



## RESOLUTION NO. 38795

1 A RESOLUTION relating to surplus property; declaring certain real property  
2 owned by the City, consisting of approximately 2,115 square feet used  
3 as Tacoma Rail Mountain Division railroad right-of-way and the  
4 execution of a Quit Claim Deed to convey this portion of real property in  
5 fee simple to the Washington State Department of Transportation, to  
6 accommodate its I-5 (M Street to Portland Avenue) HOV project, for fair  
7 market value of \$10,500, subject to easements for continued railroad  
8 operations and sewer facilities.

9 WHEREAS the Washington State Department of Transportation  
10 ("WSDOT") is requesting to purchase property (the "Property") used as Tacoma  
11 Rail Mountain Division ("TRMW") right-of-way for the widening of I-5 at the  
12 I-5/I-705/SR-7 interchange in Tacoma, and

13 WHEREAS this project will construct a new northbound I-5 bridge and  
14 will widen I-5 to accommodate northbound and southbound HOV lanes, and

15 WHEREAS additional HOV lanes will ensure that transit, vanpools and  
16 carpools can move efficiently through the corridor, especially when traffic is  
17 congested in the adjoining general-purpose lanes, and

18 WHEREAS the Property is held in fee simple title by the City, but most  
19 other TRMW right-of-way located within the I-5/I-705/SR-7 interchange is held  
20 by easement only, and

21 WHEREAS selling the Property to WSDOT, while retaining necessary  
22 easement rights, is consistent with other TRMW property rights in the area and  
23 will provide additional revenue to the TRMW account, and  
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WHEREAS TRMW has reviewed WSDOT's plans for the I-5 widening and has determined that the proposed property sale and easement reservation will not affect railroad operations, and therefore have deemed the transaction acceptable, and

WHEREAS City Council held a Public Hearing on October 15, 2013, as required by State law to allow the public to comment on the proposed sale, and no objections or comments were received, and

WHEREAS, there being no foreseeable need for continued City ownership of the Property, a declaration of surplus and negotiated disposition of 2,115 square feet of TRMW railroad right-of-way and the execution of a Quit Claim Deed to convey this portion of right-of-way in fee simple to WSDOT for fair market value of \$10,500, subject to easements for continued railroad operations and sanitary and storm sewer facilities, appears to be in the best interests of the City, pending final approval from the City Council; Now, Therefore,

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

Section 1. That continued fee ownership of the City property consisting of approximately 2,115 square feet used as Tacoma Rail Mountain Division railroad right-of-way is not essential to the needs of the City and is hereby declared surplus property pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City Charter.



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Section 2. That the proper officers of the City are hereby authorized to enter into a Quit Claim Deed to convey this portion of real property in fee simple to the Washington State Department of Transportation, to accommodate its I-5 (M Street to Portland Avenue) HOV project, for fair market value of \$10,500, subject to easements for continued railroad operations and sewer facilities, said document to be substantially in the form of the document on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney