



ORDINANCE NO. 28655

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of North Visscher Street, lying between North Park Way and North Park
5 Avenue, to facilitate private improvements and landscaping; 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. 124.1400 and dated January 14, 2020, which Report is on file in the office
16 of the City Clerk.
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Section 2. That the easternmost five feet of the overall seventy-foot width of North Visscher Street, running for a north-south length of one hundred thirty-six feet along the front of Petitioners' residential real property at 5918 North Park Avenue, legally described as follows:

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M. DESCRIBED AS FOLLOWS: COMMENCING AT A BRASS SURFACE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 88°36'20" WEST, 287.62 FEET TO ITS INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 3 OF BLOCK 2 OF REPLAT OF POINT DEFIANCE PARK ADDITION TO TACOMA, WASHINGTON, VOLUME 10 OF PLATS, PAGE 78, RECORDS OF PIERCE COUNTY AUDITOR'S OFFICE; THENCE ALONG SAID WEST LINE EXTENDED, SOUTH 01°54'00" WEST, 35.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°54'00" WEST, 135.80 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, THENCE ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3, SOUTH 58°00'39" WEST, 6.02 FEET; THENCE PARALLEL WITH SAID WEST LINE, NORTH 01°54'00" EAST, 139.11 FEET TO THE INTERSECTION WITH WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3; THENCE ALONG SAID WESTERLY EXTENSION SOUTH 88°36'20" EAST, 5.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 687 SQ. FT. (0.0158 ACRES), MORE OR LESS.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON;



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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 private third party easements remain to be negotiated between the Petitioner and a neighboring property owner for private water facilities that are in the Vacation Area. Negotiation of the easement(s) should be concluded prior to second reading of the



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ordinance. Second reading of the ordinance should be delayed until
Petitioner has completed negotiation and provided such private easement(s).

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of North Visscher Street, lying between North Park Way
and North Park Avenue.
Petitioner: Claire and Gabriel Van Guse
Vacation Req. No. 124.1400