly margin of Interstate 705 and the westerly margin of Dock Street  
Petitioner: BNSF Railway Company  
File No.: 124.1349