



RESOLUTION NO. 40950

1 A RESOLUTION relating to street vacations; authorizing the execution of a Quit
2 Claim Deed to remove a property clearing on the title, located at
3 4041 Tacoma Mall Boulevard in the City of Tacoma, to convey the parcels
4 to City Central, a Washington non-profit corporation.

4 WHEREAS Oakes Avenue, which became 40th Street East, was
5 dedicated to the City in the Plat of Alameda Addition, Volume 3 of Plats, Page 59
6 ("Plat"), and pursuant to the Plat, the right-of-way dedication for the road was
7 51 feet wide, and
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9 WHEREAS a 19-foot strip of land which abutted the northerly boundary of
10 the road was deeded to the City through Pierce County Treasurer's Deed
11 1441043, making the road 70 feet wide, and
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13 WHEREAS, in the late 1950s, the State of Washington appropriated areas
14 for its Primary State Highway No. 1 project, which included Parcel
15 Nos. 032018-1031 and 032018-1049 ("Parcels") and abutting road rights-of-way,
16 and upon highway completion, the State deeded as surplus property the Parcels
17 and the abutting road rights-of-way to the City via Quit Claim Deed 8301100171,
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20 WHEREAS the City, pursuant to Ordinance No. 23325, recorded under
21 Pierce County recording number 8508120242, vacated the segment of the street
22 abutting the Parcels, and
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24 WHEREAS, since the City held title to the Parcels at the time of vacation,
25 and because title to vacated streets "vest in the owners of said property abutting
26 thereon" by operation of law, the City retained fee title to its portion of the



1 vacated street automatically upon recording of Ordinance No. 23325, without
2 further legal action required, and

3 WHEREAS thereafter, the City deeded the Parcels to the State via Quit
4 Claim Deed 860226038, which did not include a legal description of the vacated
5 street nor reference to Ordinance No. 23325, and

6 WHEREAS, subsequently, the State of Washington deeded the Parcels to
7 Bethel Christian Assembly via Quit Claim Fulfillment Deed 9812240435, and
8 Bethel Christian Assembly then conveyed the Parcels to City Central, a
9 Washington non-profit corporation, and

10 WHEREAS City Central is now requesting that the City grant a quit claim
11 deed to it in order to confirm that the City has no interest in the vacated street;

12 Now, Therefore,

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

14 That the proper officers of the City are hereby authorized to execute a
15 Quit Claim Deed to remove a property clearing on the title, located at
16 4041 Tacoma Mall Boulevard (Parcel Nos. 032018-1031 and 032018-1049) in
17 the City of Tacoma, as more particularly described in the attached Exhibit "A,"
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1 to convey the parcels to City Central, a Washington non-profit corporation, all as
2 more specifically set forth in the documents on file in the office of the City Clerk.

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4 Adopted _____

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6 _____
Mayor

7 Attest:

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9 _____
City Clerk

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11 Approved as to form:

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13 _____
Deputy City Attorney

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EXHIBIT "A"

LEGAL DESCRIPTION

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Assessor Parcel Nos.: 032018-1049 and 032018-1031

THAT PORTION OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 20 NORTH,
RANGE 3 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS
FOLLOWS:

THE NORTH 19.00 FEET OF VACATED SOUTH 40TH STREET PER
CITY OF TACOMA ORDINANCE NO. 23325 RECORDED UNDER
RECORDING NO. 8508120242, RECORDS OF PIERCE COUNTY
AUDITOR.

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

(CONTAINING ±3,875 SQUARE FEET OR APPROXIMATELY 0.09 AC)