



ORDINANCE NO. 28829

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of the alley between North "L" Street and North "M" Street, lying
5 northwest of North 10th Street, to cure a garage encroachment; and
6 adopting the Hearing Examiner's Findings, Conclusions, and
7 Recommendations related thereto.

8 WHEREAS all steps and proceedings required by law and by
9 resolution of the City Council to vacate the portion of the right-of-way
10 hereinafter described have been duly taken and performed; Now, Therefore,

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's
13 Findings, Conclusions, and Recommendations as contained in the Hearing
14 Examiner's Report and Recommendation to the City Council bearing File
15 No. 124.1433 and dated August 22, 2022, which Report is on file in the office
16 of the City Clerk.
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Section 2. That the portion of the alley between North "L" Street and North "M" Street, lying northwest of North 10th Street, legally described as follows:

A portion of the Northeast Quarter of the Southeast Quarter of Section 31, Township 21 North, Range 3 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows:

The Northeasterly 10 feet of alley abutting Lots 7 and 8, Block 4024, Map of New Tacoma, Washington Territory, according to the Plat filed for record February 3, 1875 in the Office of the County Auditor;

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

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

A no-build restriction is hereby imposed over the excess three feet of the Vacation Area that extends beyond the actual garage footprint.



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Petitioners, and their successors and assigns shall not build any new improvement(s) into this portion of the Vacation Area, and this three-foot-wide length of the Vacation Area shall effectively remain as an access traversal easement for the public over that portion of the Vacation Area.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor, Assistant
Public Works Department

Location: A portion of the alley between North "L" Street and North "M" Street, lying northwest of North 10th Street.
Petitioner: Carla Moreno Montgomery and Ana Yesenia Celestino-Valdovinos
Vacation Req. No. 124.1433