



RESOLUTION NO. 39403

1 A RESOLUTION relating to City-owned real property, authorizing the Declaration of
2 Surplus and execution of a Quit Claim Deed to convey vacant, undeveloped
3 residential land at the intersection of South 40th and South Tyler Streets to
4 Mike and Karen Musica, husband and wife, for the amount of \$67,954.

5 WHEREAS, in 1981, by Warranty Deed recorded under Auditor's File
6 Number 8108260145, the City acquired vacant, undeveloped residential lands
7 located at the intersection of South 40th and South Tyler Streets ("Property"), as
8 more particularly described in the attached Exhibit "A," for the future expansion of
9 South 40th Street, for the amount of \$60,000, and

10 WHEREAS the development and expansion of South 40th Street has not
11 been viable and the City currently has no plans or use for the Property, and

12 WHEREAS, in August 2014, the Property was classified as a "Tier 3"
13 property pursuant to the City Policy for the Sale/Disposition of City-owned General
14 Government Real Property ("Policy"), and

15 WHEREAS the City must dispose of City-owned surplus property pursuant to
16 said Policy, and

17 WHEREAS the abutting property owners, Mike and Karen Musica, desire to
18 purchase the Property to merge it with land already owned for the development of
19 multi-family residential housing, and

20 WHEREAS the proposed sale, in the amount of \$67,954, will return the
21 property to the tax rolls and decrease City maintenance costs, and

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WHEREAS, there being no foreseeable need for continued City ownership of the Property, the sale of said Property appears to be in the best interests of the City, pending final approval from the City Council; Now, Therefore,

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

Section 1. That continued ownership of the real Property located at the intersection of South 40th and South Tyler Streets, as more particularly described in Exhibit "A," is not essential to the needs of the City and is hereby declared surplus pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City Charter.

Section 2. That the proper officers of the City are hereby authorized to execute a Quit Claim Deed to convey the subject parcel to Mike and Karen Musica, husband and wife, for the amount of \$67,954, 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"

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PARCEL NO. 022013-112-0

All that certain tract of land conveyed to the City of Tacoma by Warranty Deed dated February 25, 1981 and recorded August 26, 1981 under Auditor's File Number 8108260145, records of Pierce County, Washington, described as follows:

Commencing at a point on the South line of the Southwest Quarter of the Northeast Quarter of Section 13, Township 20 North, Range 02 East of the W.M., 40 feet East of the centerline of the Pacific Traction Company right of way, and the True Point of Beginning; thence East, along the South line of said subdivision 563.4 feet to the West line of the Oregon & Washington Railroad Company right of way; thence North, along the line of said right of way, 100 feet; thence West, parallel with the South line of said subdivision, 563.02 feet to a point 40 feet East of the centerline of the Pacific Traction Company right of way; thence South 100 feet to the Point of Beginning.

EXCEPTING therefrom the Easterly 223.1 feet, as measured along the North line.

All situate in the Southwest Quarter of the Northeast Quarter of Section 13, Township 20 North, Range 02 East, W.T.; within the City of Tacoma, County of Pierce, State of Washington.