



RESOLUTION NO. 39463

1 A RESOLUTION relating to City-owned property; authorizing the grant of a
2 non-exclusive perpetual easement to Pierce County for a sanitary sewer
3 pipeline under and through a portion of Tacoma Rail Mountain Division
4 right-of-way in the Frederickson area of Pierce County; and accepting the
sum of \$10,000 for deposit into Tacoma Rail Mountain Division
Fund 4120, as consideration for the rights granted under the easement.

5 WHEREAS the Tacoma Rail Mountain Division ("TRMW") has owned,
6 operated, and/or maintained the rail line and right-of-way that runs between
7 Tacoma and Chehalis since it was acquired from the Weyerhaeuser Company in
8 1995, and

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10 WHEREAS a Pierce County sewer main, granted through an easement in
11 1988, is included in this right-of-way, and

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13 WHEREAS, pursuant to Resolution No. 39354, adopted January 5, 2016,
14 an easement was granted to Pierce County to allow sanitary sewer services for
15 the proposed 50-acre Rosemont 569-unit multi-family development in the
16 Frederickson area of Pierce County, and

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18 WHEREAS it was determined that the original design required revisions to
19 allow adequate sanitary sewer service for the expected development in this area,
20 and

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22 WHEREAS Pierce County will release the easement granted in
January 2016, which will be replaced with this new easement, and

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24 WHEREAS the proposed easement area comprises approximately
25 400 square feet, and the proposed infrastructure includes approximately 20 linear
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feet of 12-inch diameter sewer line which connects to the pre-existing Pierce
1 County manhole and sewer main, and

2 WHEREAS it is not anticipated that the installation, operation, and
3 maintenance of the improvements will have a negative impact on TRMW's use or
4 operation of its 100-foot-wide right-of-way, and
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6 WHEREAS a separate right-of-way permit agreement, issued
7 administratively, will be required in order to install the improvements, and

8 WHEREAS Pierce County will assume ownership and maintenance
9 responsibilities of the proposed infrastructure, and the developer, Tarragon
10 LLC (Rosemont PDD), will pay TRMW fair market value in the amount of \$10,000
11 for a non-exclusive perpetual sewer easement, and
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13 WHEREAS Real Property Services has worked with the City Attorney's
14 Office, TRMW, and Pierce County to prepare the proposed easement and now
15 seeks final approval from the City Council; Now, Therefore,
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17 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

18 Section 1. That the proper officers of the City are hereby authorized to
19 grant a non-exclusive perpetual easement to Pierce County for a sanitary sewer
20 pipeline under and through a portion of Tacoma Rail Mountain Division
21 right-of-way in the Frederickson area of Pierce County, said document to be
22 substantially in the form of the proposed easement on file in the office of the City
23 Clerk.
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Section 2. That the proper officers of the City are hereby authorized to accept the sum of \$10,000, for deposit into Tacoma Rail Mountain Division Fund 4120, for consideration of the rights granted under the easement.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney