



RESOLUTION NO. 41082

1 A RESOLUTION relating to surplus property; declaring certain real property owned
2 by the Department of Public Utilities, Light Division (d.b.a. "Tacoma Power"),
3 consisting of approximately 1.29 acres of property located in the Graham -
4 Eatonville vicinity of unincorporated Pierce County, Washington, surplus to
5 the needs of the City; and authorizing the negotiated sale and conveyance
6 of said property to Eduardo Dominguez and Margarita Calderon, for the
7 amount of \$13,500.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Light
9 Division (d.b.a. "Tacoma Power"), owns approximately 1.29 acres of property
10 located in the Graham – Eatonville vicinity of unincorporated Pierce County,
11 Washington, identified as a portion of Pierce County Assessor Tax Parcel No.
12 0317271012 ("Property"), as more fully described in the documents on file in the
13 office of the City Clerk, and

14 WHEREAS the Property is a small portion of Tacoma Power's right-of-way
15 currently used for electrical distribution, and

16 WHEREAS, subject to the reservation of an easement, Tacoma Power has
17 determined that the Property is not essential for continued effective utility service,
18 and

19 WHEREAS Eduardo Dominguez and Margarita Calderon have offered to
20 purchase the Property for \$13,500, which is deemed to represent fair market value
21 and deemed acceptable by Tacoma Power and the Department of Public Works,
22 Real Property Services Division, and

23 WHEREAS, as Eduardo Dominguez and Margarita Calderon develop their
24 property adjacent to the Property, a portion of the Property necessary to maintain a
25 public roadway will be dedicated to Pierce County for continued use of Kinsman
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1 Road East, and Tacoma Power will retain a permanent easement in the Property
2 for current and future operations, and

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

5 WHEREAS, on October 26, 2022, by adoption of Public Utility Board
6 Resolution No. U-11352, the Property was declared surplus to the needs of
7 Tacoma Power and Tacoma Public Utilities and approved for sale, pending
8 confirmation from the City Council, and

9 WHEREAS, on November 29, 2022, pursuant to RCW 35.94.040 and
10 TMC 1.06.280, the City Council conducted a public hearing on the proposed sale of
11 said Property, and

12 WHEREAS, there being no foreseeable need for continued City ownership of
13 the Property, subject to the reservation of an easement, the sale of said Property
14 appears to be in the best interests of the City; Now, Therefore,

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

18 Section 1. That the City Council does hereby find and concur with the
19 Tacoma Public Utility Board's determination and declaration, pursuant to Public
20 Utility Board Resolution No. U-11352, adopted October 26, 2022, that the
21 approximately 1.29 acres of Tacoma Power property identified as a portion of
22 Pierce County Assessor Tax Parcel No. 0317271012 ("Property"), owned by the
23 City of Tacoma, through its Department of Public Utilities, Light Division (d.b.a.
24 "Tacoma Power"), subject to the reservation of an easement, is surplus to the
25 needs of Tacoma Power and Tacoma Public Utilities.
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Section 2. That, consistent with RCW 35.94.040, RCW 35.22.020, and Article I, Section 1.2 and Article IX, Section 9.1 of the City Charter, the City Council does hereby find and determine that the Property is not required for, and is not essential to, continued public utility service or continued effective utility service and, pursuant to applicable law, is properly declared surplus property and excess to the needs of Tacoma Power, Tacoma Public Utilities, and the City.

Section 3. That the request of Tacoma Power, to sell the Property to Eduardo Dominguez and Margarita Calderon for the amount of \$13,500, is hereby approved.

Section 4. That the proper officers of the City are hereby authorized to execute all necessary documents to convey the Property to Eduardo Dominguez and Margarita Calderon for the amount of \$13,500, said documents to be substantially in the form of those on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11352