



RESOLUTION NO. 40725

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
2 February 11, 2021, at 9:00 a.m., as the date for a hearing before the
3 Hearing Examiner, which was previously granted a continuance by the
4 Hearing Examiner, on the request of Forterra Hilltop East, LLC and
5 Forterra Hilltop West, LLC, to vacate a portion of the alley right-of-way,
6 lying between South 11th and South 12th Streets, and Martin Luther King
7 Jr. Way and South "J" Street, to facilitate an affordable market housing,
8 office, and small business space.

9 WHEREAS, on September 17, 2020, at the request of Forterra Hilltop
10 East, LLC and Forterra Hilltop West, LLC ("Petitioner"), the Hearing Examiner
11 granted a continuance on the Petitioner's request to vacate a portion of the alley
12 right-of-way, lying between South 11th and South 12th Streets, and Martin Luther
13 King Jr. Way and South "J" Street ("Property"), to facilitate an affordable market
14 housing, office, and small business space, until an undetermined date, and

15 WHEREAS the Petitioners, having received the consent of the owners of
16 more than two-thirds of the properties abutting the Property, have petitioned for
17 the vacation of the following legally described right-of-way area:

18 THAT PORTION OF THE SOUTHWEST QUARTER OF THE
19 NORTHEAST QUARTER OF SECTION 05, TOWNSHIP 20
20 NORTH, RANGE 03 EAST OF THE WILLAMETTE MERIDIAN,
21 PIERCE COUNTY, WASHINGTON, MORE PARTICULARLY
22 DESCRIBED AS FOLLOWS:

23 THE EAST 4.91 FEET OF THE WEST 30 FEET OF THE 40 FOOT
24 WIDE ALLEY SITUATED BETWEEN BLOCKS 1120 AND 1121,
25 MAP OF NEW TACOMA, WASHINGTON TERRITORY,
26 ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3,
1875, RECORDS OF PIERCE COUNTY AUDITOR;



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TOGETHER WITH THE EAST 10 FEET OF ALLEY ABUTTING AS VACATED BY CITY OF TACOMA ORDINANCE NO. 2131 AND TOGETHER WITH THE WEST 19.09 FEET OF SAID BLOCK 1120, AS CONVEYED TO THE CITY OF TACOMA BY INSTRUMENT NUMBER 9812310546, RECORDS OF PIERCE COUNTY AUDITOR;

SITUATE IN THE CITY OF TACOMA COUNTY OF PIERCE, STATE OF WASHINGTON;

(CONTAINING ±10,199 SQUARE FEET OR APPROXIMATELY 0.23 ACRES), and

WHEREAS the vacation is subject to easements of record and City shall retain and reserve rights and easements necessary to access, operate, and maintain existing utilities Now, Therefore,

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

Section 1. That Thursday, February 11, 2021, at 9:00 a.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, or alternatively, a call-in option will be provided until the end of the COVID-19 emergency, as the place when and where the request of Forterra Hilltop East, LLC and Forterra Hilltop West, LLC to vacate a portion of the alley right-of-way, lying between South 11th and South 12th Streets, and Martin Luther King Jr. Way and South "J" Street, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.



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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:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of the alley right-of-way lying between South 11th and
South 12th Streets, and Martin Luther King Jr. Way and South "J" Street
Petitioner: Forterra Hilltop East, LLC and Forterra Hilltop West, LLC
File No.: 124.1409