



ORDINANCE NO. 28752

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 portion of South Stevens Street and South Mason Avenue extension,
5 lying north of South 19th Street and east of improved South Stevens
6 Street, to facilitate expanded surface yard uses of its adjacent
7 property; and adopting the Hearing Examiner's Findings, Conclusions,
8 and Recommendations related 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. 124.1423 and dated March 3, 2021, which Report is on file in the office of
17 the City Clerk.
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Section 2. That portion of South Stevens Street and South Mason Avenue extension, lying northerly of South 19th Street and easterly of improved South Stevens Street, legally described as follows:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 01, TOWNSHIP 20 NORTH, RANGE 02 EAST OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3.5-INCH DIAMETER SURFACE BRASS DISK MARKING THE INTERSECTION OF SOUTH 19TH STREET AND SOUTH MASON AVENUE AND BEING THE SOUTH QUARTER CORNER OF SAID SECTION 01 FROM WHICH ANOTHER SURFACE BRASS DISK MARKING THE INTERSECTION OF SOUTH MASON AVENUE AND VACATED SOUTH 18TH STREET BEARS NORTH 01°26'05" EAST A DISTANCE OF 453.40 FEET;

THENCE NORTH 01°26'05" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 01 A DISTANCE OF 45.38 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTH LINE OF BLOCK 58, RIDGEDALE ADDITION TO TACOMA W.T., AS PER PLAT RECORDED IN BOOK 2, PAGE 74, RECORDS OF PIERCE COUNTY AUDITOR;

THENCE SOUTH 88°02'22" EAST ALONG SAID WESTERLY EXTENSION A DISTANCE OF 18.22 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF SAID BLOCK 58;

THENCE NORTH 02°00'29" EAST ALONG THE WEST LINE OF SAID BLOCK 58 A DISTANCE OF 19.61 FEET TO THE **TRUE POINT OF BEGINNING**;



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THENCE DEPARTING SAID WEST LINE NORTH 87°54'56"
WEST A DISTANCE OF 21.55 FEET;

THENCE NORTH 20°02'11" WEST A DISTANCE OF 64.19 FEET;

THENCE NORTH 66°23'19" EAST A DISTANCE OF 14.30 FEET
TO A POINT OF TANGENCY WITH A 43 FOOT RADIUS CURVE
TO THE LEFT;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH
A CENTRAL ANGLE OF 22°51'02" AN ARC DISTANCE OF
17.15 FEET TO A POINT OF COMPOUND CURVATURE WITH
A CURVE HAVING A RADIUS OF 135 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH
A CENTRAL ANGLE OF 06°04'51" AN ARC DISTANCE OF
14.33 FEET TO A POINT OF COMPOUND CURVATURE WITH
A CURVE HAVING A RADIUS OF 36.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH
A CENTRAL ANGLE OF 25°13'44" AN ARC DISTANCE OF
15.85 FEET;

THENCE NORTH 12°13'42" EAST A DISTANCE OF 23.33 FEET
TO A POINT ON THE WEST LINE OF SAID BLOCK 58, SAID
POINT BEING 5.76 FEET SOUTH OF THE NORTHWEST
CORNER OF LOT 10 OF SAID BLOCK;

THENCE SOUTH 02°00'29" WEST ALONG SAID WEST LINE A
DISTANCE OF 126.64 FEET TO THE **POINT OF BEGINNING**.

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

(CONTAINING ±2804 SQUARE FEET OR APPROXIMATELY
0.0643 ACRES).



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2 is hereby vacated, and the land so vacated is hereby surrendered and attached
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4 to the property bordering thereon, as a part thereof, and all right or title of the
5 City in and to the portion of the right-of-way so vacated does hereby vest in the
6 owners of the property abutting thereon, all in the manner provided by law;
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8 provided, however, that there is hereby retained and reserved, pursuant to the
9 statutes of the state of Washington, the following easements, to-wit:

10 City of Tacoma

11 A City easement for utilities shall be reserved over the whole of the
12 Vacation Area for the purpose of preserving in place, accessing,
13 maintaining, repairing and replacing, at a minimum, the following
14 list of City utilities:

- 15 a. Environmental Services – for protection of existing
16 stormwater and wastewater sewer infrastructure.
- 17 b. Tacoma Water – for existing City water infrastructure over the
18 entire area to be vacated, excluding the Easterly 18 feet
19 thereof. Tacoma Water has requested a specific list of
20 restrictions/conditions be made part of the easement relevant
21 to its usage area within the greater Vacation area:
- 22 (i) Tacoma Water conditions this vacation also, that no
23 structures, retaining walls, trees, ornate sidewalks,
24 stamped concrete, etc., are permitted within the water
25 main easement. Light landscaping with grass and/or
26 small shrubbery or asphalt parking is permitted.
- (ii) If existing water facilities need to be relocated or
 adjusted, they will be relocated by Tacoma Water at the
 expense of the petitioner, its successors and/or assigns,
 with prompt reimbursement therefor.



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- (iii) Tacoma Water facilities must remain accessible at all times. Any damage to Tacoma Water facilities will be repaired by Tacoma Water crews at the expense of the petitioner, its successors and/or assigns, with prompt reimbursement therefor.

- (iv) Tacoma Water requires 24/7 access to its respective easement areas. Thus, any fencing proposed for installation must be pre-approved in writing by Tacoma Water, and any fencing must conform to utility clearance requirements. Posts shall not be directly over the water main.

- (v) Any gates must have sufficient width to accommodate utility vehicles and equipment, and duplicate keys shall be provide to Tacoma Water for its respective easement areas.

- (vi) Tacoma Water services, meters, and fire hydrants are not permitted behind the fence.

- c. Tacoma Power – for existing overhead infrastructure presently existing over the easterly 20 feet of the Vacation Area. Tacoma Power has requested a specific list of restrictions/conditions be made part of the easement relevant to its usage area within the greater Vacation area:
 - (i) Tacoma Power requires 24/7 access to its respective easement areas. Thus, any fencing proposed for installation must be pre-approved in writing by Tacoma Power, and any fencing must conform to utility clearance requirements.

 - (ii) Any gates must have sufficient width to accommodate utility vehicles and equipment, and duplicate keys shall be provided to Tacoma Power for its respective easement areas.



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(iii) The cost of damage to, removal, and/or replacement of any fencing located within the easement area shall be the sole responsibility of the street vacation petitioner, its successors and/or assigns as owners of the benefitting property to which the vacated area shall attach, and the petitioner, its successors and/or assigns shall promptly reimburse Tacoma Power for all reasonable costs incurred in accessing Tacoma Power facilities requiring the removal of any structures placed or erected in its respective easement areas.

(iv) Any damage to Tacoma Power facilities will be repaired by Tacoma Power crews at the expense of the petitioner, its successors and/or assigns, with prompt reimbursement therefor.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of South Stevens Street and South Mason Avenue extension, lying northerly of South 19th Street and easterly of improved South Stevens Street

Petitioner: True Vine Senior Citizens Center
Vacation Req. No. 124.1423