

EXHIBIT LIST

HEARING DATE: October 26, 2017, at 1:30 pm

FILE NUMBER & NAME: 124.1380 – City of Tacoma

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY				COMMENT
			A	E	W	
Ex. 1	Preliminary Staff Report	COT/RPS	X			
Ex. 2	Aerial Maps (2)	COT/RPS	X			
Ex. 3	Petitioner Submittal Memo	Petitioner	X			
Ex. 4	Ordinance No. 59 & Plat Map	COT/RPS	X			
Ex. 5	RPS/In-Lieu Assessment fee Comments via email	COT/RPS	X			
Ex. 6	Environmental Services Comment via email and memo	COT/RPS	X			
Ex. 7	PW/Traffic Engineering - Comments via memo	COT/RPS	X			
Ex. 8	Tacoma Fire Department Comment via email	COT/RPS	X			
Ex. 9	Pierce Transit comment via email	COT/RPS	X			
Ex. 10	Puget Sound Energy Comment via email	COT/RPS	X			
Ex. 11	Comcast Communication Comment via email	COT/RPS	X			
Ex. 12	CenturyLink Communication Comment via email	COT/RPS	X			
Ex. 13	Tacoma Power Comment via email	COT/RPS	X			
Ex. 14	Click! Network – Comments via email	COT/RPS	X			
Ex. 15	Tacoma Water (Supply) Comment via email	COT/RPS	X			

ORIGINAL

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EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
Ex. 16	Planning & Development Services (PDS) Comment via email	COT/RPS	X			
Ex. 17	Map reflecting “Proposed Addition (blue hatch)” and “Proposed vacation (red hatch)”	BCPA/Phillips	X			
Ex. 18	Stage Level Floor Plan – Annex Vacation	BCPA/Phillips	X			
Ex. 19	Troy Stevens’ Memorandum to Hearing Examiner dated November 1, 2017 re: St. Vacation No. 124.1380	COT/RPS	X			Hearing record held open to allow Ex. 19

KEY

A = Admitted

E = Excluded

W = Withdrawn

ORIGINAL

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER BY REAL PROPERTY SERVICES

For the Hearing to be Held
Thursday, October 26, 2017 at 1:30 PM

PETITIONER: CITY OF TACOMA

FILE NO. 124.1380

A. SUMMARY OF REQUEST:

Real Property Services has received a petition to vacate a portion of Broadway, lying between South 9th Street and South 11th Street, to provide ramped access to the back storage area and freight elevator vestibule of the Pantages Theater and additional space for two offices. The area is shown on the attached map, Exhibit 2.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

That portion of the Northwest Quarter of the Northwest Quarter of Section 04, Township 20 North, Range 03 East of Willamette Meridian, situate in the City of Tacoma, County of Pierce, State of Washington more particularly described as follows:

Commencing at a point marking the intersection of the monumented centerline of Broadway Plaza between South 9th Street and South 11th Street and the westerly prolongation of the line common the Lots 2 and 3, Block 905, Map of New Tacoma, Washington Territory, as per plat recorded February 3, 1875, in the office of the County Auditor, from which a surface brass disk marking the intersection of South 9th Street and Broadway Plaza bears North 07 degrees 22 minutes 08 seconds West a distance of 154.96 feet;
Thence North 82 degrees 37 minutes 51 seconds East along said prolongation a distance of 23.50 feet to the **True Point of Beginning**;
Thence continuing North 82 degrees 37 minutes 51 seconds East along said prolongation a distance of 16.50 feet to a point on easterly margin of said Broadway Plaza marking the Northwest corner of said Lot 3;
Thence South 07 degrees 22 minutes 08 seconds East along said easterly margin and parallel with said monumented centerline of Broadway Plaza a distance of 49.98 feet more or less to the Southwest corner of Lot 4 of said block;

Thence South 82 degrees 38 minutes 07 seconds West along the westerly prolongation of the line common to Lots 4 and 5 of said Block 905, a distance of 16.50 feet;

Thence North 07 degrees 22 minutes 08 seconds West parallel with said easterly margin a distance of 49.98 feet more or less to the **True** Point of Beginning.

(Containing 825± Square Feet or ±0.019 Ac.)

2. Notification:

9.22.060 NOTICE OF PUBLIC HEARING The Public Works Department shall cause a 30-day notice to be given of the pendency of the petition by written notice posted in three of the most public places in the City, a like notice in a conspicuous place on the street or alley sought to be vacated, a like notice in a newspaper of general circulation in the City, and a like notice to the legal property owners of all property abutting the right of way requested for vacation as enumerated on the applicant's vacation petition, and to any other interested parties of record. In addition to posting notices of the hearing, the Public Works Department shall mail a copy of the notice to all owners and occupants of the property which lies within 300 feet of the street or alley to be vacated. The said notice shall contain the statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

In all cases where the proceeding is initiated by the City Council without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, notice shall be sent as provided above. Failure to send notice by mail to any such property owner where the current address for such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation.

C. PUBLIC NOTICE:

Real Property Services in conjunction with the City of Tacoma Clerk's office issued the following public notice:

The Public Hearing Notices were posted on September 21, 2017, and yellow public notice signs were posted on September 20, 2017:

1. Placed yellow public notice sign at the southeast corner of Broadway and South 9th Street.
2. Place yellow public notice sign 170 feet south of the southeast corner of Broadway and South 9th Street.
3. Public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
4. Public notice memo advertised on the City of Tacoma web site at address: <http://www.cityoftacoma.org/page.aspx?nid=596>
5. Public Notice advertised in the Daily Index newspaper.

6. Public Notice mailed to all parties of record within the 300 feet of vacation request.
7. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner plans on acquiring a portion of Broadway, lying between South 9th Street and South 11th Street, to provide ramped access to the back storage area and freight elevator vestibule of the Pantages Theater and additional space for two offices.

E. HISTORY:

The City acquired the Broadway right of way in the Map of New Tacoma, according to the plat thereof recorded February 3, 1875, records of Pierce County, Washington. A portion of the abutting property, previously known as Rainier Street, was vacated in 1882 under City of Tacoma Ordinance No. 59.

At the request of BCPA, the property manager of the Pantages Theatre and Rehearsal Hall, the City of petitioning to vacate the subject right-of-way as the adjoining property owner.

F. PHYSICAL LAND CHARACTERISTICS:

For the first 265 feet south of South 9th Street, Broadway varies in width from 70 to 120 feet. It is at its widest where it abuts South 9th Street and includes a public plaza with a park-like green space and public art. The remainder of Broadway is 80 feet in width until it reaches South 11th Street. It is a fully built street with sidewalk, curb and gutter and is mostly level with parallel parking.

G. APPLICABLE SECTIONS OF THE OFFICIAL CODE OF THE CITY OF TACOMA:

9.22.010 PETITION TO VACATE AUTHORIZED: The owners of an interest in any real estate abutting on any street or alley who may desire to vacate any street or alley, or any part thereof, shall petition to the City Council to make vacation in the manner hereafter provided in this chapter and pursuant to RCW 35.79 or the City Council may itself initiate by Resolution such vacation procedure. The City Council shall require the petitioners to compensate the City in an amount which equals one-half of the appraisal value of the area vacated; provided that if the street or alley has been a public right of way for 25 years or more, the City shall be compensated in an amount equal to the full appraised value of the area vacated; provided that when the vacation is initiated by the City or the City Council deems it to be in the best interest of the City, all or any portion of such compensation may be waived. Except as provided below, one-half of the revenue received hereunder shall be devoted to the acquisition, improvement, and maintenance of public open space land and one-half may be devoted to transportation projects and the management and maintenance of other City owned lands and unimproved rights-of-way.

In the case of vacations of rights-of-way in the tide flats area, defined as easterly of the Thea Foss Waterway (inclusive of the Murray Morgan Bridge), northerly of State Route 509 and westerly of Marine View Drive, the total revenue received hereunder shall be devoted to transportation projects in the tide flats area.

9.22.040 PUBLIC'S RIGHT TO TRAVEL – UTILITIES: Vacation of any portion of a street that is designated as an arterial under Section 11.05.490 of the Municipal Code shall be of a minor nature only and shall not unreasonably limit the public's right to travel upon said street or interfere with the ancillary right to occupy said street for utility purposes.

CRITERIA: Section 9.22.070 of the Official Code of the City of Tacoma. The following criteria have been considered:

1. That the vacation will provide a public benefit and/or will be for a public purpose.
2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.
3. That the public need shall not be adversely affected.
4. That the right-of-way is not contemplated or needed for future public use.
5. That no abutting owner becomes landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.
6. That vacation of right-of-way shall not be in violation of RCW 35.79.035

Regarding the above Criteria, Real Property Services finds the following:

1. The vacation is a public benefit because it provides ADA accessibility to the back of house area and other areas of the theatre.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object as long as their advisory comments are met at the time of development.
3. The petition has been considered by City staff and outside quasi-governmental agencies and it does not adversely affect the public need; and
4. The right of way is not needed for future public use.
5. No abutting owner becomes landlocked nor will their access be substantially impaired.
6. The vacated area is not close to a body of water as contemplated under RCW 35.79.035.

H. ADDITIONAL INFORMATION:

The area to be vacated has not been assessed for sanitary sewers and is subject to a Connection Charge In-Lieu-of-Assessment per T.M.C. 12.08.350. Should the petitioner wish to clear this

item from title, please contact Sue Simpson of the Public Works Department, Real Property Services, at 591-5529 for the assessment amount. Please note that the ordinance establishing the rate of assessment is updated every few years, and the amount quoted may increase in the future. When the petitioner has submitted a development plan, an in lieu of amount will be computed.

I. PROJECT RECOMMENDATIONS:

As part of the City's review process for street vacation petitions, notice of this application was mailed to various City departments as well as many outside quasi-governmental agencies. These agencies, as noted below, have provided comments and recommended conditions to the Real Property Services Division. These comments, where appropriate, have been incorporated in the "Recommended Conditions of Approval" section of this preliminary report.

