



RESOLUTION NO. 40876

1 A RESOLUTION relating to City-owned property; authorizing the execution of an
2 easement agreement to grant a non-exclusive, perpetual easement to Roy
3 Meadows Development Group LLC, for a private road crossing in a portion
4 of Tacoma Rail Mountain Division right-of-way to serve a planned residential
5 subdivision in the City of Roy; and accepting the sum of \$25,000, for deposit
6 into Tacoma Rail Mountain Division Fund, as consideration for the rights
7 granted under the easement.

8 WHEREAS Tacoma Rail Mountain Division (“TRMW”) has owned, operated,
9 and/or maintained the rail line and right-of-way that runs between Tacoma and
10 Chehalis since it was acquired from the Weyerhaeuser Company in 1995, and

11 WHEREAS Roy Meadows Development Group LLC, has requested a non-
12 exclusive perpetual easement for a private road crossing in a portion of TRMW
13 right-of-way to serve a planned residential subdivision in the City of Roy, Pierce
14 County, Washington, and

15 WHEREAS the proposed easement comprises over 5,000 square feet, and
16 will overlay an existing easement and crossing already in place, with no expansion
17 of the footprint, which serves a nearby residential subdivision, and

18 WHEREAS this existing crossing provides the only known access to this
19 neighborhood, and

20 WHEREAS, based upon review and comment by interested parties, it is not
21 anticipated that the operation and maintenance of the crossing will have a negative
22 impact on TRMW’s use or operations of its 100-foot wide right-of-way, and although
23 no additional crossing improvements are anticipated at this time, a separate
24 right-of-entry permit agreement, issued administratively, will be required in order to
25 install any future improvements, and
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WHEREAS Real Property Services has worked with the City Attorney's Office, TRMW, and Roy Meadows Development Group LLC to prepare the proposed easement agreement, and now seeks final approval from the City Council; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute an easement agreement to grant and convey a non-exclusive, perpetual easement to Roy Meadows Development Group LLC, in the amount of \$25,000, for a private road crossing in a portion of Tacoma Rail Mountain Division right-of-way to serve a planned residential subdivision in the City of Roy, said documents to be substantially in the form of the proposed easement agreement on file in the office of the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to accept the sum of \$25,000, for deposit into Tacoma Rail Mountain Division Fund, as consideration for the rights granted under the easement.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney