





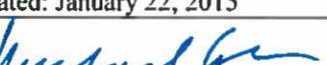
**NOTICE OF INTENT TO
PETITION FOR ANNEXATION (“NOTICE”)**


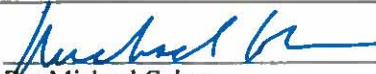


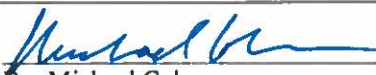




To the City Council of the City of Tacoma:

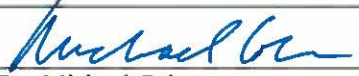



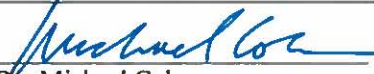


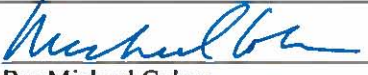

We, the undersigned, are the owners of the real property legally described on the attached Exhibit A (the “Property”), and with this Notice hereby state that it is our intention to commence annexation proceedings in accordance with RCW 35.10.217(3) and RCW 35.13.125. The Property is part of the Point Ruston development, a master planned real property development, which is partially located within the City of Tacoma and partially within the City of Ruston. The development is proximate to the Tacoma Yacht Club and is generally located on Ruston Way along Commencement Bay at the site of the former Asarco Tacoma Smelter. The portion of the development to which this Notice applies is for that portion of the Point Ruston development that is located within the municipal boundaries of the City of Ruston.

We, the undersigned, who are the owners of one hundred percent (100%) in value according to the assessed valuation for general taxation of the Property for which annexation is sought, hereby notify the City Council of the City of Tacoma that it is the desire of the undersigned owners of the Property to commence annexation proceedings of the Property in order to annex the Property into the City of Tacoma in accordance with RCW 35.10.217(3) and RCW 35.13.125.

We, the undersigned, request that a public meeting be held within 60 days of receipt of this Notice pursuant to RCW 35.13.125, and determine if the City will accept, reject, or geographically modify the proposed annexation; whether it shall require the simultaneous adoption of a proposed zoning regulation; and whether it shall require the assumption of existing city indebtedness by the area to be annexed. We specifically request that the City accept this Notice, while simultaneously adopting the corresponding comprehensive plan and zoning regulations applicable to the City of Tacoma’s portion of the Point Ruston development, but that the City of Tacoma not assume all or any portion of any existing City of Ruston indebtedness that may be attributed to the Property.

Property Address	Parcel No.	Property Owner/Taxpayer Name	Property Owner/Taxpayer Signature
5320 N. 51 st St. Ruston, WA 98407	0221231033	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231076	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5101 Ruston Way Ruston, WA 98407	0221231077	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5121 Ruston Way Ruston, WA 98407	0221231078	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231079	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015

N. 52 nd St. Ruston, WA 98407	0221231080	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231081	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231082	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231083	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231084	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231085	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231086	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231087	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231088	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015

5331 N. Bennett St. Ruston, WA 98407	0221231089	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231090	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5301 N. 51 st St. Ruston, WA 98407	0221231091	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231092	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231093	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5201 Ruston Way Ruston, WA 98407	0221231094	Point Ruston Phase II LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
N. 52 nd St. Ruston, WA 98407	0221231095	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5202 Ruston Way Ruston, WA 98407	0221231096	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015
5102 Ruston Way Ruston, WA 98407	0221231097	Point Ruston LLC	 By: Michael Cohen Its: Manager Dated: January 22, 2015

cc: Mayor Strickland
Deputy Mayor Boe
Councilmember Ibsen
Councilmember Thoms
Councilmember Walker
Councilmember Campbell
Councilmember Lonergan
Councilmember Woodards
Councilmember Mello
City Manager, City of Tacoma
City Clerk, City of Tacoma
City Attorney, City of Tacoma

Attachments: Exhibit A, Legal Description of Property

RECEIVED FOR OFFICIAL USE	
Date Received: <u> JAN 22 2015 </u>	Valuation of Submitted Properties: _____
60-Day Deadline: CITY CLERK'S OFFICE	Percentage: _____ Verified By: _____



EXHIBIT A

LEGAL DESCRIPTION

That portion of the southeast quarter of the northeast quarter AND of Government Lot 1, Section 23, Township 21 North, Range 2 East, W.M., City of Ruston, Pierce County, Washington, and adjoining tidelands, being more particularly described as follows:

COMMENCING at the east quarter corner of said Section 23, being a 2" brass disc scribed with an "X", set in an iron case;

THENCE along the east line of said section, N 01°29'42" E, 1223.50 feet to the southeasterly corner of Town of Ruston Boundary Line Adjustment No. 08-01 as recorded under Pierce County Recording No. 200902065003 AND the TRUE POINT OF BEGINNING;

THENCE continuing along said east line of section, being coincident with the easterly line of said boundary line adjustment, N 01°29'42" E, 1150.84 feet;

THENCE continuing along said easterly line of the boundary line adjustment, N 42°35'02" W, 273.85 feet;

THENCE continuing along said easterly line, N 16°30'53" E, 233.03 feet;

THENCE continuing along said easterly line, N 42°35'41" W, 421.58 feet to the most northerly corner of said boundary line adjustment;

THENCE along the northerly line of said boundary line adjustment, S 59°02'29" W, 727.39 feet;

THENCE continuing along the northerly line, S 31°55'04" E, 36.11 feet;

