



ORDINANCE NO. 28342

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating the alley
4 between East D Street and East E Street, north of Puyallup Avenue and
5 south of BNSF Railway Company property and the terminus of the City
6 right-of-way, for use as a passenger drop-off and bus zone; and
7 adopting the Hearing Examiner's Findings, Conclusions, and
8 Recommendations related thereto.

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

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's
14 Findings, Conclusions, and Recommendations as contained in the Hearing
15 Examiner's Report and Recommendation to the City Council bearing File
16 No. 124.1353 and dated November 10, 2015, which Report is on file in the
17 office of the City Clerk.
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Section 2. That the alley between East D Street and East E Street, north of Puyallup Avenue and south of BNSF Railway Company property and the terminus of the City right-of-way, legally described as follows:

A portion of 20-foot alley way lying between Blocks 7321 and 7322 of the Plat of TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., recorded July 7, 1884, Pierce County, Washington, situated in the Northwest quarter of the Northeast quarter of Section 09, Township 20 North, Range 03 East, W.M., more particularly described as follows:

Commencing at the Northeast corner of said Block 7321 and the southerly margin of the Burlington Northern and Santa Fey Railway Company's right of way; Thence South 07°32'17", a distance of 121.12 feet to the Point of Beginning; Thence continuing South 07°32'17" East, a distance of 158.88 feet to the Southeast corner of said Block 7321; Thence North 82°37'19" East, a distance of 20.00 feet to the Southwest corner of said Block 7322; Thence North 07°32'17" West along the westerly margin of said Block 7322, a distance of 158.49 feet.

Thence South 83°43'54" West a distance of 20.00 feet to the Point of Beginning;

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



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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:

City Easement:

A utility easement shall be reserved over the entire vacated area for the City of Tacoma for maintenance, repair, construction, and replacement of existing and future above-ground and underground utilities.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: The alley between East D and East E Streets, north of Puyallup Avenue and south of BNSF Railway Company property and the terminus of the City right-of-way

Petitioner: PCSD Tacoma Facilities I, LLC
Vacation Req. No. 124.1353