

## **ORDINANCE NO. 28750**

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

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

## BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1422 and dated February 23, 2021, which Report is on file in the office of the City Clerk.

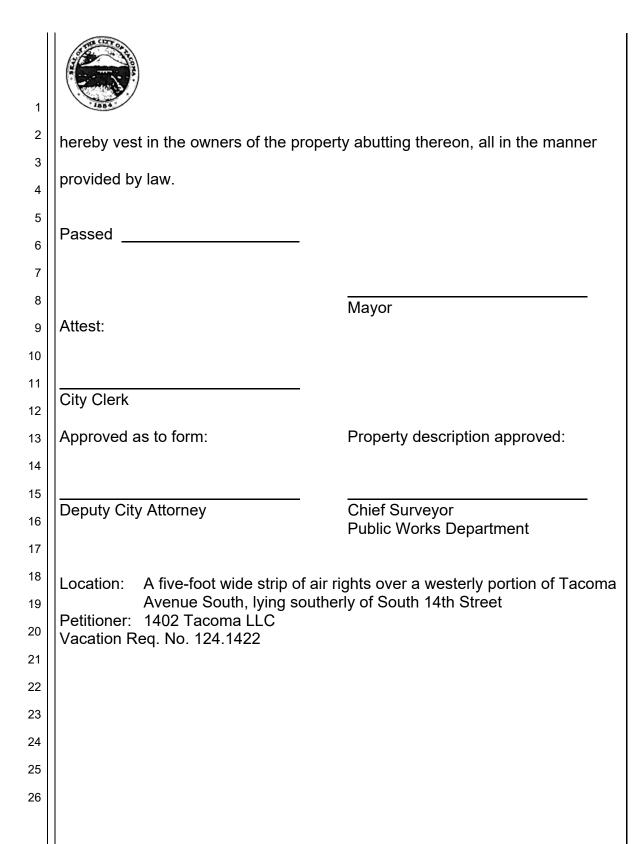
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Section 2. That the five-foot wide strip of air rights over a westerly portion of Tacoma Avenue South, lying southerly of South 14th Street, legally described as follows:

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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