



## RESOLUTION NO. 39261

1 A RESOLUTION relating to surplus property; declaring real property owned by the  
2 City, located at 3515 North Alder Way, to be surplus to the needs of the  
3 City; and authorizing the execution of a Purchase and Sale Agreement and  
4 Quit Claim Deed to convey said real property to Ian and Yong-Ye Costello  
5 for the amount of \$6,141.

6 WHEREAS, in 2005, the City purchased the approximately 4,000 square-foot  
7 property located at 3515 North Alder Way ("Property") to facilitate a restoration  
8 effort in Puget Creek by the Puget Creek Restoration Society ("PCRS"), and

9 WHEREAS, since the time of purchase, PCRS has been unable to move  
10 the project beyond a conceptual phase, and

11 WHEREAS, over the last several years, the abutting property owners, Ian  
12 and Yong-Ye Costello, have expressed their desire to purchase the Property from  
13 the City, and

14 WHEREAS, in November 2013, PCRS objected to the potential sale of the  
15 Property and requested additional time for project development, and

16 WHEREAS, on January 21, 2014, the City delivered a letter to PCRS,  
17 outlining the requirements to continue holding the property exclusively for the  
18 PCRS project, and directing PCRS to submit the following documents to establish  
19 project viability no later than July 24, 2014: a feasibility/constructability study,  
20 written support from funding agencies, written support from BNSF Railway  
21 Company ("BNSF") to grant the necessary property rights, and a fully developed  
22 set of engineering plans, and  
23

24 WHEREAS PCRS submitted preliminary draft documentation, but could not  
25 provide documentation showing guaranteed project funding or the likelihood of  
26



1 receiving project funding, and further did not obtain the required property rights to  
2 construct on BNSF operating right-of-way or submit developed engineering plans  
3 detailing the proposed construction, and

4 WHEREAS staff reviewed the materials submitted by PCRS and determined  
5 that the Property has low habit benefit with questionable long-term viability, and

6 WHEREAS it was staff's opinion that the project proposal was not  
7 sustainable, and recommended moving forward with the surplus sale to the  
8 abutting property owners, and

9 WHEREAS, in early 2015, the City and the Costellos signed a Purchase  
10 and Sale Agreement for the Property, in the amount of \$6,141, and, as part of the  
11 agreement, the Costellos dedicated a 723 square-foot area back to the City for  
12 additional right-of-way for Alder Street, which can be used as a buffer to the open  
13 channel and ensures that the existing fish ladder will remain in the public  
14 right-of-way, and

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16  
17 WHEREAS, there being no foreseeable need for continued City ownership  
18 of the Property, a declaration of surplus and negotiated disposition of the Property  
19 and the execution of a Quit Claim Deed to convey all City interest in said Property  
20 to Ian and Yong-Ye Costello for the amount of \$6,141 appears to be in the best  
21 interests of the City, pending final approval from the City Council; Now, Therefore,

22  
23 **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:**

24 Section 1. That continued ownership of the City real property located at  
25 3515 North Alder Way (Parcel No. 8945003271) ("Property"), legally described on  
26 Exhibit "A," is not essential to the needs of the City and is hereby declared surplus



pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma  
1 City Charter.

2 Section 2. That the proper officers of the City are hereby authorized to  
3 enter into a Quit Claim Deed to convey all City interest in the Property to Ian and  
4 Yong-Ye Costello for the amount of \$6,141, said documents to be substantially in  
5 the form of the agreement and deed on file in the office of the City Clerk.  
6

7  
8 Adopted \_\_\_\_\_

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10 \_\_\_\_\_  
Mayor

11 Attest:  
12  
13 \_\_\_\_\_  
City Clerk

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

17 Legal Description Approved:  
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19 \_\_\_\_\_  
Chief Surveyor  
Public Works Department

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**EXHIBIT "A"**

**LEGAL DESCRIPTION**

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Parcel No.: 8945003271

Legal Description:

A portion of Government Lot 4 within the Section 30, Township 21 North, Range 03 East, W.M. more particularly described as follows:

That portion of Lots 1 through 3, inclusive, Block 78, SUPPLEMENTARY MAP OF TACOMA, W.T., as recorded in Volume 1 of Plats at Page 11, records of Pierce County, Washington, lying easterly of North Alder Way;

Together with the northerly one half of the alley abutting thereon and attached thereto by operation of law through City of Tacoma Vacation Ordinance No. 1678, as Approved May 15, 1902

Except the Railroad Right of way;

Containing 4,000 ± square feet;

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