Preliminary Report – Exhibit 1
Aerial Maps (2) – Exhibit 2
Petitioner Petition Submittal Memo – Exhibit 3
Ordinance No. 59 & Plat Map – Exhibit 4

Recommended Conditions

Payment of Fees
RPS/LID – an In-Lieu Assessment amount is due (\$1,303.28) - Exhibit 5
Environmental Services – No Objection, email & memo w/conditions – Exhibit 6

Advisory Comments

Traffic Engineering – No Objection, memo with comments – Exhibit 7
Tacoma Fire – No Objection, email with comment – Exhibit 8
Pierce Transit – No Objection – Exhibit 9
Puget Sound Energy – No Objection - Exhibit 10
Comcast – No Objection – Exhibit 11
CenturyLink – No Objection – Exhibit 12
Tacoma Power, New Services – No Objection – Exhibit 13
Click! Network – No Objection – Exhibit 14
Tacoma Water (Water Supply) – No Objection – Exhibit 15
Planning & Development Services (PDS) – No Objection – Exhibit 16

J. RECOMMENDED CONDITIONS OF APPROVAL:

Should this street vacation request be approved, the Real Property Services Division recommends that the following conditions be made conditions of approval for this street vacation petition.

1. PAYMENT OF FEES

The petitioner shall compensate the City in an amount equal to the full appraised value of the area vacated. One-half of the revenue received shall be devoted to the acquisition, improvement and maintenance of public open space land and one-half may be devoted to transportation projects and /or management and maintenance of other City owned lands and unimproved rights-of-way. *TMC 9.22.010*

2. RPS/LID

- a. Please contact Sue Simpson at (253) 591-5529 regarding LID's comments.
- b. An In-Lieu amount of \$1,303.28 is due for sanitary sewer.

3. ENVIRONMENTAL SERVICES (ES)

- a. Please contact Rod Rossi at (253) 502-2127 regarding ES comments.
- b. ES has no objection; however, an easement must be reserved in the ordinance for the surface water pipe and catch basins if the following conditions or concerns are not resolved prior to final reading:
 - i. ES can transfer ownership and future maintenance responsibilities of the two catch basins and pipe located with the proposed vacation to the petitioner
 - ii. The catch basins and surface water pipe could be moved if the proposed changes will include new building footprint that is over the current location of the pipe and catch basins; and
 - iii. The surface water pipe and catch basins can remain in place if the proposed change within the street vacation does not include any type of structure what will be on or over the current surface water assets.

K. ADVISORY COMMENTS:

4. TRAFFIC ENGINEERING

- c. Please contact Jennifer Kammerzell at (253) 591-5511 regarding Traffic's comments.
- d. Traffic Engineering has no objection; however,
 - i. At the time that development reduces the existing sidewalk, not including the curb, a minimum of seven (7) feet shall be provided for unobstructed pedestrian passage. The remaining sidewalk width shall meet ADA standards and be free of obstructions, such as signs, bollards, street lights, tree wells. The unobstructed sidewalk may affect the location of ADA parking on Broadway adjacent to the site.
 - ii. On streets within downtown Tacoma, the preferred sidewalk/amenity zone width on pedestrian/retail streets, such as Broadway, is 15.5 feet. The elimination of on-street parking adjacent to this site may be required to accommodate future bicycle and enhanced pedestrian amenities outlined in

the downtown Tacoma Plan and City of Tacoma Design Manual.

- iii. At the time of development that impacts the existing street light infrastructure, the street light shall be removed and reinstalled by the applicant to a City approved location.
- iv. The comments and recommended conditions are consistent with the Transportation Master Plan Goals and Policies to “prioritize the movement of people and goods via modes that have the least environmental impact and greatest contribution to livability in order to build a balanced transportation network that provides mobility options, accessibility, and economic vitality for all across all neighborhoods.” It is also consistent with policies 2.3 Improve Safety, 2.4 Promote Health, 3.1 Complete Streets/Layered Network, 3.2 Green Hierarchy, 3.6 Street System Design, 3.7 Special Needs of Transportation Users, and 3.9 Pedestrian Facilities. The comments are also consistent with the City of Tacoma Design Manual for street design. These comments do not serve as approval of proposed site plans.

5. TACOMA FIRE

- a. Please contact Chris Seaman at (253) 591-5503 regarding Fire’s comments.
- b. Fire has no objection; however, the applicant is advised that all future construction shall comply with the adopted Fire Code at the time of building permit submittal.

6. NO OBJECTION

No objection or additional comment was received from Pierce Transit, Puget Sound Energy, Environmental Services; Comcast; CenturyLink; Tacoma Power, Click! Network Transmission; Tacoma Water, Distribution; and Planning and Development Services (PDS).

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.



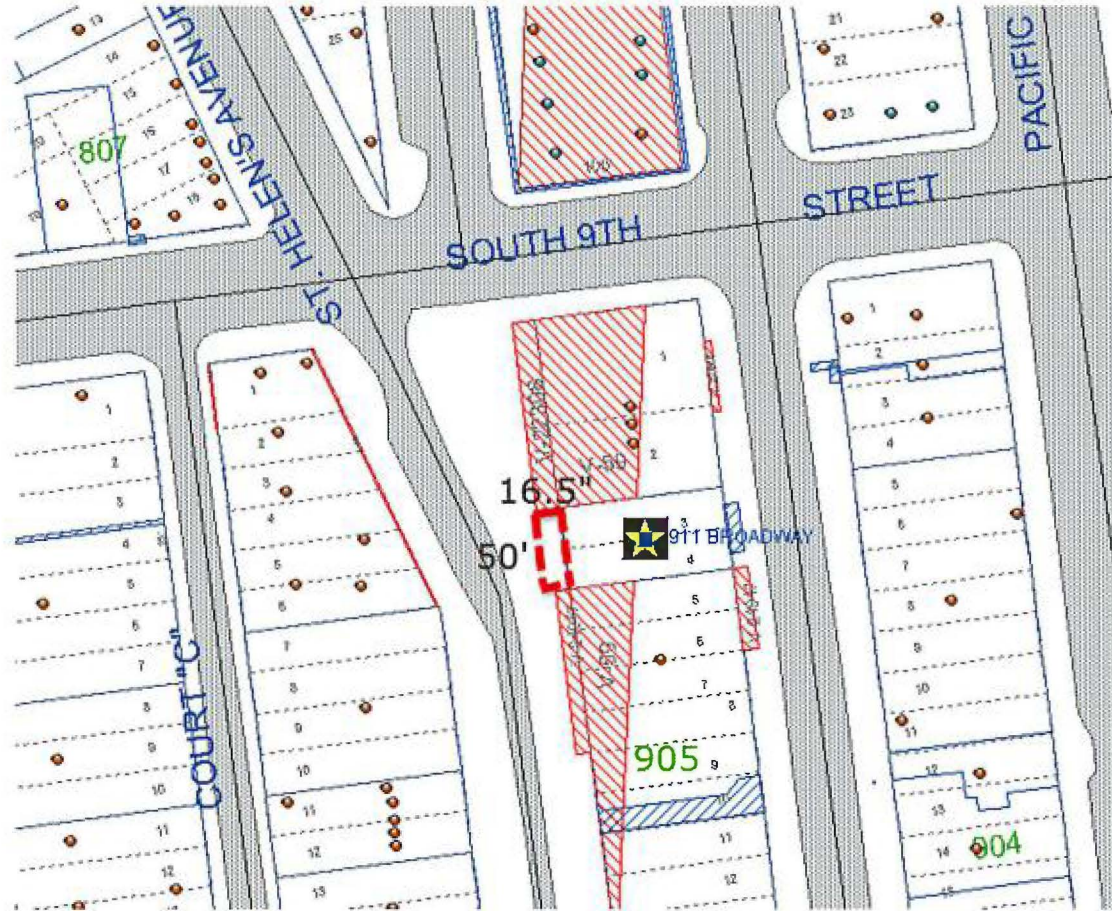
CITY OF TACOMA

STREET VACATION NO. 124.1380

PORTION OF BROADWAY SOUTHERLY OF SOUTH 9TH STREET

NW 1/4 SEC. 04, T20N, R3E

NOT TO SCALE



CITY OF TACOMA

STREET VACATION NO. 124.1380

PORTION OF BROADWAY SOUTHERLY OF SOUTH 9TH STREET

NW 1/4 SEC. 04, T20N, R3E

NOT TO SCALE

May 2, 2017

Attn: Troy Stevens
 City of Tacoma, Public Works
 747 Market Street
 Tacoma WA 98402

Re: Right-of-way Vacation Request
 Broadway Center; Parcel 2009050020

This request is to vacate the width of Parcel 2009050020 for a depth of 16.5' to allow the construction of an approximately 13' addition to the front of the building to bring ramped access to the back stage area of the theater as well as the freight elevator. This will allow accessible access to these areas and provide for the easy movement of equipment and other large materials. The request for the additional depth out to 16.5' is to accommodate the 4' wide double doors to swing out in the direction of travel per life safety regulations.

We understand that this will be reviewed in accordance with TMC 9.22.070 as follows:

1. That the vacation will provide a public benefit and/or will be for a public purpose.

Response: This provides handicap accessibility to the back of house area and other areas of the theater.

2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.

Response: This leaves over 7' of sidewalk width between the SW corner of the vacation where it is the narrowest and the street edge. In reality, it will be about 10' wide at that point since the physical building addition will be 3' narrower. It will not impact the street pattern or vehicular circulation at all.

3. That the public need shall not be adversely affected.

Response: This leaves over 7' of sidewalk width between the SW corner of the vacation where it is the narrowest and the street edge. In reality, it will be about 10' wide at that point since the physical building addition will be 3' narrower.





4. That the right-of-way is not contemplated or needed for future public use.

Response: The public tends to assemble around the main entrance to the Pantages Theater. The portion of the right-of-way in front of the addition will continue to function as it does currently.

5. That no abutting owner becomes landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.

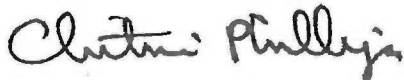
Response: This proposal does not landlock abutting uses or properties, nor does it impair access to those uses.

6. That vacation of right-of-way shall not be in violation of RCW 35.79.035.

Response: This vacation is not for a street abutting a body of water and so is not in violation of RCW 35.79.035.

Thank you for considering this vacation request. If you have further questions, please do not hesitate to contact me.

Sincerely,



Christine Phillips, RA + AICP
BCRA / Architect + Senior Planner

Ordinance No 59

To vacate a certain portion of "C" or "Rainier" Street in New Tacoma, and to annex the same to lots on which such vacated Street borders in Block number nine hundred and five

The Common Council of New Tacoma does ordain as follows:

Sec. 1. All of "C" or "Rainier" Street in New Tacoma as shown by the recorded plat thereof in the Auditor's Office of Pierce County Washington Territory, that lies between a line running from the South West Corner of Block number nine hundred and five (905) to South ninth (9) Street parallel with Railroad Street in said New Tacoma is hereby vacated; and the said Street so hereby vacated is annexed to, and hereafter shall form, and be a part of the lots in said block number nine hundred and five, bordering upon said vacated portion of said Street.

Approved and approved
July 12, 1882

Theo Hosmer
Mayor

65-1

Description and explanation
of the
Plat of New Tacoma.



1

Description & explanation of the plat
of New Tacoma.

The initial point of the survey is at the point of intersection of center line of S 9th St and the section line. The common boundary of sec 4 & 5 T 20 N R 3 E W. M.

At this initial point a stone monument marked ~~X~~ is planted, from which a stone monument marked A bears S 56° 22' E 50 ft distant, and a stone monument marked B bears N 39° 56' E 49.5 ft distant.

The section line aforesaid being assumed, as the meridian line for all purposes relating to the annexed plat.

This initial point is situated on the aforesaid section line at a point 991.6 ft south from the closing corner of said section line on the 5th standard parallel north.

From the initial point South 9th St bears N 81° 22' E and S 81° 22' W



The centre line of A St intersects the centre line of South 9th Street at a point 1085.95 ft easterly from the initial point at which intersection a stone monument marked A1x is planted from which a stone monument marked C bears N 53°30' W 49 ft distant and a stone monument marked D bears S 36°30' W 49.5 ft as witnesses to the intersection.

The centre line of Tacoma Ave. intersects the centre line of S 9th St at a point 740.5 ft westerly from the initial point.

The following streets have a direction parallel to the direction of S 9th Street

- South 1st street West of Tacoma Ave
- " 2nd " " " Yakima "
- " 3rd " " " " "
- " 4th " " " " "
- " 5th " " " " "
- " 6th " " " Tacoma "
- " 7th " " " " "
- " 8th " " " " "
- " 9th " " " " "
- " 10th St
- " 11th St
- " 12th St



South 13th St West of Tacoma Ave.
 " 14th St " " "
 " 15th St " " "
 " 16th St " " "
 " 17th St " " "
 " 18th St " " "
 " 19th St " " "
 " 20th St " " "
 " 21st St " " "
 " 22nd St " " "
 " 23rd St " " "
 " 24th St " " "
 " 25th St " " "

The following streets Avenues and
 alleys have a direction perpendicular
 to the direction of South 9th Street
 Cliff ave. from a point 195.36 ft
 North of the Center line of S 12th Street
 A. Street South of S 8th Street

Pacific Avenue South of South 7th Street
 Railroad St. " " " " "
 C. Street " " " " "
 D. Street " " " " "
 E. Street " " " " "
 Tacoma Ave South of Division Ave.
 G. St. South of " "
 Yakima Ave South of " "

ARCHIVE NUMBER

 0045014

J St. South of Division Ave.

K St. " " " "

L " " " "

M " " " "

N " " " "

O " " " "

P " " " "

Q " " " "

and all the alleys lying intermediate between the above named streets.

The direction of Division Ave is defined by a straight line which extends from a point on the center line of Tacoma Ave. 2295.83 ft Northwesterly from its intersection with the center line of South 6th Street to a point on the center line South 6th Street 4350 ft Westerly from its intersection with the center line of Tacoma Ave.

Where the center line of Tacoma Ave. intersects the center line of Division Ave. the direction of Tacoma Ave changes and its direction North of Division Avenue is defined by a straight

ARCHIVE NUMBER
0045015

line passing through a point in the center line of N 6th St 4350 ft distant from the intersection of the center lines of S 6th St and Division Ave (being the same point heretofore given as one of the points in establishing the direction of Division Ave.) the distance between the center lines of Division Ave and N 6th St measured on the center line of Tacoma Ave being 2295.83 ft. —

The direction of N 6th St is defined by a straight line extending from the point of intersection by the center lines of S 6th St and Division Ave. (being the same point heretofore given as one of the points in establishing the direction of Division Avenue.) to a point in the center line of Tacoma 2295.83 ft Northerly from its intersection with the center line of Division Ave.

The following streets have a direction parallel to the direction of N 6th Street

North 1st St
 " 2nd "
 " 3rd "



North 4th Street
 " 5th Street
 " 7th "
 " 8th "
 " 9th "
 " 10th "
 " 11th "
 " 12th "
 " 13th "
 " 14th "
 " 15th "

The following streets and Avenues
 and alleys have a direction parallel to
 the direction of Tacoma Ave.

R St North of Division Ave.
 S " " " "
 T " " " " "
 U " " " " "
 V " " " " "
 W " " " " "
 Yakima Ave Nth of " "
 X St " " " "
 Y " " " " "
 Z St " " " " "
 A St " " " " "
 B " " " " "
 C " " " " "

N. 7th St.
 Division Ave.



7
D St. North of Ironson Ave
E St. " " " "
F " " " "

and all alleys lying intermediate
between the above named streets.

The names of the streets and avenues
are noted on the plat.

The alleys are not named and include
all passageways which are not
designated as streets or avenues or their
prolongations.

The position of the center line of
all the avenues, streets and alleys
is marked by a red line and the distances
in feet and hundredths of a foot on the
center line between any two consecutive
points on those lines where the center lines
of other streets avenues or alleys intersect
or meet them are noted in black figures
placed between the points on the line
the distances between which it is intended
to designate, excepting, however, on the center
line of 5th St. between its intersection
with the center line of D St. and of the alley
lying between C + D St's in which case



the distances on said center line of S 9th St. between the initial point of the survey and its intersection with the center lines of J. St. and the alley above mentioned, respectively are noted (the distances being respectfully 105 ft and 169.95 ft) and excepting also on that part of the center line of Pacific Ave. which extends Northerly from S 7th St. in which case the figures noted along the center line indicate the distances in feet and hundredths of a foot between two consecutive points on the said center line where the direction of the line changes.

The change of direction at the points where they occur on the said line are noted in degrees and minutes. Which degrees & minutes note the exterior angle formed by the two intersecting lines.

All the Avenues & Streets have a width of eighty (80) ft. the margins of said streets and avenues lying forty (40) ft distant on either side of their respective center lines excepting in the cases of Tacoma Ave. Yakima Ave. Division Ave. and that part of Pacific Avenue lying south of a point on the said

Pacific Ave. Marked A on the plat in which cases the Avenues have a width of one hundred (100) ft the margins of said avenues lying 50 ft on either side of the center line of said Avenues; and excepting also in the following cases.

1st In the case of that part of Pacific Ave. the center line of which lies between the points marked A and B in which case the marginal lines of the avenues extend from points on a line perpendicular to the center line of that part of the avenue lying South of point A and 50 ft distant from it on either side; through points on a line perpendicular at the point B. to that part of the center line lying between the points A & B. and Forty (40) feet distant from said point B.

2nd Where the margin of Jefferson Street bounds Block A 1707 in which case the common boundary of the block and street extends from the point where the western margin produced northwardly of that part of Jefferson St lying between S 19th & S 21st Sts intersects the Northern



ARCHIVE NUMBER

0045020

Ordinance - Vacating of 3rd
 Section between BIK 104 & 101 AF # 253495
 Ordinance - 20089 Vacating of 1st - 254765
 Ordinance - 20201 Vacating portion - 257179
 Ordinance - 20255 Vacating portion - 257524
 Ordinance - 20257 Vacating portion - 257524
 Ordinance - 20258 Vacating portion - 257524
 Ordinance - 20259 Vacating portion - 257524
 Ordinance - 20260 Vacating portion - 257524
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 Ordinance - 20299 Vacating portion - 257524
 Ordinance - 20300 Vacating portion - 257524

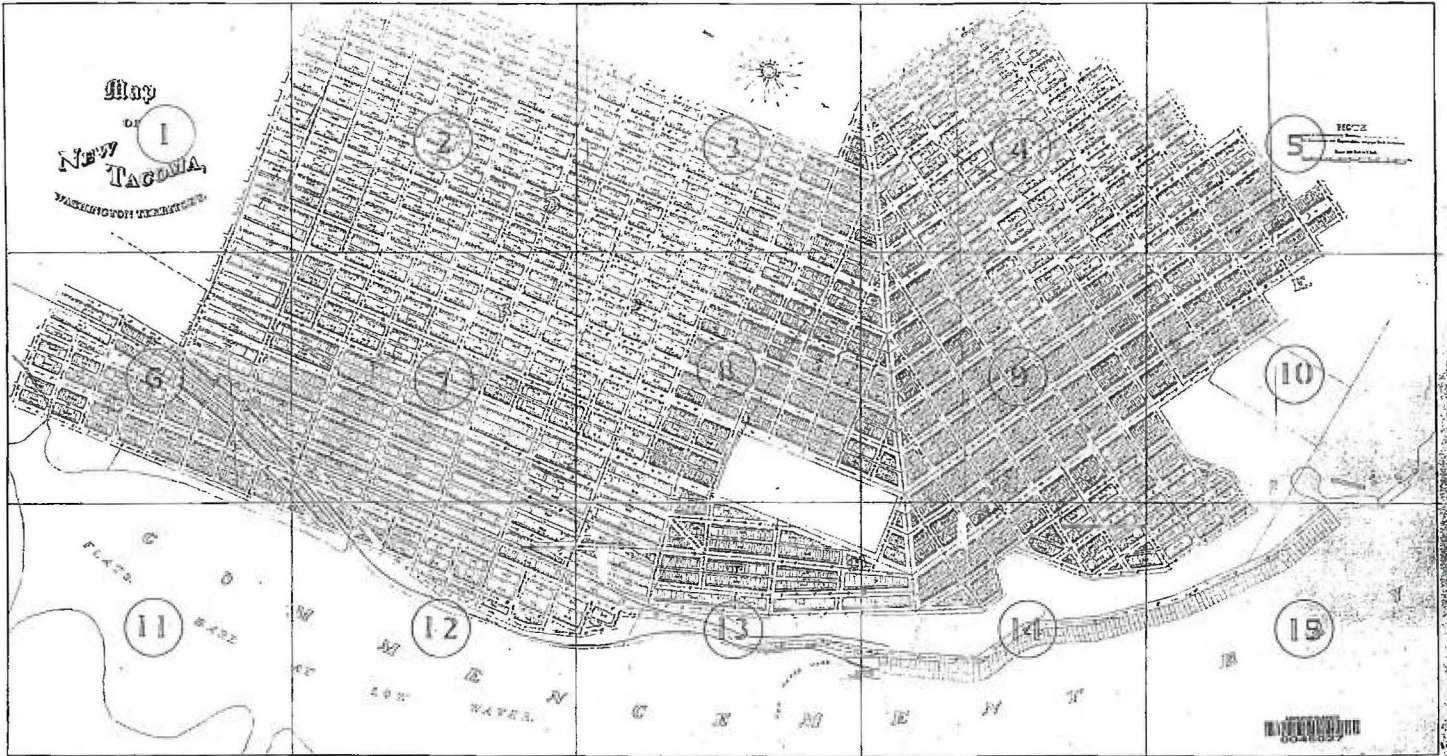
Ordinance # 23164 - Vacating
 AF # 25022285
 Ordinance # 23322 - Vacating
 Air Rights of BIK 107
 AF # 250304081
 Ordinance 23947, Vac.
 Between BIKs 10201021
 AF # 250427045
 Restrictive covenant - AF # 271210463

Ordinance # 23165 - Vacating - AF # 25022285
 Ordinance # 23322 - Vacating - AF # 250304081
 Ordinance # 23947 - Vacating - AF # 250427045
 Ordinance # 24265 - Vacating - AF # 250180084
 Ordinance # 24281 - Vacating - AF # 250180084
 Ordinance # 24282 - Vacating - AF # 250180084

Restrictive Covenant # 2352573
 AF # 250304081

Ordinance # 20361
 Vacating portion of
 AF # 250304081

Restrictive covenant
 AF # 250304081
 Ordinance # 20361
 Vacating portion of
 AF # 250304081



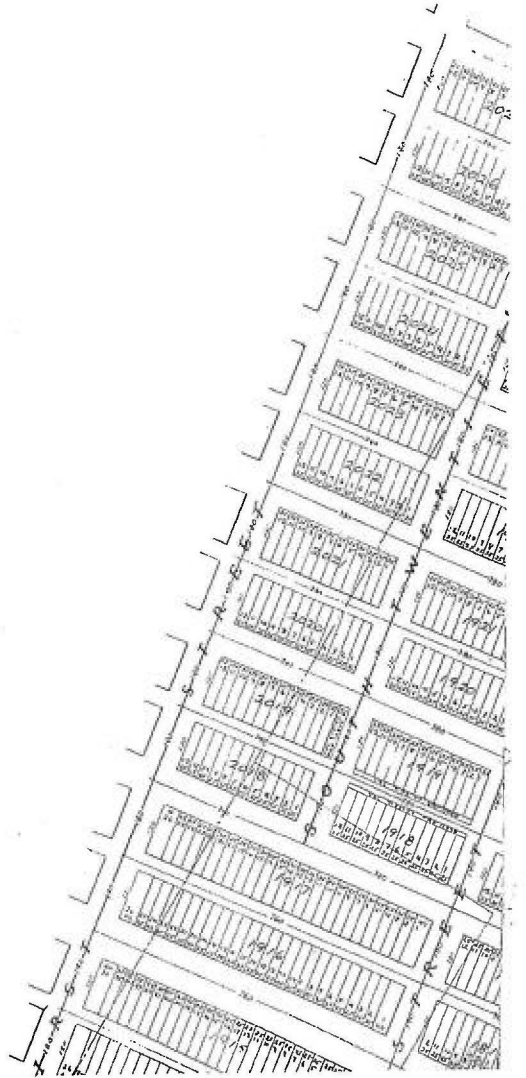
Map

OF

1

NEW
TACOMA,

WASHINGTON TERRITORY.



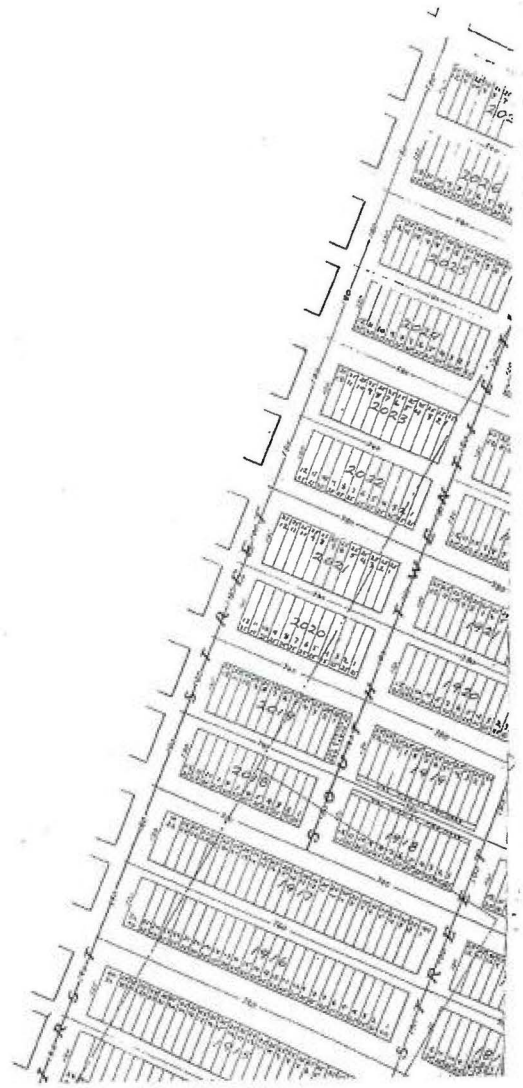
Map

OF

1

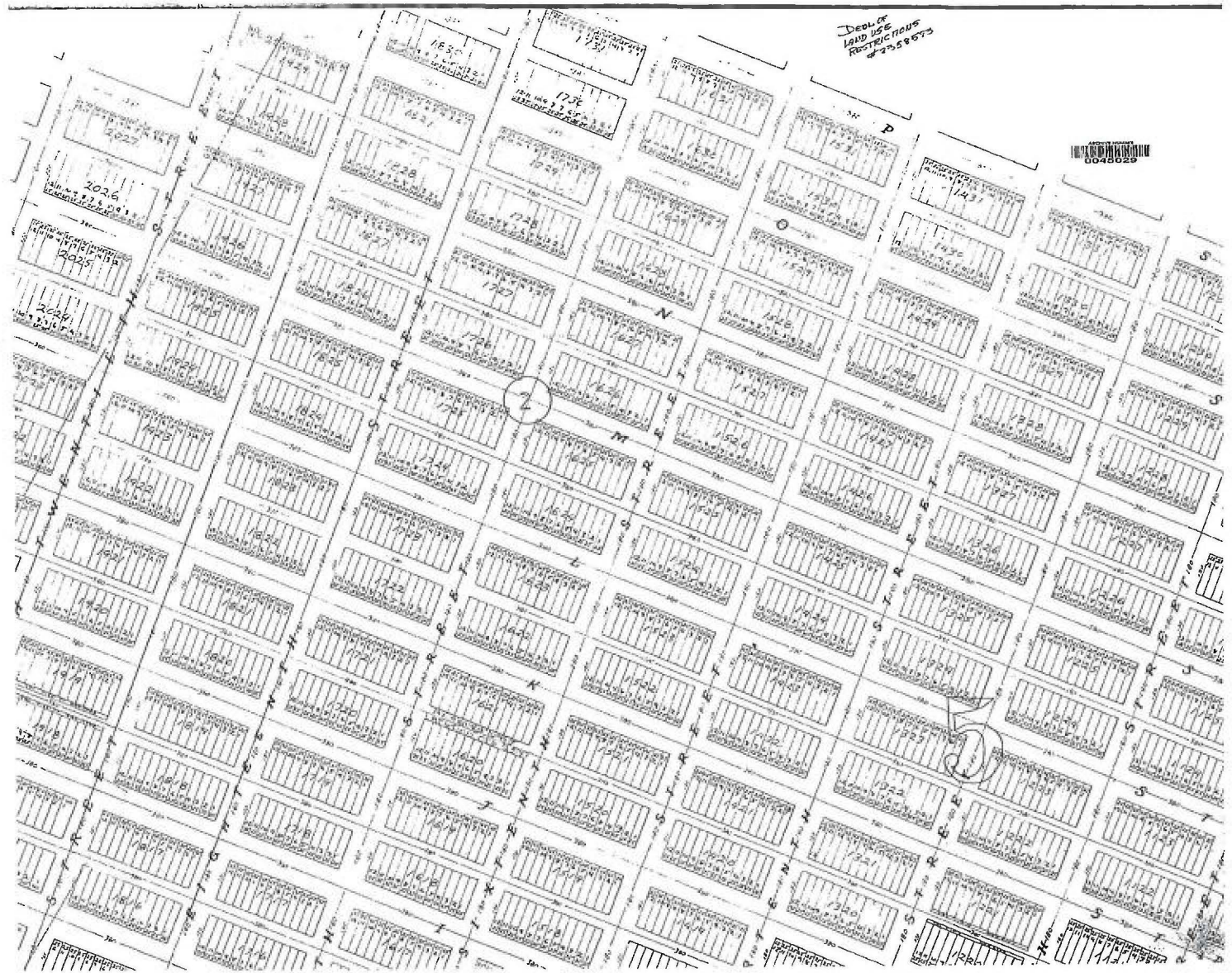
NEW
TACOMA,

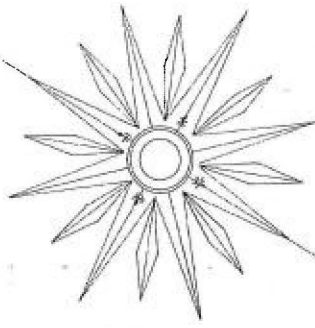
WASHINGTON TERRITORY.



