



ORDINANCE NO. 28840

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of Commerce Street, lying north of the Sound Transit right-of-way near
5 South Tacoma Way, and south of South 25th Street, for a private
6 walkway as part of a residential housing development; and adopting the
7 Hearing Examiner's Findings, Conclusions, and Recommendations
8 related thereto.

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

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's
14 Findings, Conclusions, and Recommendations as contained in the Hearing
15 Examiner's Report and Recommendation to the City Council bearing File
16 No. 124.1430 and dated October 26, 2022, which Report is on file in the office
17 of the City Clerk.
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Section 2. That a portion of Commerce Street, lying north of the Sound Transit right-of-way near South Tacoma Way, and south of South 25th Street, legally described as follows:

A PORTION OF 40 FOOT WIDE COMMERCE STREET, LYING SOUTH OF SOUTH 25TH STREET AND NORTH OF SOUTH TACOMA WAY;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 7, BLOCK 2505 OF THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA. W.T., AS PER MAP THEREOF FILED FOR RECORD JULY 7TH, 1884, IN PIERCE COUNTY, WASHINGTON;

THENCE NORTH 82°43'12" EAST ALONG THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF SAID LOT 7, A DISTANCE OF 40.00 FEET TO THE EASTERLY MARGIN OF SAID COMMERCE STREET;

THENCE SOUTH 07°20'04" EAST ALONG SAID EASTERLY MARGIN, A DISTANCE OF 31.30 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1272.54 FEET AND A CENTRAL ANGLE OF 0°57'15" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 63°21'50" WEST 21.19 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 21.19 FEET TO THE CENTERLINE OF SAID COMMERCE STREET;

THENCE SOUTH 07°20'04" EAST ALONG SAID CENTERLINE, A DISTANCE OF 0.04 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE



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SOUTHEAST HAVING A RADIUS OF 1171.28 FEET AND A CENTRAL ANGLE OF 1°02'40" AND BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 62°11 '28" WEST 21.35 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, A DISTANCE OF 21.35 FEET TO THE WESTERLY MARGIN OF SAID COMMERCE STREET; THENCE NORTH 07°20'04" WEST ALONG SAID WESTERLY MARGIN, A DISTANCE OF 45.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,537 +/--SQUARE FEET OR 0.035 ACRES, MORE OR LESS.

SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON. Exs. C-1~ C-3.

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 hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and



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reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

Tacoma Power

Tacoma Power has existing facilities within the boundaries of the Vacation Area. An easement over the west half of Commerce Street is required.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form: _____

Property description approved: _____

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A portion of Commerce Street, lying north of the Sound Transit right of-way near South Tacoma Way, and south of South 25th Street.

Petitioner: Cornus House LLC
Request No.: 124.1430