



TO: T.C. Broadnax, City Manager
FROM: Michael P. Slevin III, P.E., Environmental Services Director
Troy Stevens, Senior Real Estate Specialist
COPY: City Council and City Clerk
SUBJECT: Property Acquisition – Heron Ridge Estates Tracts A, B, & C – December 10, 2013
DATE: November 20, 2013

SUMMARY:

Authorizing the acquisition of a Pierce County Tax Title parcel located in the Heron Ridge Estates Phase 1 plat north of Marine View Drive in Northeast Tacoma, in the amount of \$1,300 plus recording fees, budgeted from the Surface Water Fund, to maintain the existing stormwater facility.

BACKGROUND:

The subject parcel includes three tracts of land, Tract A, B and C. Tracts A and C are currently undeveloped. Tract B contains an underground stormwater detention facility that takes runoff from the public roads and private property of Heron Ridge Estates. The Plat is located in Northeast Tacoma to the north of Marine View Drive and in a very steep slope area. The stormwater detention facility will remain in place after acquisition by Environmental Services.

Tract B storm improvements were designed as part of the plat of Heron Ridge Estates and the plat was recorded May 3, 1995. Proper function of the detention facility is important to ensure that no downstream impacts occur. When the plat was recorded, the parcel containing the stormwater facility was dedicated to the homeowner's association. The available city records and recorded documents for this plat do not clearly outline why the parcel was dedicated to the homeowner's association instead of the City. The homeowner's association is no longer functioning. It does not appear that the private stormwater system has been maintained based on field investigations.

The parcel is now in foreclosure and noted as Pierce County tax title. The City does not have an easement for access onto the parcel and cannot perform necessary maintenance to the private stormwater facility. The stormwater facilities include an underground detention facility, flow splitter, and associated piping and structures. At a minimum, this type of facility should be inspected and maintained yearly or more often if needed. The City's Environmental Compliance Group has been in contact with the property owners of the plat to attempt to facilitate inspection and maintenance of the facility; however, maintenance has not been accomplished to this point. It is important that Environmental Services has full access to the tract in order to perform needed maintenance on the detention facility because without City involvement it is uncertain whether needed maintenance will be performed, and the detention facility serves public roads. Environmental Services will assume ownership and maintenance obligations of the private system contained within Tract B.

Currently, Tract B is a paved parking area that is utilized by residents of Heron Ridge Estates as overflow parking, and to store boats and recreational vehicles. Once the parcel is acquired by the City, the area will be gated and private use will not be permitted in order to ensure that the City can obtain access to the facilities as needed.

A title search has been completed and reviewed for the subject parcel. The title search indicated that the parcel does not contain any encumbrances that would negatively affect the City.



The acquisition of this parcel will allow Environmental Services to own and maintain access for inspection and maintenance of the stormwater facility.

ISSUE:

The stormwater facility located on Tract B of the Heron Ridge Estates plat is a private system that serves public roads. It would be typical for the City to own and operate this type of stormwater facility. The City does not currently have access rights to the facility for inspection and maintenance. Proper function of this facility is necessary to ensure that downstream impacts from the development's stormwater runoff do not occur. The previous owner, Heron Ridge Homeowner's Association, is now defunct and the current private property owners within the plat have not been willing to conduct needed maintenance of the stormwater facilities. It is important for Environmental Services to have access to the parcel in order to maintain the system properly. The current parcel owner, Pierce County, is prohibited from granting the City an easement. In order to access the parcel, the City either needs to purchase the parcel or wait and attempt to negotiate an easement with a different purchaser. It is unknown how long it would take for another purchaser to come forward.

ALTERNATIVES:

An alternative to purchasing the property would be to work with a future property owner to acquire an easement area on Tract B. Pierce County is not permitted to grant easements when it holds tax title property. The requested easement area would likely encompass the entirety of Tract B. It is not known when another party would come forward to purchase this parcel. This alternative is not the preferred choice of Environmental Services.

RECOMMENDATION:

Environmental Services recommends that the City authorize the purchase of the property. This will allow Environmental Services full access to the stormwater facility for all maintenance functions. It will also formalize ownership of the public stormwater facilities that have been designed to mitigate public infrastructure.

FISCAL IMPACT:

Environmental Services will pay \$1,300, plus recording fees, to acquire the property.



EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Surface Water Fund 4301	ENV-00100-06-08	\$1,382.00	\$1,382.00
TOTAL			\$1,382.00

* General Fund: Include Department

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$1,382.00

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A