W. H. BROWN

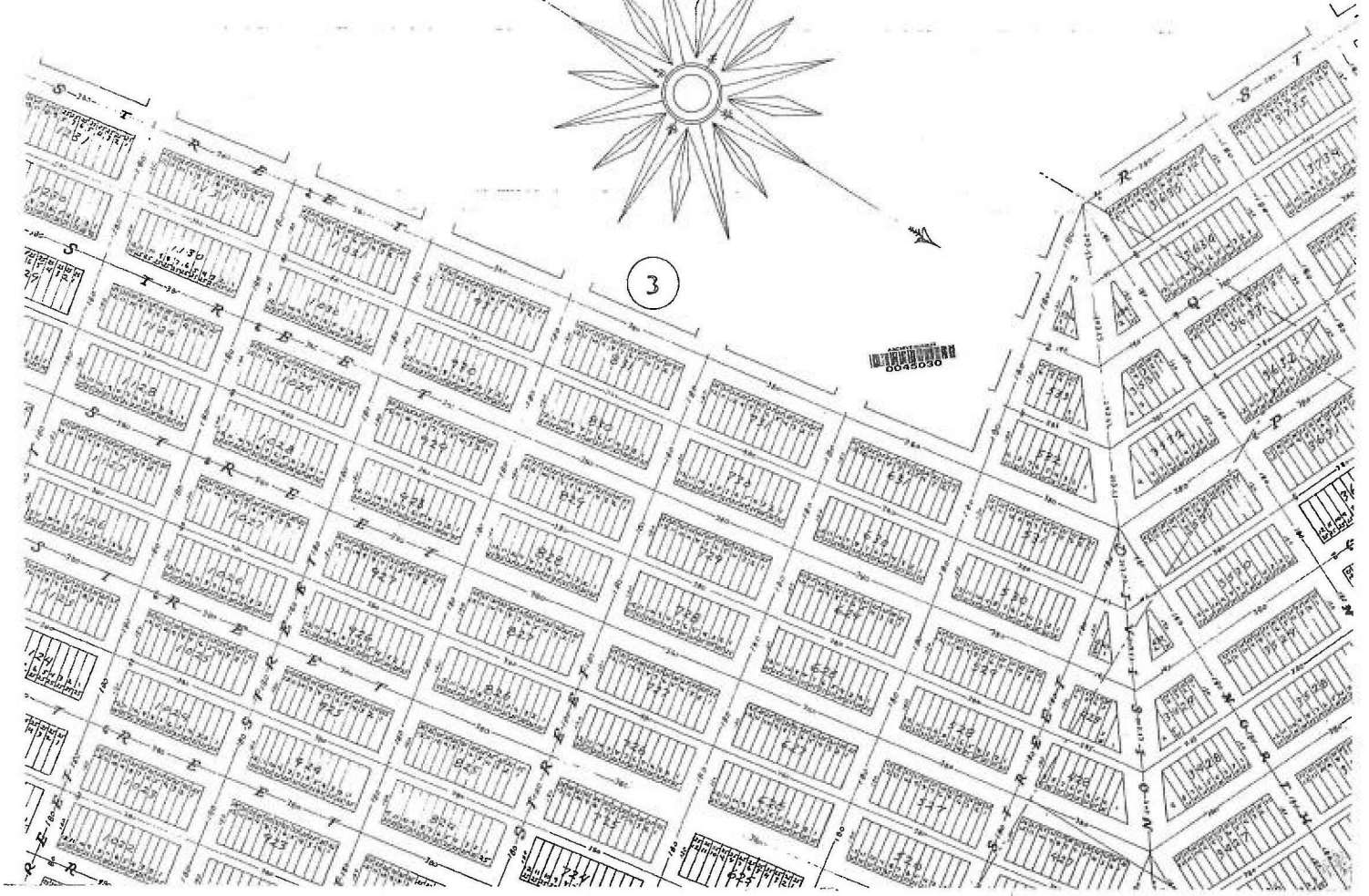
DEED OF
LAND USE
RESTRICTIONS
20558673



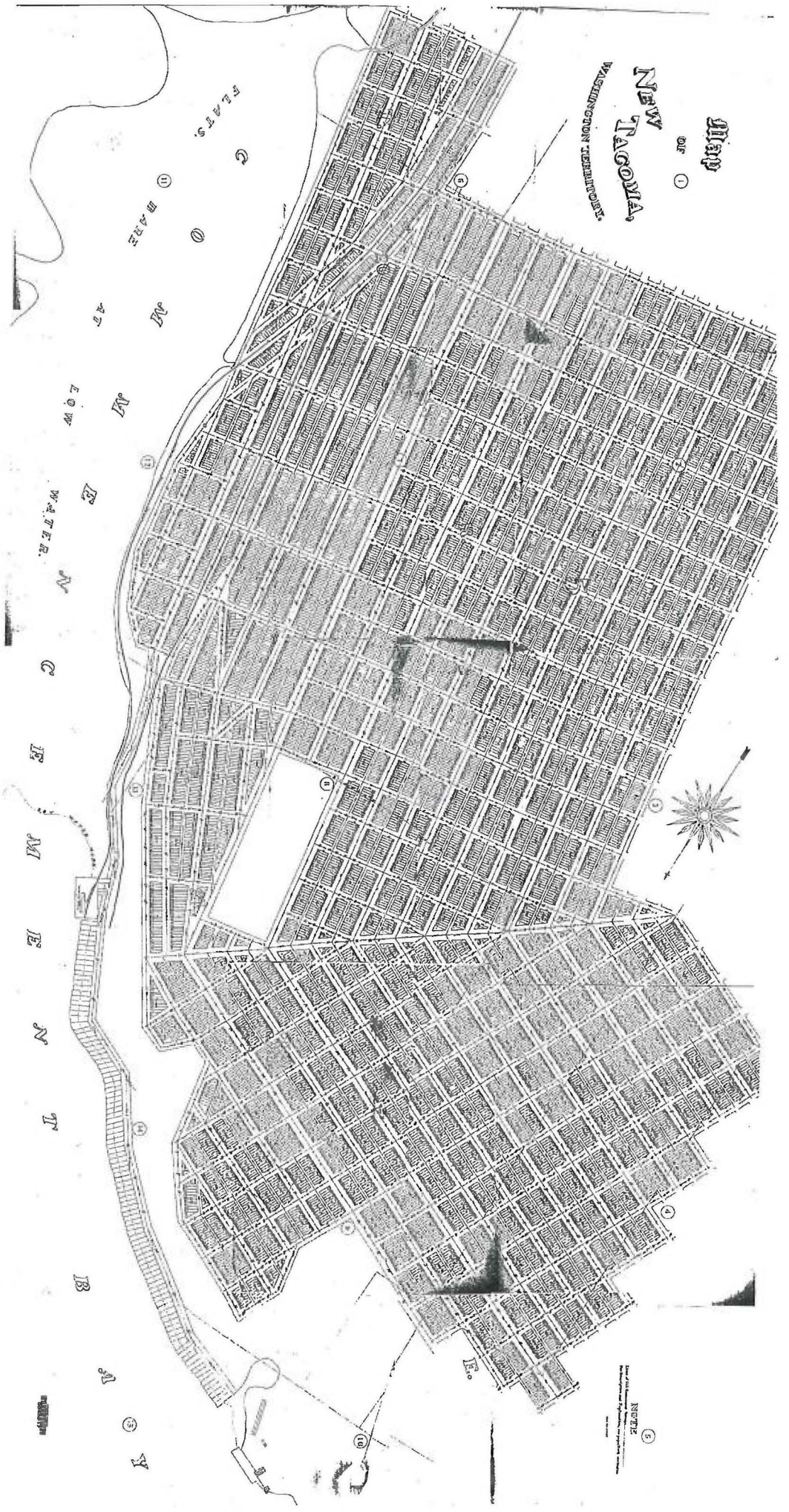


3

0043090



Map
OF
**NEW
TACOMA,**
WASHINGTON TERRITORY



NOTES
5

10



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

**FROM: TROY STEVENS
PUBLIC WORKS /REAL PROPERTY SERVICES**

SUBJECT: STREET VACATION REQUEST NO. 124.1380

DATE: May 15, 2017

Real Property Services has received a petition from Broadway Center to vacate a portion Broadway, to better provide access to the back stage area and freight elevator vestibule, as shown on the vicinity maps attached to this email.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by May 26, 2017**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

Attachment(s)

- AT&T Broadband
- Pierce Transit
- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
- PW/BLUS (2)
- PW/Construction
- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

_____ No Objections

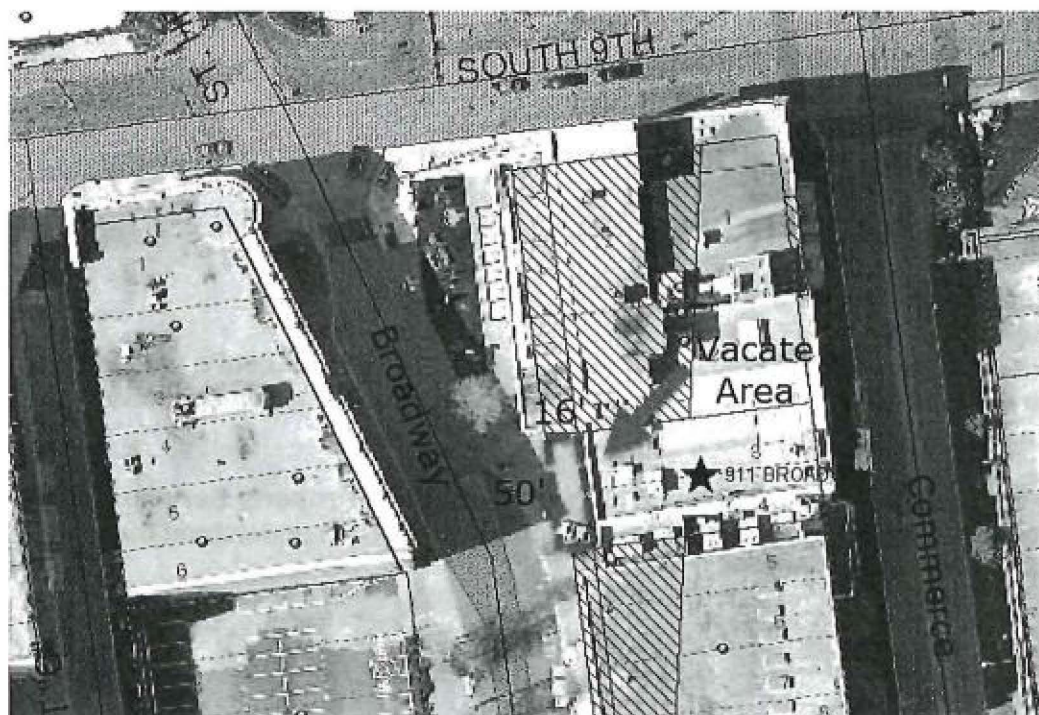
_____ Comments Attached

_____ 10/9/2017 _____ Date

_____ Signature

_____ PW/RPS _____ Department

Connection Charge In Lieu of Assessment for sanitary
Sewer - \$1,303.28



BROADWAY CENTER

STREET VACATION NO. 124.1380

PORTION OF BROADWAY SOUTHERLY OF SOUTH 9TH STREET

NW 1/4 SEC. 04, T20N, R3E

NOT TO SCALE

Stevens, Troy

From: Simpson, Sue
Sent: Monday, October 09, 2017 4:16 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center
Attachments: 124.1380 S 9th Broadway.doc

Here you go.

From: Stevens, Troy
Sent: Monday, October 09, 2017 3:47 PM
To: Simpson, Sue
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Hi,

Do you have anything for me on this one?

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Rossi, Rod
Sent: Tuesday, October 17, 2017 12:59 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Hey Troy,

I would lean towards needing a utility easement to access the catch basins & storm line if the property owners doesn't want to take over ownership of them or pay to have them moved outside of the proposed vacation.

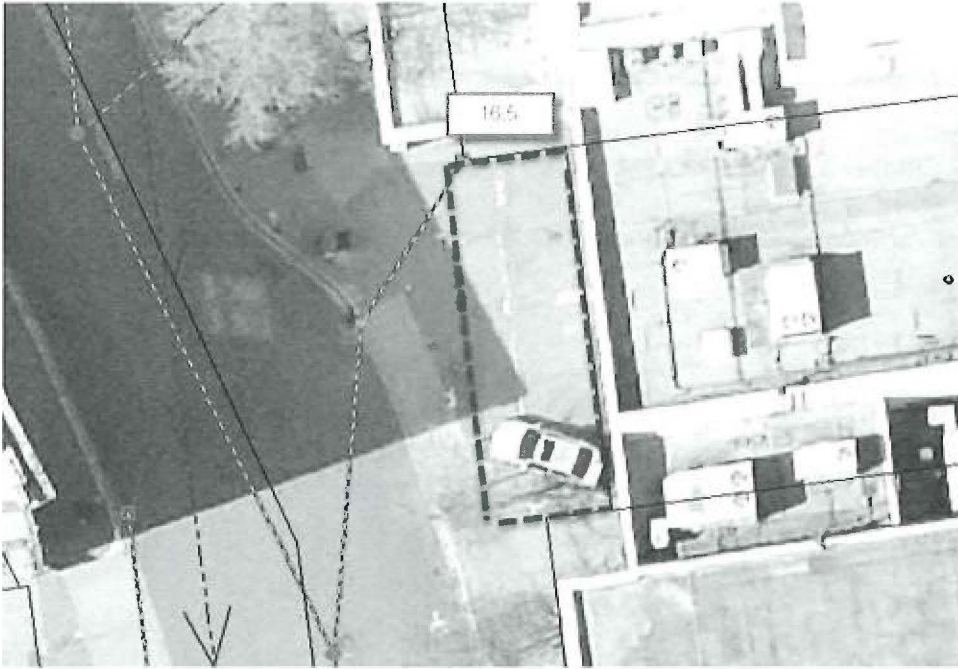
Let me know if I misinterpreted what you were asking.

Rod Rossi, PMP
City of Tacoma, Environmental Services
Science & Engineering Division
326 East D Street
Tacoma, WA 98421
253.502.2127

From: Stevens, Troy
Sent: Tuesday, October 17, 2017 11:11 AM
To: Rossi, Rod <rrossi@ci.tacoma.wa.us>
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center
Importance: High

Good morning, Rod.

In preparing for my hearing next week on SV124.1380 (911-913 Broadway), and submittal of my report to the HEX tomorrow, I just want to make sure your comments from May still stand for the area below:



Would you say you don't object to the vacation and that your comments are advisory, or are they a condition of the vacation and must be resolved before the vacation is finalized?

Do we need to reserve an easement for that NW corner of the vacate area for the pipe and/or catch basins?

Thank you very much,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

From: Rossi, Rod
Sent: Tuesday, May 16, 2017 9:28 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Hey Troy,

Per our conversation yesterday I have attached ES comments.

Thanks and let me know if you have any questions.

Rod Rossi, PMP
City of Tacoma - Environmental Services
Science & Engineering
326 East D St
Tacoma, WA 98421
(253)502-2127

From: Trohimovich, Merita
Sent: Monday, May 15, 2017 1:14 PM
To: Rossi, Rod
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Merita Trohimovich, P.E.
Principal Engineer
City of Tacoma Surface Water
Center for Urban Waters
326 East D Street
Tacoma, WA 98421
253-502-2103



From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

**FROM: TROY STEVENS
PUBLIC WORKS /REAL PROPERTY SERVICES**

SUBJECT: STREET VACATION REQUEST NO. 124.1380

DATE: May 15, 2017

Real Property Services has received a petition from Broadway Center to vacate a portion Broadway, to better provide access to the back stage area and freight elevator vestibule, as shown on the vicinity maps attached to this email.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by May 26, 2017**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

Attachment(s)

- AT&T Broadband
- Pierce Transit
- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
- PW/BLUS (2)
- PW/Construction
- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

No Objections

Comments Attached

5-16-17 Date

R. W. Stevens Signature

ENV. SVS Department

TO: Troy Stevens, Public Works/Real Property Services

FROM: Environmental Services, Science & Engineering

SUBJECT: Street Vacation Request NO. 124.1380

DATE: May 16, 2017

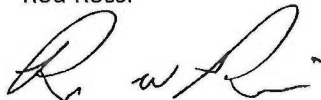
Environmental Services has active surface water assets within the proposed vacation area consisting of an 8" pipe (SAP #6284165) and two catch basins (SAP #6516394 & 6501103).

There are several options available based on what the proposed changes will be on the vacated property. A field investigation will be required to determine if any other connections from neighboring buildings are connected to the catch basins or surface water pipe:

- Environmental Services can transfer ownership and future maintenance responsibilities of the two catch basins and pipe located within the proposed vacation.
- The catch basins and surface water pipe could be moved if the proposed changes will include a new building footprint that is over the current location of the pipe and catch basins.
- The surface water pipe and catch basins can remain in place if the proposed change within the street vacation does not include any type of structure that will be on or over the current surface water assets.

Thanks and let me know if you have any questions.

Rod Rossi

A handwritten signature in black ink, appearing to read 'R. Rossi', with a stylized flourish at the end.



**TO: TROY STEVENS
PUBLIC WORKS /REAL PROPERTY SERVICES**

**FROM: JENNIFER KAMMERZELL
PUBLIC WORKS /TRAFFIC**

SUBJECT: STREET VACATION REQUEST NO. 124.1380 TRAFFIC COMMENTS

DATE: October 16, 2017

Public Works Traffic Engineering received and reviewed the revised request from Broadway Center to vacate a portion of Broadway, to better provide access to the back stage area and freight elevator vestibule.

Based on review of the new proposal and existing traffic conditions, the vacation will impact pedestrian access and street light infrastructure. Public Works does not have any objections to the vacation request, provided the following conditions are met:

- 1) At the time that development reduces the existing sidewalk, not including the curb, a minimum of seven (7) feet shall be provided for unobstructed pedestrian passage. The remaining sidewalk width shall meet ADA standards and be free of obstructions, such as signs, bollards, street lights, and tree wells. The unobstructed sidewalk may affect the location of ADA parking on Broadway adjacent to the site.
 - a. On streets within downtown Tacoma, the preferred sidewalk/amenity zone width on pedestrian/retail streets, such as Broadway, is 15.5 feet. The elimination of on-street parking adjacent to this site may be required to accommodate future bicycle and enhanced pedestrian amenities outlined in the downtown Tacoma Plan and City of Tacoma Design Manual.
- 2) At the time that development impacts the existing street light infrastructure, the street light shall be removed and reinstalled by the applicant to a City approved location.

The comments and recommended conditions are consistent with the Transportation Master Plan Goals and Policies to “prioritize the movement of people and goods via modes that have the least environmental impact and greatest contribution to livability in order to build a balanced transportation network that provides mobility options, accessibility, and economic vitality for all across all neighborhoods.” It is also consistent with policies 2.3 Improve Safety, 2.4 Promote Health, 3.1 Complete Streets/Layered Network, 3.2 Green Hierarchy, 3.6 Street System Design, 3.7 Special Needs of Transportation Users, and 3.9 Pedestrian Facilities. The comments are also consistent with the City of Tacoma Design Manual for street design.

