



## ORDINANCE NO. 28469

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating the  
4 portion of the South 45th Street right-of-way lying westerly of South  
5 Adams Street and easterly of the South 45th Street right-of-way vacated  
6 by City of Tacoma Ordinance No. 25455, for redevelopment to address  
7 the existing street pattern, and other configuration issues; and adopting  
8 the Hearing Examiner's Findings, Conclusions, and Recommendations  
9 related thereto.

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

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City Council hereby adopts the Hearing Examiner's  
15 Findings, Conclusions, and Recommendations as contained in the Hearing  
16 Examiner's Report and Recommendation to the City Council bearing File  
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2 No. 124.1381 and dated October 25, 2017, which Report is on file in the  
3 office of the City Clerk.

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5 Section 2. That portion of South 45th Street right-of-way lying  
6 westerly of South Adams Street and easterly of that portion of South 45th  
7 Street right-of-way vacated by City of Tacoma Ordinance No. 25455,  
8 recorded under Auditor's File No. 940404027, records of Pierce County,  
9 Washington, legally described as follows:  
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11 All that portion of South 45th Street, lying between and  
12 abutting the east one-half of Blocks 3 and 6, Amended Map  
13 of a Part of Latshaws Addition and Manning Addition to  
14 Tacoma, Washington, according to the Plat thereof filed for  
15 record in Volume 4 of Plats at Page 56, records of Pierce  
16 County, Washington, being an Amendment of that certain  
17 Plat entitled Map of Latshaws, Manning and Hays Addition to  
18 Tacoma, Washington, as per plat recorded in Volume 4 of  
19 Plats at Page 28, records of Pierce County, Washington.

20 All situate in the City of Tacoma, County of Pierce, State of  
21 Washington; within the Southeast Quarter of the Southeast  
22 Quarter of Section 13, Township 20 North, Range 02 East of  
23 the Willamette Meridian;

24 is hereby vacated, and the land so vacated is hereby surrendered and  
25 attached to the property bordering thereon, as a part thereof, and all right or  
26 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



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provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

Tacoma Power

An easement shall be retained over the southerly 18 feet and the westerly 18 feet of the subject vacation area for existing electrical infrastructure for the benefit of Tacoma Power.

Click! Network

An easement over the southerly 18 feet and the westerly 18 feet of the subject vacation area shall be subject to use by Click! Network for its facilities/infrastructure.



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Tacoma Fire

An easement, 20 feet in width, to be used for emergency vehicle ingress/egress, shall be retained, centered on South 45th Street.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney

Property description approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: The portion of South 45th Street right-of-way lying westerly of South Adams Street and easterly of Vacation Ordinance No. 25455  
Petitioner: Lackermayer Holdings, LLC  
Vacation Req. No. 124.1381