THENCE continuing along the northerly line, N 88°06'26" W, 251.91 feet to the northwesterly corner of said boundary line adjustment;

THENCE along the westerly line of said boundary line adjustment, being coincident with the easterly margin of Bennett Street, S 01°59'09" W, 93.16 feet;

THENCE continuing along said westerly line, S 88°00'51" E, 15.00 feet;

<p>ESM Federal Way 33400 8th Ave S, Ste 205 Federal Way, WA 98003 253.838.6113 tel 800.345.5694 toll free 253.838.7104 fax</p>	<p>ESM Everett 1010 SE Everett Mall Way, Ste 210 Everett, WA 98208 425.297.9900 tel 800.345.5694 toll free 425.297.9901 fax</p>	<p>Civil Engineering Land Planning Land Surveying Landscape Architecture 3D Laser Scanning GIS www.esmcivil.com</p>
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THENCE continuing along said westerly line, S 01°59'09" W, 800.00 feet to the southwesterly corner of said boundary line adjustment;

THENCE along the southerly line of said boundary line adjustment, S 87°35'00" E, 160.16 feet;

THENCE continuing along said southerly line, S 31°05'00" E, 31.76 feet;

THENCE continuing along said southerly line, N 58°55'00" E, 47.99 feet;

THENCE continuing along said southerly line, S 87°35'00" E, 74.36 feet;

THENCE continuing along said southerly line, S 31°05'00" E, 86.90 feet to the northwesterly margin of N. 51st Street (aka J.O. Jelleberg County Road) resulting from that vacation of right of way by the Town of Ruston per Ordinance No. 80 which was signed and approved by the town council on February 3, 1913;

THENCE along said northwesterly margin, S 66°27'15" W, 60.52 feet;

THENCE along said northwesterly margin of N. 51st Street (aka J.O. Jelleberg County Road), S 58°55'00" W, 85.59 feet;

THENCE S 31°05'00" E, 40.00 feet to the former southeasterly margin of said N. 51st Street (aka J.O. Jelleberg County Road);

THENCE continuing S 31°05'00" E, 5.29 feet to the southeasterly margin of that additional right of way conveyed by that Right of Way Dedication recorded under Recording No. 201007130346;

THENCE along said southeasterly margin of additional right of way, S 63°36'56" W, 64.63 feet to the most westerly point of said additional right-of way AND a point on the former southeasterly margin of said N. 51st Street (aka J.O. Jelleberg County Road) said point being on the southeasterly extension of the line common to Lots 13 and 14 of the plat of "Howard Heights Annex" as recorded in Volume 7 of Plats, Page 48, Records of Pierce County, Washington;

THENCE along said southeasterly extension, S 31°05'00" E, 75.00 feet to a line 95 feet southeasterly of and parallel with the centerline of said N. 51st Street (aka J.O. Jelleberg County Road);

THENCE along said parallel line, S 58°55'00" W, 2.36 feet as depicted on that Record of Survey recorded under Recording No. 200508265010;

THENCE continuing along said parallel line, S 41°25'00" W, 34.14 feet;

THENCE N 48°54'17" W, 75.00 feet to said southeasterly margin of N. 51st Street (aka J.O. Jelleberg County Road);

Exhibit A, cont.

THENCE along said southeasterly margin, S 41°25'00" W, 224.63 feet to the south line of said Government Lot 1;

THENCE along said south line, S 87°35'00" E, 517.25 feet to the westerly margin of Baltimore Street;

THENCE along said westerly margin, S 02°21'58" W, 43.44 feet, more or less, to a line perpendicular to said westerly margin AND running through the most northerly point on the existing bridge deck;

THENCE along said perpendicular line which lies northerly of said existing bridge deck, S 87°38'02" E, 60.00 feet to the easterly margin of said Baltimore Street;

THENCE along said easterly margin, N 02°21'58" E, 43.39 feet to said south line of Government Lot 1, being coincident with the southerly line of said Town of Ruston Boundary Line Adjustment No. 08-01;

THENCE along said southerly line, S 87°35'00" E, 49.99 feet to the northerly limits of the existing Ruston tunnel;

THENCE continuing along said southerly line, being coincident with the northerly limits of the existing Ruston tunnel, the following courses:

S 20°26'35" E, 22.00 feet;
S 43°33'23" W, 4.16 feet;
S 18°42'00" E, 4.10 feet;
S 60°56'16" E, 9.84 feet;
S 72°53'00" E, 295.06 feet;
S 88°20'38" E, 3.71 feet;
S 69°18'10" E, 11.04 feet to the northerly margin of Dock Street as depicted on said Record of Survey recorded under Recording No. 200508265010;

THENCE along said northerly margin, N 87°35'05" W, 5.06 feet;

THENCE S 02°24'55" W, 25.68 feet to a point of curvature on the northerly line of the plat of "Stack Hill" as recorded under Recording No. 200810305004;

THENCE along said northerly line and extensions thereof, southeasterly 132.45 feet along the arc of a non-tangent curve to the right, having a radius of 2662.79 feet, the radius point of which bears S 20°32'30" W, through a central angle of 02°51'00" to the southerly margin of Dock Street;

THENCE along said southerly margin, S 87°35'05" E, 208.62 feet to said east line of Section 23;

Exhibit A, cont.

THENCE along said east line, N 01°29'42" E, 70.01 feet to the TRUE POINT OF BEGINNING.

Containing 42.74 acres, more or less.

See attached Exhibit B.

Written By: C.A.F.



10-08-2014