These comments do not serve as approval of proposed site plans. If you have any questions, please contact me at (253) 591-5511 or jkammerzell@cityoftacoma.org.

Stevens, Troy

From: Seaman, Chris
Sent: Tuesday, May 16, 2017 9:35 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Troy,

Tacoma Fire has no comments regarding the vacation. The applicant is advised that all future construction shall comply with the adopted Fire Code at the time of building permit submittal.

Regards,
CHRIS SEAMAN, P.E.
Senior Engineer
Tacoma Fire Department | Prevention Division
901 Fawcett Avenue | Tacoma, WA 98402
253.591.5503 | cseaman@cityoftacoma.org



From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilynn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens
City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Exhibit 8

Stevens, Troy

From: Kristen McIvor <KristenM@pierced.org>
Sent: Monday, June 05, 2017 12:21 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

I hadn't seen this but I have no comments.

Thanks!

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]
Sent: Monday, June 05, 2017 9:31 AM
To: Kristen McIvor <KristenM@pierced.org>
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Good morning,

Did you receive this? Would you like to comment?

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

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Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Danby, Marilyn <marilynn.danby@pse.com>
Sent: Wednesday, May 17, 2017 1:54 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

PSE has no gas facilities within the portion of the requested vacate. PSE has no objection to vacate.

Marilynn

Marilynn M. Danby SR/WA
Senior Real Estate Representative
Puget Sound Energy
3130 South 38th Street
Tacoma, Wa 98409
Work: 253/476-6451
Work Cell: 253/905-4668
e-mail: marilynn.danby@pse.com

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

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Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Cantrel, Aaron R <Aaron_Cantrel@comcast.com>
Sent: Thursday, May 25, 2017 7:58 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center
Attachments: Comcast-SV 124.1380.doc

Comcast comments attached.

From: Stevens, Troy [mailto:tstevens@ci.tacoma.wa.us]
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris <catkinson@ci.tacoma.wa.us>; Atkinson, Stephen <satkinson@ci.tacoma.wa.us>; Barnett, Elliott <elliott.barnett@ci.tacoma.wa.us>; Ben Han <bhan@piercetransit.org>; Spencer, William <WSpencer@ci.tacoma.wa.us>; Boudet, Brian <BBOUDET@ci.tacoma.wa.us>; Cantrel, Aaron R <Aaron_Cantrel@cable.comcast.com>; Cornforth, Ronda <rcornforth@cityoftacoma.org>; Danby, Marilynn <marilynn.danby@pse.com>; Erickson, Ryan <RErickso@ci.tacoma.wa.us>; Fields, Donni (Donni.J.Fields@centurylink.com) <Donni.J.Fields@centurylink.com>; Howatson, James <JHOWATSO@ci.tacoma.wa.us>; Johnson, David (PDS) <DJohnson2@ci.tacoma.wa.us>; Kammerzell, Jennifer <jkammerzell@ci.tacoma.wa.us>; Kidd, Brennan <bkidd@ci.tacoma.wa.us>; Kristen McIvor <kristenm@piercecountycd.org>; Larson, Chris <CLARSON@ci.tacoma.wa.us>; Lynett, Kristin <kristin.lynett@cityoftacoma.org>; Muller, Gregory <GMuller@ci.tacoma.wa.us>; Parvey, James <JPARVEY@ci.tacoma.wa.us>; Seaman, Chris <cseaman@ci.tacoma.wa.us>; Simpson, Sue <SSIMPSON@ci.tacoma.wa.us>; Site Development <SiteDevelopment@ci.tacoma.wa.us>; Standley, Steven <sstandle@ci.tacoma.wa.us>; Torres, Andrew <ATORRES@ci.tacoma.wa.us>; Trohimovich, Merita <MPollard@ci.tacoma.wa.us>
Cc: Stevens, Troy <tstevens@ci.tacoma.wa.us>
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

**FROM: TROY STEVENS
PUBLIC WORKS /REAL PROPERTY SERVICES**

SUBJECT: STREET VACATION REQUEST NO. 124.1380

DATE: May 15, 2017

Real Property Services has received a petition from Broadway Center to vacate a portion Broadway, to better provide access to the back stage area and freight elevator vestibule, as shown on the vicinity maps attached to this email.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by May 26, 2017**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

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- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
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- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

No Objections

Comments Attached

5/25/17 _____ Date

Aaron Cantrell _____ Signature

Planning & Design _____ Department

- Comcast has no facilities within this Vacation Area

Stevens, Troy

From: Sanders, Sean <Sean.Sanders@CenturyLink.com>
Sent: Friday, May 26, 2017 4:53 PM
To: Stevens, Troy
Subject: SV 124.1380 - Agency Comments 5_15_2017--Qwest Corporation d/b/a CenturyLink QC
Attachments: Qwest Corporation dba CenturyLink QC.PDF

Please see the attached.

Sean T. Sanders
CenturyLink-
Network Real Estate
Cell Phone--425-599-5099
sean.sanders@centurylink.com
N.255163

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.



May 26, 2017

Troy Stevens
City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

**RE: Proposed Vacation Request Broadway Center; Parcel 2009050020—PETITION 124.1380
Tacoma, Pierce County, WA.**

Dear Troy Stevens,

This letter is in response to the notice for the above referenced proposal. Please be advised that **Qwest Corporation (d/b/a CenturyLink) currently has NO facilities in the area addressed by this action, and has no objections to said proposal.**

Please feel free to contact me as needed; I can be reached at 425-599-5099 or Sean.Sanders@CenturyLink.com. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "S.T.S.", with a long horizontal flourish extending to the right.

Sean T. Sanders on behalf of
R Jeff Lawrey
Qwest Corporation (d/b/a CenturyLink)
Network-Real-Estate West Region
1208 NE 64th St. Rm 401
Seattle, WA 98115

1208 NE 64th St., 4th floor
Seattle, WA 98115-6722
www.centurylink.com



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

FROM: TROY STEVENS
PUBLIC WORKS /REAL PROPERTY SERVICES

SUBJECT: STREET VACATION REQUEST NO. 124.1380

DATE: May 15, 2017

Real Property Services has received a petition from Broadway Center to vacate a portion Broadway, to better provide access to the back stage area and freight elevator vestibule, as shown on the vicinity maps attached to this email.

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- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

X

RESPONSE

 X No Objections

 X Comments Attached

05/26/2017 Date

[Signature] Signature

Network Real Estate Department

Stevens, Troy

From: Muller, Gregory
Sent: Wednesday, May 24, 2017 3:57 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center
Attachments: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center; RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center; RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Troy,

Attached are the responses I received to the street vacation comment request. No easements requested to be reserved.

Let me know if you have any questions.

Greg
#8256

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilynn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Barrutia, Rich
Sent: Thursday, May 18, 2017 5:28 PM
To: Horodyski, Greg; Martinson, John; Muller, Gregory
Cc: Reed, Daniel
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

Greg Horodyski's comments are correct. We have no plans for this sidewalk area.

Rich Barrutia 502-8541
T&D Central Business District Engineering

From: Horodyski, Greg
Sent: Tuesday, May 16, 2017 10:43 AM
To: Martinson, John; Barrutia, Rich
Cc: Reed, Daniel
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

Our maps do not indicate any facilities in that location. I am not aware of any future plans to bring facilities into that area.

Gregory J Horodyski, P.E.
Tacoma Power | Central Business District
253-502-8557

From: Martinson, John
Sent: Tuesday, May 16, 2017 10:07 AM
To: Barrutia, Rich; Horodyski, Greg
Cc: Reed, Daniel
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

From: Muller, Gregory
Sent: Tuesday, May 16, 2017 9:26 AM
To: Angel, Jesse; Vaughan, Stuart; Eckert, Rudy; Quinones, Kimberly; Glassy, Thad; Barrutia, Rich
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

Good morning,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256

Fax: (253) 502-8539

From: Stevens, Troy

Sent: Monday, May 15, 2017 1:00 PM

To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita

Cc: Stevens, Troy

Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

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Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Netcher, Greg
Sent: Friday, May 19, 2017 3:19 PM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center
Attachments: NO conflict response.doc

Hi Greg,

Click is not impacted by this construction. Attached is our official response.

Thank you

Greg Netcher

HFC Engineering | Transmission & Distribution

Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



From: Muller, Gregory
Sent: Tuesday, May 16, 2017 9:26 AM
To: Angel, Jesse; Vaughan, Stuart; Eckert, Rudy; Quinones, Kimberly; Glassy, Thad; Barrutia, Rich
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Good morning,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita

Cc: Stevens, Troy

Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

Agency Reviewer,

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Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Angel, Jesse
Sent: Friday, May 19, 2017 7:44 AM
To: Muller, Gregory
Cc: Volkhardt, Greg; Vaughan, Stuart
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Greg,

Tacoma Water does not have any facilities located in the proposed vacation area. No comments or conditions are necessary.

Thanks,

Jesse Angel - Utility Service Specialist

Tacoma Water

3628 S. 35th St.
Tacoma, WA 98409-3192
253-502-8280 OFFICE
253-380-2614 CELL
253-502-8694 FAX
[Tacoma Water Website](#)

From: Muller, Gregory
Sent: Tuesday, May 16, 2017 9:26 AM
To: Angel, Jesse; Vaughan, Stuart; Eckert, Rudy; Quinones, Kimberly; Glassy, Thad; Barrutia, Rich
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Good morning,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita

Cc: Stevens, Troy

Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Broadway Center

Agency Reviewer,

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Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Barnett, Elliott
Sent: Monday, May 15, 2017 1:03 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

No objections here. This is a good application by the way – they provided a good description of what and why.

