



RESOLUTION NO. 38927

1 A RESOLUTION relating to surplus property; declaring certain real property
2 owned by the City and located within City limits, consisting of Parcel
3 No. 2013060013 and a portion of Parcel No. 2013070011, to be surplus to
4 the needs of the City; and authorizing the execution of a Quit Claim Deed
5 to convey the aforementioned real property to KS Tacoma Holdings, LLC,
6 for the amount of \$1,245,000, in accordance with the Settlement
7 Agreement approved on April 1, 2014.

8 WHEREAS the City acquired and assembled property in the mid-1970s for
9 the purpose of creating a regional Convention Center with on-site parking, which
10 property consists of two improved parking lots respectively located adjacent to
11 the Bicentennial Pavilion and the Murano Hotel ("Property"), and

12 WHEREAS the U.S. Department of Commerce, Economic Development
13 Administration, provided grant funding for the construction of the Bicentennial
14 Pavilion, and, as a condition of grant acceptance, a 40-year restrictive covenant
15 was placed on the improved real property, stipulating that it would be dedicated
16 to public use and purpose, which restriction will end on May 2, 2015, and

17 WHEREAS, since 2009, KS Tacoma Holdings, LLC ("KS Tacoma") has
18 been involved in legal action with the City and Foss Waterway Development
19 Authority, and

20 WHEREAS, on April 1, 2014, the City Council approved settlement terms
21 with KS Tacoma, which included dismissing the pending litigation and an
22 agreement by KS Tacoma not to bring future suits pertaining to specific
23 developments against the City, and

24 WHEREAS the Settlement Agreement clears the way for the development
25 of Site 4 along the Thea Foss Waterway, and
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WHEREAS, there being no foreseeable need for continued City ownership of the Property, a declaration of surplus and negotiated disposition of the Property and the execution of a Quit Claim Deed to convey all City interest in said Property to KS Tacoma Holdings, LLC (or a designated affiliate) 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 ownership of the City property, consisting of Parcel Number 2013060013 and a portion of Parcel Number 2013070011 ("Property"), legally described on Exhibit "A," is not essential to the needs of the City and is hereby declared surplus pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City Charter.

Section 2. That the proper officers of the City are hereby authorized to execute a Quit Claim Deed to convey all City interest in the Property to KS Tacoma Holdings, LLC, in accordance with the Settlement Agreement



1 approved on April 1, 2014, for the amount of \$1,245,000, said document to be
2 substantially in the form of the document on file in the office of the City Clerk.

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4 Adopted _____

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Mayor

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Attest:

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City Clerk

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Approved as to form:

Property description approved:

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Deputy City Attorney

Chief Surveyor
Public Works Department

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EXHIBIT "A"

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PARCEL NO. 2013060013:

That portion of Lots 13 through 26, Block 1306, Map of New Tacoma, Washington Territory, according to the plat filed for record February 3, 1875 in the office of the Pierce County Auditor, lying southerly of the following described line:

Commencing at the Southeast corner of said Block 1306; Thence North 08°47'01" West, along its east line, 364.81 feet to the true Point of Beginning; Thence South 81°9'29" West, 119.87 feet to the west line of said Block 1306 and the Terminus of said line;

Together with: The East 1/2 of Court C abutting thereon:

Also together with a non-exclusive easement for ingress and egress over the following:

That portion of Block 1306, Map of New Tacoma, Washington Territory, according to the plat filed for record February 3, 1875 in the office of the Pierce County Auditor, described as follows:

Beginning at the southeast corner of said Block 1306; Thence North 08°47'01" West, along its east line, 368.195 feet to the True Point of Beginning; Thence North 61°35'01" West, 9.758 feet to the P.C. of a curve concave to the south, the radius point of which bears South 28°24'59" West, 4.698 feet; Thence westerly along said curve, thru a central angle of 91°06'00", 7.469 feet; Thence South 27°18'59" West, 10.325 feet; Thence South 81°09'59" West, 18.837 feet to the P.C. of curve concave to the northwest, a radius point of which bears North 30°13'25" West, 15.465 feet; Thence northeasterly along said curve, thru a central angle of 38°52'10", 10.492 feet; Thence North 20°54'25" East, 17.435 feet to the P.C. of a curve concave to the west, the radius point of which bears North 69°05'35" West, 27.511 feet; Thence northerly along said curve, thru a central angle of 29°41'26", 14.256 feet; Thence North 08°47'01" West, parallel with said east line of Block 1306, 58.304 feet to the P.C. of a curve concave to the east, the radius point of which bears North 81°12'59" East, 65.00 feet; Thence northerly along said curve, thru a central angle of 12°58'12", 14.714 feet to the P.C. of a curve concave to the east, the radius point of which bears South 85°48'49" East, 39.739; Thence northerly along said curve thru a central of 8°16'36", 5.741 feet to the P.C. of a curve concave to the Southeast, the radius point of which bears South 77°32'13" East, 90.00 feet; Thence northeasterly along said curve, thru a central angle of 19°44'57", 31.022 feet to said east line of Block 1306; Thence South 08°47'01" East, along said east line, 136.871 feet to the True Point of Beginning;

Situate in the City of Tacoma, County of Pierce, State of Washington.



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PARCEL NO. 2013070011:

That portion of Lots 17 through 26, Block 1307, as contained within the plat of Map of New Tacoma, Washington Territory, according to plat filed for record on February 3, 1875, records of Pierce County, Washington inclusive of vacated Court C Street abutting thereon, as vacated by the City of Tacoma Ordinance No. 20361 and recorded under Auditor File Number 2595834.

All lands situate in SW Quarter of Section 04, Township 20 Range 03 East.