



RESOLUTION NO. 41240

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
 2 September 7, 2023, at 1:30 p.m., as the date for a hearing before the
 3 Hearing Examiner on the petition of Buddy Investments, LLC, to vacate air
 4 rights along North 26th Street abutting the applicant's property and vacate
 5 air rights in the alley side abutting the applicant's property to build Juliet
 balconies on both the North 26th Street side and South alley side of the
 building.

6 WHEREAS Buddy Investments, LLC, having received the consent of the
 7 owners of more than two-thirds of the properties abutting the North property line
 8 along North 26th Street and abutting the South property line in the alley side of
 9 the building, has petitioned for the vacation of the following legally described
 10 right-of-way area:
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VACATED AIR RIGHTS OVER NORTH 26TH STREET

13 That vertically limited portion of North 26th Street, in front of
 14 and abutting the East 25 feet of the West 85 feet of the North
 15 130 feet of Block 42, as the same is designated upon a certain
 16 plat entitled Amended Map of Second School Addition to the
 17 City of Tacoma, which was filed for record in the Office of the
 18 Pierce County Auditor on July 22, 1903, Except the South eight
 (8) feet for alley, described as follows;
 Commencing at the Northwest corner of said Block 42;
 18 Thence South 88°40'54" East, along the North line of said
 19 Block 42, a distance of 60.00 feet to the True Point of
 Beginning;
 20 Thence North 01°21'05" East, parallel with the West line of said
 Block 42, a distance of 4.00 feet;
 21 Thence South 88°40'54" East, parallel with said South margin,
 22 25.00 feet;
 23 Thence South 01°21'05" West, parallel with said West line, a
 distance of 4.00 feet to said South margin;
 24 Thence North 88°40'54" West, along said South margin, 25.00
 feet to the True Point of Beginning;

25 Said Vertical limits of Vacation are defined as follows:
 26 The Lower Limit is an elevation of 371.00 feet and the Upper
 Limit elevation is 420.00 feet;



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All elevations are on the National Geodetic Vertical Datum of 1929 (NGVD 29) and based on the City of Tacoma Benchmark 439, being a 2-inch brass disk at the intersection of North Proctor Street and North 26th Street, with a published elevation of 355.994 feet.
Said Vacation contains 100 square feet, more or less.
Situate in the City of Tacoma, Pierce County, Washington.

VACATED AIR RIGHTS OVER ALLEY

That vertically limited portion of alley, in front of and abutting the East 25 feet of the West 85 feet of the North 130 feet of Block 42, as the same is designated upon a certain plat entitled Amended Map of Second School Addition to the City of Tacoma, which was filed for record in the Office of the Pierce County Auditor on July 22, 1903, Except the South eight (8) feet for alley, described as follows;
Commencing at the Northwest corner of said Block 42;
Thence South 88°40'54" East, along the North line of said Block 42, a distance of 60.00 feet;
Thence South 01°21'05" West, parallel with the West line of said Block 42, a distance of 121.87 feet to the North margin of said alley and the True Point of Beginning;
Thence South 88°40'54" East, along said North margin, 25.00 feet;
Thence South 01°21'05" West, parallel with the West line of said Block 42, a distance of 0.50 feet;
Thence North 88°40'54" West, parallel with said South margin, 25.00 feet;
Thence North 01°21'05" East, parallel with the West line, 0.50 feet to the True Point of Beginning;
Said Vertical limits of Vacation are defined as follows:
The Lower Limit is an elevation of 385.00 feet and the Upper Limit elevation is 420.00 feet;
All elevations are on the National Geodetic Vertical Datum of 1929 (NGVD 29) and based on the City of Tacoma Benchmark 439, being a 2-inch brass disk at the intersection of North Proctor Street and North 26th Street, with a published elevation of 355.994 feet.
Said Vacation contains 12.5 square feet, more or less.
Situate in the City of Tacoma, Pierce County, Washington.



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Now, Therefore,

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

Section 1. That Thursday, September 7, 2023, at 1:30 p.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, Washington, and may be offered in a hybrid format that includes a remote option, as the place when and where the request of Buddy Investments, LLC to vacate air rights over North 26th Street abutting the applicant's property and vacate air rights in the alley side abutting the applicant's property to build Juliet balconies on both the North 26th Street side and South alley side of the building, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.



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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:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: North property line along North 26th Street and vacate air rights over the South property line in the alley side of the building

Petitioner: Buddy Investments, LLC

File No.: 124.1443