



## ORDINANCE NO. 28616

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating the  
4 east 12 feet of Fawcett Avenue, lying between the southerly line of  
5 South 21st Street and the northerly line of South 23rd Street, for the  
6 purpose of facilitating site improvements and future development;  
7 and adopting the Hearing Examiner's Findings, Conclusions, and  
8 Recommendations related thereto.

9 WHEREAS all steps and proceedings required by law and by  
10 resolution of the City Council to vacate the portion of the right-of-way  
11 hereinafter described have been duly taken and performed; Now, Therefore,

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's  
14 Findings, Conclusions, and Recommendations as contained in the Hearing  
15 Examiner's Report and Recommendation to the City Council bearing File  
16 No. 124.1397 and dated September 10, 2019, which Report is on file in the  
17 office of the City Clerk.  
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Section 2. That the east 12 feet of Fawcett Avenue, lying between the southerly line of South 21st Street and the northerly line of South 23rd Street, legally described as follows:

A portion of the Northeast quarter of the Northeast quarter of Section 8 and of the Northwest quarter of the Northwest quarter of Section 9, all in Township 20 North, Range 3 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows:

The Easterly 12 feet of Fawcett Avenue lying northerly of the northerly margin of South 23rd Street as defined by City of Tacoma Substitute Ordinance No. 28381 recorded under Auditor's File Number 201806250242, records of Pierce County, Washington and southerly of the southerly margin of South 21st Street.

Situate in the City of Tacoma, County of Pierce, State of Washington.

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:



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Tacoma Water

Tacoma Water has five existing water services and meters located within the boundaries of the Vacation Area. An easement five feet (5') behind and five feet (5') on either side of each service is required.

Passed \_\_\_\_\_

\_\_\_\_\_

Attest:

Mayor

\_\_\_\_\_  
City Clerk

Approved as to form:

Property description approved:

\_\_\_\_\_  
Deputy City Attorney

\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: The east 12 feet of Fawcett Avenue, lying between the southerly line of South 21st Street and the northerly line of South 23rd Street.

Petitioner: North American Asset Management Group, LLC

Vacation Req. No. 124.1397