



RESOLUTION NO. 38821

1 A RESOLUTION relating to surplus property; declaring certain real property owned
2 by the City, consisting of approximately 10.82 acres (1.21 miles) of real
3 property located within the City of Tacoma, Public Works Department,
4 Tacoma Rail Mountain Division (“TRMW”), from East “D” Street to Puyallup
5 Avenue in the City of Tacoma, surplus to the needs of the City; and
6 authorizing the execution of a Quit Claim Deed to convey that portion of real
7 property in fee simple to the Central Puget Sound Regional Transit Authority
8 (“Sound Transit”) for the purpose of utilizing said property for its Sounder
Commuter Rail Service and infrastructure improvements thereon to reduce
major congestion and increase safety, for fair market value of \$4 million and
the conveyance of approximately 1.22 acres of Sound Transit property to the
City of Tacoma.

9 WHEREAS the Central Puget Sound Regional Transit Authority (“Sound
10 Transit”) is currently operating its Sounder Commuter Rail service on approximately
11 1.21 miles of property owned by the City of Tacoma, Public Works Department,
12 Tacoma Rail Mountain Division (“TRMW”), from East “D” Street to Puyallup Avenue
13 in the City of Tacoma, consisting of 13 separate tax parcels and containing
14 approximately 471,425 square feet (10.82 acres) (“Property”), under a temporary
15 operating agreement with the City, and
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17 WHEREAS, during negotiations to enter into a permanent operating
18 agreement, the parties determined that acquisition of the Property by Sound Transit
19 would be advantageous to both parties, and
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21 WHEREAS ownership of the Property by Sound Transit will allow for future
22 investment in regional transportation infrastructure while reducing long-term repair
23 and replacement costs for TRMW, and
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25 WHEREAS, under the terms of the proposed Purchase and Sale Agreement,
26 Sound Transit will pay the City \$4 million for the Property; will convey to the City, at



1 no cost, approximately 1.22 acres of surplus property located at the intersection of
2 Pacific Avenue and South 26th Street; and will contribute up to an additional
3 \$200,000 for landscape design and improvements on the property conveyed to the
4 City, and

5 WHEREAS, in addition to the foregoing, Sound Transit and the City have
6 negotiated a Joint Use Agreement for the rail corridor that will allow Tacoma Rail to
7 continue its freight operations in perpetuity, and sets forth maintenance and repair
8 obligations for both parties, and

9 WHEREAS TRMW has reviewed the terms and conditions of the Purchase
10 and Sale Agreement and Joint Use Agreement and determined that the sale of the
11 Property will not affect its railroad operations, and

12 WHEREAS City Council held a Public Hearing on December 10, 2013, as
13 required by state law, to allow the public to comment on the proposed sale, and no
14 objections were received, and

15 WHEREAS, there being no foreseeable need for continued City ownership
16 of the Property, a declaration of surplus and negotiated disposition of the Property
17 and the execution of a Quit Claim Deed to convey said Property in fee simple to
18 Sound Transit, for fair market value of \$4 million and the conveyance of
19 approximately 1.22 acres of Sound Transit property to the City of Tacoma, appears
20 to be in the best interests of the City, pending final approval from the City Council;

21 Now, Therefore,

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



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Section 1. That continued fee ownership of the City property consisting of approximately 10.82 acres (1.21 miles) of real property located within the City of Tacoma, Public Works Department, Tacoma Rail Mountain Division ("TRMW"), from East "D" Street to Puyallup Avenue in the City of Tacoma, is not essential to the needs of the City and is hereby declared surplus property 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 enter into a Quit Claim Deed to convey this portion of real property in fee simple to the Central Puget Sound Regional Transit Authority for the purpose of utilizing said property for its Sounder Commuter Rail Service and infrastructure improvements thereon to reduce major congestion and increase safety, for fair market value of \$4 million and the conveyance of approximately 1.22 acres of Sound Transit property to the City of Tacoma, said document to be substantially in the form of the document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney