



## RESOLUTION NO. 39667

1 A RESOLUTION relating to surplus property; declaring certain real property  
2 owned by the Department of Public Utilities, Water Division (d.b.a.  
3 "Tacoma Water"), consisting of approximately 4,157 square feet of  
4 property located in Cumberland, Washington, surplus to the needs of the  
5 City; and authorizing the exchange of said property to Ted Coutts in  
6 exchange for an equal amount of real property owned by Mr. Coutts, plus  
7 \$10,000 for the relocation of existing improvements.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Water  
9 Division's (d.b.a. "Tacoma Water") Pipeline No. 1 is located in close proximity to  
10 Deep Creek in the unincorporated community of Cumberland, in King County,  
11 Washington ("Property"), and

12 WHEREAS 22 feet of the pipeline has been exposed due to stream erosion  
13 and is at risk of damage, and Tacoma Water has determined that rerouting Deep  
14 Creek further from the pipe into a new stream location would provide pipeline  
15 protection, restore stream and riparian habitats, and is supported by regulatory  
16 agencies, and would result in substantial savings compared to moving the pipeline,  
17 and

18 WHEREAS Ted Coutts owns real property adjacent to the Pipeline No. 1  
19 property, and is willing to exchange a 20-foot wide strip of land, approximately  
20 4,157 square feet in size, for an equal amount of land owned by Tacoma Water,  
21 plus \$10,000 to be used by Mr. Coutts to relocate existing improvements on his  
22 property, to enable Tacoma Water to reroute Deep Creek, which is deemed  
23 acceptable by Tacoma Water and the Department of Public Works, Real Property  
24 Services Division, and  
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1 WHEREAS Tacoma Water has determined the Property is no longer  
2 essential for continued effective utility service, and

3 WHEREAS the Department of Public Works proceeded with the negotiated  
4 disposition process pursuant to Tacoma Municipal Code ("TMC") 1.06.280.F, and

5 WHEREAS, on January 25, 2017, by adoption of Public Utility Board  
6 Resolution No. U-10904, the Property was declared surplus to Tacoma Water's  
7 needs and approved for disposal, pending confirmation from the City Council, and

8 WHEREAS, on February 14, 2017, pursuant to RCW 35.94.040 and  
9 TMC 1.06.280, the City Council conducted a public hearing on the proposed  
10 exchange of said Property, and  
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12 WHEREAS, there being no foreseeable need for continued City ownership  
13 of the Property, the sale exchange of said Property appears to be in the best  
14 interests of the City, pending final approval from the City Council; Now, Therefore,

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

16 Section 1. That continued ownership of approximately 4,157 square feet  
17 of real property located in Cumberland, Washington ("Property"), owned by the  
18 City of Tacoma through its Department of Public Utilities, Water Division, is not  
19 essential to the needs of the City and is hereby declared surplus pursuant to  
20 RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City  
21 Charter.  
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23 Section 2. That the proper officers of the City are hereby authorized to  
24 enter into a Real Estate Exchange Agreement ("Agreement") to convey said  
25 Property to Ted Coutts in exchange for an equal amount of real property owned by  
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Mr. Coutts, plus \$10,000 to be used by Mr. Coutts to relocate existing improvements on his property, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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

Requested by Public Utility Board  
Resolution No. U-10904