



RESOLUTION NO. 40290

1 A RESOLUTION relating to City real property; authorizing the acquisition of a right-
2 of-way easement from the Puyallup Tribe of Indians ("Tribe"), for the amount
3 of \$201,200, for the purpose of using property located at 3640 Taylor Way
4 as right-of-way for the Taylor Way Rehabilitation Project; and approving the
5 execution of related documents with the Tribe and Bureau of Indian Affairs.

6 WHEREAS, as part of the Taylor Way Rehabilitation Project, the City is
7 constructing a 10-foot sidewalk and planter strip for a shared use path which will
8 provide enhanced pedestrian and cyclist safety along a busy freight corridor, and

9 WHEREAS this shared use path, with planned future connections to State
10 Route 509, meets the goal of a designated bicycle route in the City's
11 Transportation Master Plan, and

12 WHEREAS the project requires the City to acquire an approximately
13 11,420 square-foot right-of-way on Puyallup Tribal Trust land, located at
14 3640 Taylor Way, under the jurisdiction of the Puyallup Tribe of Indians ("Tribe")
15 and Bureau of Indian Affairs ("BIA"), and

16 WHEREAS compensation for the right-of-way easement on Tribal Trust
17 land must be no less than fair market value, as determined by appraisal, unless
18 waived by the Tribe, and

19 WHEREAS an appraisal of the right-of-way easement and related
20 damages established value in the amount of \$201,200, and

21 WHEREAS the Tribe has agreed to payment of said compensation as
22 follows: (1) cash payment in the amount of \$76,600; and (2) construction of
23 in-kind utility installations to the property, valued at approximately \$124,600, and
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WHEREAS the Tribe has requested that the City prepare a Puyallup Tribe of Indians Government Contract/Intergovernmental Agreement to memorialize the right-of-way transaction, and, in addition, the City will be required to complete, submit, and sign federal agency applications and documentation pertaining to acquisition of right-of-way on Tribal Trust land, including, but not limited to, a BIA Application for Right-of-Way, and

WHEREAS, pursuant to the BIA, the initial term of the easement shall be for a period of 99 years, with automatic renewals until such time as the easement is not being used for right-of-way purposes, without any further action or compensation, and

WHEREAS Public Works staff is recommending approval of the negotiated acquisition of the right-of-way easement, for the purpose of using the property located at 3640 Taylor Way as right-of-way for the Taylor Way Rehabilitation Project; Now, Therefore,

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

That the proper officers of the City are hereby authorized to acquire a right-of-way easement from the Puyallup Tribe of Indians (“Tribe”), for the amount of \$201,200, to use the property located at 3640 Taylor Way as right-of-



1 way for the Taylor Way Rehabilitation Project, and to execute related documents
2 with the Tribe and Bureau of Indian Affairs related to said right-of-way easement.
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4 Adopted _____
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7 Mayor

8 Attest:
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10 _____
11 City Clerk

12 Approved as to form:
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14 _____
15 Deputy City Attorney
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