



## ORDINANCE NO. 28750

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a five-  
4 foot wide strip of air rights over a westerly portion of Tacoma Avenue  
5 South, lying southerly of South 14th Street, to facilitate design options  
6 for a residential apartment building; and adopting the Hearing  
7 Examiner's Findings, Conclusions, and Recommendations related  
8 thereto.

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

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's  
14 Findings, Conclusions, and Recommendations as contained in the Hearing  
15 Examiner's Report and Recommendation to the City Council bearing File  
16 No. 124.1422 and dated February 23, 2021, which Report is on file in the  
17 office of the City Clerk.  
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Section 2. That the five-foot wide strip of air rights over a westerly portion of Tacoma Avenue South, lying southerly of South 14th Street, legally described as follows:

The westerly 5.00 feet of that portion of Tacoma Avenue South lying adjacent to the following: Lots 1 through 5, inclusive, and the north half of Lot 6, Block 1412, Map of New Tacoma, W.T., according to plat filed for record February 3, 1875 in the Office of the County Auditor; and lying between the elevations of 245.63 and 330.63 feet at the northeast corner and elevations between 244.93 and 329.93 feet at the southeast corner (NGVD29 Vertical Datum);

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does



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hereby vest in the owners of the property abutting thereon, all in the manner provided by law.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

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

Location: A five-foot wide strip of air rights over a westerly portion of Tacoma Avenue South, lying southerly of South 14th Street  
Petitioner: 1402 Tacoma LLC  
Vacation Req. No. 124.1422