



ORDINANCE NO. 28876

AN ORDINANCE related to the vacation of City right-of-way; vacating a portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street, to facilitate a health-care redevelopment project; and adopting the Hearing Examiner's Findings, Conclusions, and Recommendations related thereto.

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

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1426 and dated January 24, 2023, which Report is on file in the office of the City Clerk.



Section 2. That a portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street, legally described as follows:

THAT PORTION OF SOUTH L STREET AND SOUTH 4TH STREET IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON; SAID PORTIONS BEING DESCRIBED AS FOLLOWS:

SOUTH L STREET

THAT PORTION OF SOUTH L STREET LYING BETWEEN AND ADJACENT TO LOTS 3 THROUGH 12, BLOCKS 423 AND 424, MAP OF NEW TACOMA, WASHINGTON TERRITORY, RECORDED FEBRUARY 3, 1875.

AND

SOUTH 4TH STREET

THAT PORTION OF SOUTH 4th STREET LYING BETWEEN THE NORTH EXTENSION OF THE WEST LINE OF THE EASTERLY 10 FEET OF THE ALLEY VACATED IN ORDINANCE NO. 2773, SAID NORTH EXTENSION TO INTERSECT WITH THE NORTH LINE OF SOUTH 4th STREET, AND THE NORTH EXTENSION OF THE EAST LINE OF BLOCK 424, MAP OF NEW TACOMA, WASHINGTON TERRITORY, RECORDED FEBRUARY 3, 1875, TO INTERSECT WITH THE NORTH LINE OF SOUTH 4th STREET.

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



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2 hereby vest in the owners of the property abutting thereon, all in the manner
3 provided by law; provided, however, that there is hereby retained and
4 reserved, pursuant to the statutes of the state of Washington, the following
5 easements, to-wit:
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8 Public Works/Traffic Engineering and Safety

- 9 a. Public Works Traffic Signal/Streetlighting requires that the
10 streetlights in the Vacation Areas (see Exhibit C-7) be
11 disconnected from the City's streetlighting system by the City, at
12 Petitioner's expense, within 6 months of the approval of the
13 street vacation.
14 b. The City shall be compensated (see Estimating Form, Exhibit 1
15 to Exhibit C-7) for the decommissioned City assets within the
16 Vacation Areas.
17 c. The Petitioner will notify the City of Tacoma Traffic
18 Signal/Streetlight Shop (253) 591- 5287, to coordinate the
19 disconnection of the lighting within the Vacation Areas from the
20 City's system. Until such time that this work is completed, the
21 City shall operate and maintain the lighting system and shall
22 have complete access to the system.

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24 Tacoma Power and Tacoma Water

- 25 a. A City utility easement will be reserved over the east 20 feet and
26 the south 20 feet of South "L" Street as proposed for vacation.
This easement will protect existing and future underground
power lines and above ground pad mounted equipment to serve
multiple parcels on the east side of South "L" Street.

Note: Tacoma Power HFC will not require a separate easement
reservation, the Petitioner/Developer is put on notice of customer-
owned conduit that crosses under South "L" Street.



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- 3 b. A City utility easement will be reserved for Tacoma Water facilities in South 4th Street and South "L" Street as follows:

4 The southerly 50 feet of the proposed vacation of South "L" Street, as well as the easterly 40 feet of the proposed vacation area of South "L" Street; and the southerly 20 feet of the proposed vacation area of South 4th Street.

7 Note: The South 4th Street area will not be required in the easement if customer chooses to abandon the water main prior to street vacation.

10 City utility easement for Tacoma Water facilities shall include the following requirements:

- 12 a) Property Owner/Developer (Petitioner) will need to maintain clearances from Tacoma Water's facilities.
- 14 b) A minimum 10' of clearance must be maintained from any mains, and a minimum 5' of horizontal clearance and minimum 1' of vertical clearance must be maintained from any hydrants.
- 16 c) If existing Tacoma Water facilities need to be relocated or adjusted, they will be relocated by Tacoma Water at the Property Owner/Developer's (Petitioner's) expense.
- 18 d) Tacoma Water facilities must remain accessible at all times. Any damage to Tacoma Water facilities will be repaired by Tacoma Water crews at the expense of the Property Owner/Developer (Petitioner).
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Environmental Services

- a. A City utility easement must be reserved within the Vacation Areas to protect, maintain, and allow for replacement and access to the following facilities:

Environmental Services asset, SAP #6263833, within the proposed vacation. The surface water segment is a 10-inch line.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street.

Petitioner: MultiCare Health System

Request No.: 124.1426