



## RESOLUTION NO. 39290

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,  
2 November 10, 2015, as the date for a public hearing on the sale of  
3 approximately 0.63 of an acre of property, located at 7704 6th Avenue,  
4 owned by the City of Tacoma, Department of Public Utilities, Water Division,  
5 and now surplus to its needs, to David Sizemore for the sum of \$35,101.

6 WHEREAS the City of Tacoma, Department of Public Utilities, Water Division  
7 (d.b.a. "Tacoma Water"), owns approximately 0.63 of an acre of unimproved real  
8 property located at 7704 6th Avenue, in Tacoma, Washington ("Property"), and

9 WHEREAS the Property is triangular in shape and has no augmenting  
10 easement which would allow legal access for ingress, egress, or utilities, thereby  
11 rendering the Property landlocked and making the only viable purchasers abutting  
12 property owners, and

13 WHEREAS Tacoma Water has determined that the Property is not essential  
14 for continued effective utility service, and

15 WHEREAS, in 2013, David Sizemore, who owns the parcel adjacent to the  
16 northern boundary of the Property, offered to purchase the Property for \$22,500,  
17 which was deemed acceptable by Tacoma Water, and

18 WHEREAS the Department of Public Works proceeded with the negotiated  
19 disposition process pursuant to Tacoma Municipal Code ("TMC") 1.06.280.F, and

20 WHEREAS the declaration of surplus and sale was approved by the Public  
21 Utility Board on October 23, 2013, pursuant to Resolution No. U-10664, and the  
22 transaction was forwarded to the City Council for a public hearing and final  
23 approval, and  
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1 WHEREAS, prior to the scheduled public hearing in 2013, other abutting  
2 neighbors expressed concern that the negotiated disposition process did not allow  
3 for sufficient public input; therefore, it was determined that the 2013 offer would be  
4 declined and a bid-sale process, pursuant to TMC 1.06.280.B, would be used for  
5 the transaction, and

6 WHEREAS a bid sale was conducted on August 26, 2015, pursuant to  
7 Specification No. PW14-0686, with a minimum purchase price for the Property set  
8 at \$35,000 as a result of the most recent appraisal, and

9 WHEREAS Mr. Sizemore was the only bidder, with an offer of \$35,101, and

10 WHEREAS, on October 14, 2015, by adoption of Public Utility Board  
11 Resolution No. U-10815, the Property was declared surplus to Tacoma Water's  
12 needs and approved for sale, pending confirmation from the City Council, and

13 WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City  
14 Council shall conduct a public hearing on the proposed sale of City-owned real  
15 property; Now, Therefore,  
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17  
18 **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:**

19 Section 1. That a public hearing on the sale of approximately 0.63 of an acre  
20 of surplus property located at 7704 6th Avenue in Tacoma, Washington, owned by  
21 the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water") and now  
22 surplus to its needs, to David Sizemore for the amount of \$35,101, shall be held  
23 before the City Council in the Council Chambers on the first floor of the Tacoma  
24 Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday,  
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November 10, 2015, at approximately 5:30 p.m. or as soon thereafter as the same  
may be heard.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of  
the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-10815