



## RESOLUTION NO. 40915

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 March 24, 2022, at 9:00 a.m., as the date for a hearing before the City of  
3 Tacoma Hearing Examiner on the petition of Fawcett Avenue Owner, LLC,  
4 to vacate the air rights over a portion of South 15th Street, lying between  
5 South Court "E" and South Fawcett Avenue, and a westerly portion of  
6 South Fawcett Avenue, lying southerly of South 15th Street, to facilitate  
7 building design variability on a residential building project.

8 WHEREAS Fawcett Avenue Owner, LLC, having received the consent of  
9 the owners of more than two-thirds of the properties abutting a portion of  
10 South 15th Street, lying between South Court "E" and South Fawcett Avenue,  
11 and a westerly portion of South Fawcett Avenue, lying southerly of South 15th  
12 Street, to facilitate building design variability on a residential building project,  
13 has petitioned for the vacation of air rights within the following legally described  
14 right-of-way area:

### SOUTH FAWCETT AVENUE AIR SPACE VACATION

15 THE WESTERLY 3.00 FEET OF THE WESTERLY 40.00 FEET  
16 OF SOUTH FAWCETT AVENUE LYING ADJACENT TO LOTS 1  
17 THROUGH 19, INCLUSIVE, BLOCK 1510, MAP OF NEW  
18 TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE  
19 PLAT THEREOF RECORDED FEBRUARY 3, 1875, RECORDS  
20 OF THE PIERCE COUNTY AUDITOR; SITUATE IN THE CITY OF  
21 TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON;  
22 AND LYING BETWEEN THE ELEVATIONS OF 177.00 FEET  
23 AND 272.50 FEET AT THE SOUTHEAST CORNER AND  
24 210.67 FEET AND 272.50 FEET AT THE NORTHEAST CORNER,  
25 CITY OF TACOMA PUBLISHED NGVD 29 VERTICAL DATUM.

26 and

### SOUTH 15TH STREET AIR SPACE VACATION

THE SOUTH 3.00 FEET OF THE SOUTHERLY 40.00 FEET OF  
SOUTH 15TH STREET LYING ADJACENT TO LOT 1,  
BLOCK 1510, MAP OF NEW TACOMA, WASHINGTON



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TERRITORY, ACCORDING TO THE PLAT THEREOF  
RECORDED FEBRUARY 3, 1875, RECORDS OF THE PIERCE  
COUNTY AUDITOR; SITUATE IN THE CITY OF TACOMA,  
COUNTY OF PIERCE, STATE OF WASHINGTON; AND LYING  
BETWEEN THE ELEVATIONS OF 204.00 FEET AND  
272.50 FEET AT THE NORTHEAST CORNER AND 220.50 FEET  
AND 272.50 FEET AT THE NORTHWEST CORNER, CITY OF  
TACOMA PUBLISHED NGVD 29 VERTICAL DATUM;

Now, Therefore,

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

Section 1. That Thursday, March 24, 2022, at 9:00 a.m., is hereby fixed  
as the date and time, and the Council Chambers on the first floor of the  
Tacoma Municipal Building, 747 Market Street, in the City of Tacoma,  
Washington, or alternatively, a call-in option will be provided until the end of the  
COVID-19 emergency, as the place when and where the request of Fawcett  
Avenue Owner, LLC, to vacate the air rights over a portion of South 15th Street,  
lying between South Court "E" and South Fawcett Avenue, and a westerly  
portion of South Fawcett Avenue, lying southerly of South 15th Street, to  
facilitate building design variability on a residential building project, will be  
heard by the Hearing Examiner and his recommendations thereafter  
transmitted to the Council of the City of Tacoma.



Section 2. That the Clerk of the City of Tacoma shall give proper notice of

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the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Property description approved:

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

\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: Air rights over a portion of South 15th Street, lying between South Court "E" and South Fawcett Avenue, and a westerly portion of Fawcett Avenue, lying southerly of South 15th Street

Petitioner: Fawcett Avenue Owner, LLC

File No.: 124.1431