



## RESOLUTION NO. 39139

1 A RESOLUTION relating to open space; accepting a donation of property located  
2 at 1401 East 34th Street from the Maybell H. Phillips Living Trust; and  
3 authorizing the execution of a Statutory Warranty Deed and a Real Estate  
4 Donation Agreement, in the amount of \$271.83, budgeted from the Surface  
5 Water Fund, to pay the 2014 and the first half of 2015 property taxes for  
6 said property.

7 WHEREAS the property located at 1401 East 34th Street ("Property") was  
8 acquired by Maybell H. Phillips in 1982, and transferred into the Maybell H. Phillips  
9 Living Trust in 2011, and

10 WHEREAS representatives for Ms. Phillips contacted City staff in 2014 to  
11 discuss the possibility of the City acquiring the Property, and

12 WHEREAS the Property is steeply sloped and, given its proximity to public  
13 right-of-way and other Open Space land, it is unlikely that a private developer or  
14 property owner would acquire the Property for development, and

15 WHEREAS, after review of the Property, Environmental Services staff  
16 concluded that it met Open Space criteria for acquisition, and

17 WHEREAS, if the Property is not acquired for Open Space, the City will  
18 miss an opportunity to gain greater Open Space connectivity and the potential to  
19 better program and manage the area's Open Space inventory, and

20 WHEREAS, pursuant to the proposed Real Estate Donation Agreement, the  
21 City has agreed to pay outstanding Pierce County taxes for 2014 and the first half  
22 of 2015, in the amount of \$271.83, budgeted from ES Surface Water Fund 4301,  
23 and  
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WHEREAS it appears that the acquisition of said Property for Open Space purposes is in the best interests of the City; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

That the proper officers of the City are hereby authorized to accept a donation of property located at 1401 East 34th Street from the Maybell H. Phillips Living Trust; and to execute a Statutory Warranty Deed and a Real Estate Donation Agreement, in the amount of \$271.83, budgeted from the Surface Water Fund, to pay the 2014 and the first half of 2015 property taxes for said property, said documents to be substantially in the form of the documents on file in the Office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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