Elliott Barnett, Planner

City of Tacoma PDS
(253) 591-5389

From: Stevens, Troy
Sent: Monday, May 15, 2017 1:00 PM
To: Atkinson, Chris; Atkinson, Stephen; Barnett, Elliott; Ben Han; Spencer, William; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Erickson, Ryan; Fields, Donni (Donni.J.Fields@centurylink.com); Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Kristen McIvor; Larson, Chris; Lynett, Kristin; Muller, Gregory; Parvey, James; Seaman, Chris; Simpson, Sue; Site Development; Standley, Steven; Torres, Andrew; Trohimovich, Merita
Cc: Stevens, Troy
Subject: Street Vacation 124.1380 - Comments DUE May 26, 2017 - Boradway Center

Agency Reviewer,

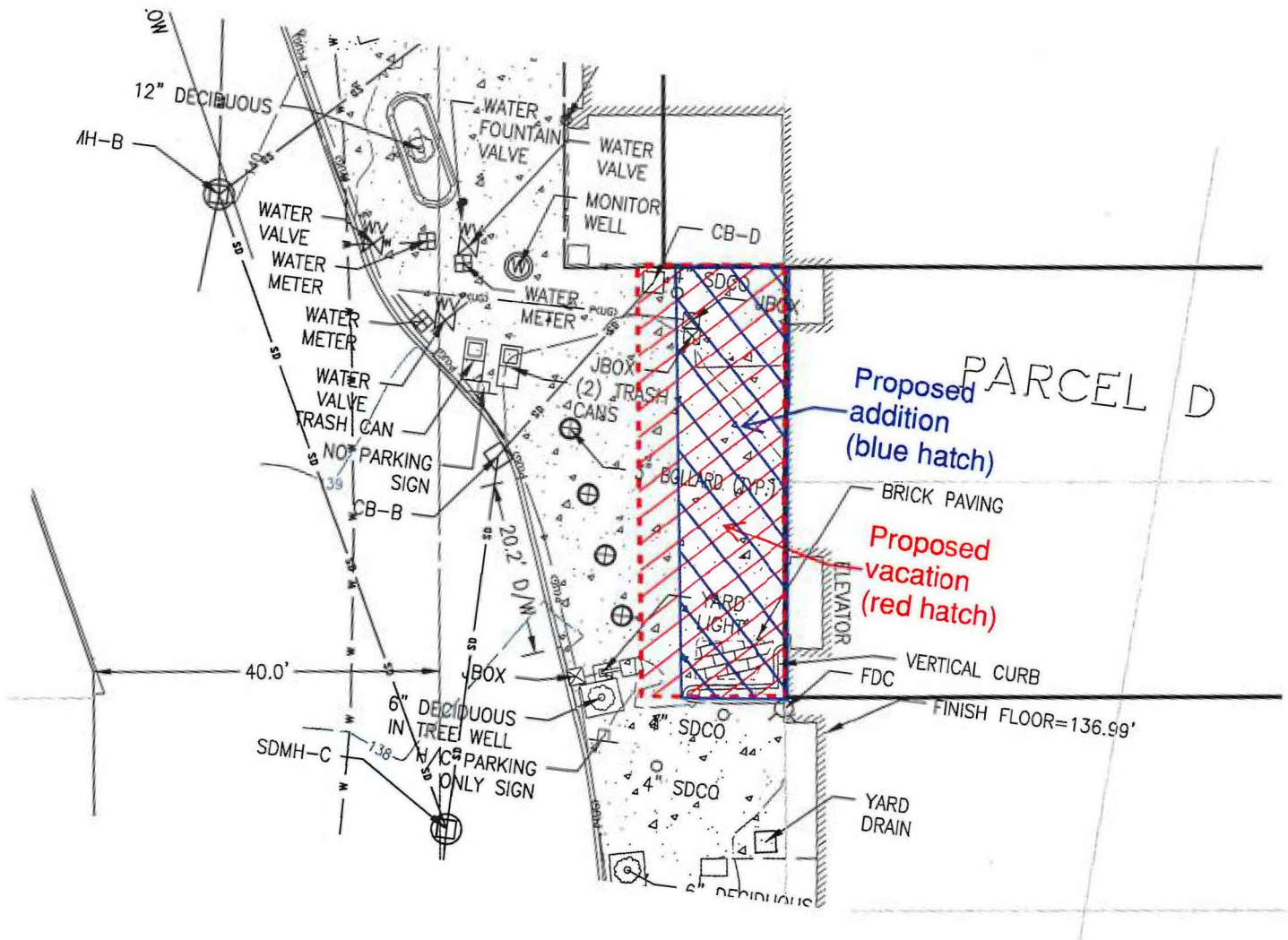
Please review the attached memo and map exhibits for the proposed Street Vacation Petition 124.1380, as requested by Broadway Center, and provide comments for your respective utility/agency **on or before May 26, 2017**. Responses received later than May 26, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you,

Troy Stevens

City of Tacoma, Public Works
Sr. Real Estate Specialist
(253) 591-5535
tstevens@ci.tacoma.wa.us

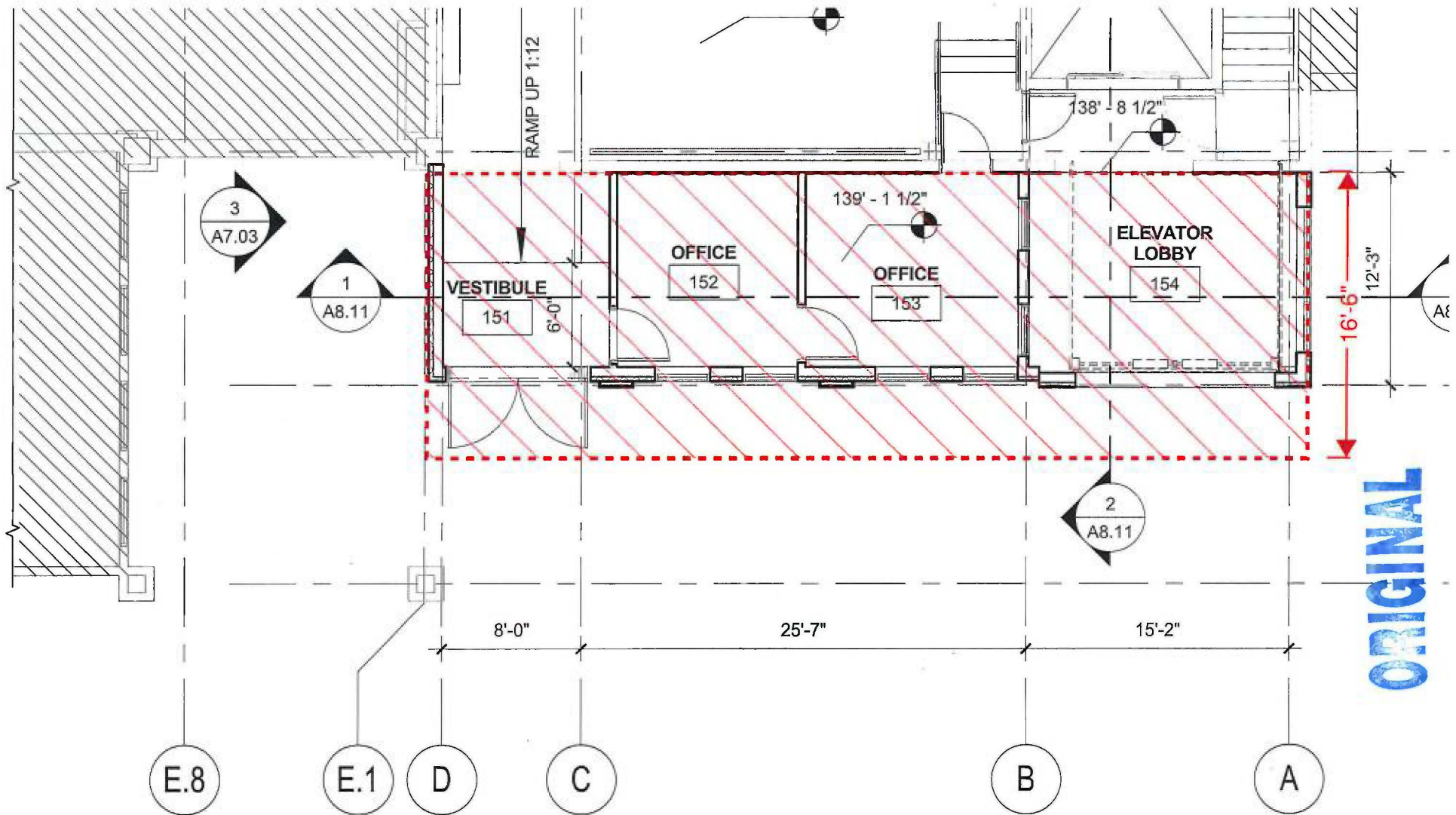


Proposed addition
 (blue hatch)

Proposed vacation
 (red hatch)

PARCEL D

ORIGINAL



① STAGE LEVEL FLOOR PLAN - ANNEX VACATION
 1/8" = 1'-0"

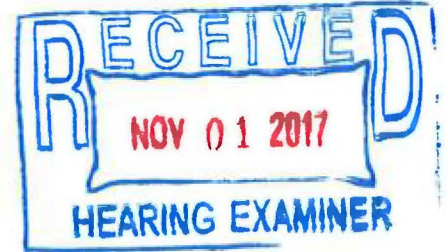
EXHIBIT 18



TO: JEFF CAPELL
Hearing Examiner

FROM: TROY STEVENS *ts*
Sr. Real Estate Specialist
Public Works/Real Property Services

SUBJECT: STREET VACATION NO. 124.1380



DATE: November 1, 2017

At the hearing on October 26, 2017, the Hearing Examiner left the record open for Real Property Services (RPS) to answer two questions:

- 1) Which City of Tacoma fund will pay the market value as required by RCW 35.79.020 & TMC 9.22.010 to complete the vacation?
- 2) Which fund will pay the In-Lieu amount of \$1,303.28 to Environmental Services (ES)?

In conjunction with the Petitioner, RPS coordinated with City staff regarding the market value payment. **The City is requesting City Council waive the market value payment of \$66,825.00.**

Regarding the In-Lieu fee, the City's property manager, Broadway Center for the Performing Arts (BCPA), will pay the fee to ES. The fee will be placed in the Revenue GL account – 637100, fund 4300-PRGM, cost center 523900.

EX.19

ORIGINAL