



## RESOLUTION NO. 39631

1 A RESOLUTION relating to surplus property, authorizing the execution of a  
2 Quitclaim Deed to release any interest of the City of Tacoma in a  
3 30,009 square feet area of Bay Street, also known as East 28th Street, to  
4 facilitate the current Washington State Department of Transportation  
Interstate 5/Portland Avenue to Port of Tacoma Road Project –  
Northbound HOV, and a property transfer to the Puyallup Tribe of Indians.

5 WHEREAS the subject property, as more particularly described in the  
6 attached Exhibit "A" ("Property"), was originally platted as South 28th Street in  
7 the Map of The Indian Addition, recorded May 1, 1896, and  
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9 WHEREAS, in the years following, the Washington State Department of  
10 Transportation ("WSDOT") obtained the Property by operation of law for the  
11 SR-5 project; however, in July 1965, the Washington State Highway Commission  
12 determined that the area was no longer needed, and the Property was to be  
13 returned to the affected city or town, and  
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15 WHEREAS, pursuant to Resolution No. 18236, the City agreed to accept  
16 the certification and decision of the Commission; however, the Property was  
17 never officially conveyed to the City, which left ownership status uncertain, and  
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19 WHEREAS it is necessary to release any interest the City may have in the  
20 Property to facilitate the current WSDOT I-5/Portland Avenue to Port of Tacoma  
21 Road Project – Northbound HOV; Now, Therefore,

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

23 That the proper officers of the City are hereby authorized to execute and  
24 deliver a Quitclaim Deed to release any interest of the City of Tacoma in a  
25 30,009 square feet area of Bay Street, also known as East 28th Street, as more  
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particularly described in the attached Exhibit "A," to facilitate the current Washington State Department of Transportation Interstate 5/Portland Avenue to Port of Tacoma Road Project – Northbound HOV, said document to be substantially in the form of the deed on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Legal Description Approved:

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

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



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

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All that portion of (Old) 28th Street lying Southerly and Easterly of a line beginning at Highway Engineer's Station (hereinafter referred to as HES) 5E 40+31.61 on the 5E line survey of SR 5, PORTLAND AVENUE. I/C TO PORT OF TACOMA RD. I/C VIC. and 25 feet Southwesterly therefrom; thence Northwesterly, parallel with said 5E line survey, to a point opposite HES 5E 36+15 thereon; thence Westerly to a point opposite HES 5E 34+51.94 L/A on said 5E line survey and 46.07 feet Southerly therefrom; thence Southerly, at Right Angle, to a point opposite HES 5E 34+73.37 on said line survey and 122.47 feet Southerly therefrom, said point being on the Southerly boundary line of (Old) 28th Street; thence Easterly to the Point of Beginning.

The specific details concerning the lands herein described are to be found on sheets 6 and 7 of that certain plat entitled SR 5, PORTLAND AVE. I/C TO PORT OF TACOMA RD. I/C VIC., now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval of March 18, 2010, revised April 19, 2012.