



RESOLUTION NO. 39210

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
2 July 16, 2015, at 1:30 p.m., as the date for a hearing before the City of
3 Tacoma Hearing Examiner on the petition of Waterview Point, LLC, to
4 vacate portions of Waterview Street, North 45th Street, North 46th Street,
5 Morrison Street, Mason Avenue, Harriott Street, and portions of the
6 alleyway located between North 45th Street and North Cheyenne Street, to
7 create individual residential lots ranging from 18,000 to 19,000 square feet.

8 WHEREAS Waterview Point, LLC, having received the consent of the
9 owners of more than two-thirds of the properties abutting portions of Waterview
10 Street, North 45th and 46th Streets, Morrison Street, Mason Avenue, Harriott
11 Street, and portions of the alleyway located between North 45th Street and
12 North Cheyenne Street, has petitioned for the vacation of the right-of-way areas
13 as more particularly described in Exhibit "A"; Now, Therefore,

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

15 Section 1. That Thursday, July 16, 2015, at 1:30 p.m., is hereby fixed as
16 the date and time, and the Council Chambers on the first floor of the Tacoma
17 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when
18 and where the request by Waterview Point, LLC, to vacate portions of Waterview
19 Street, North 45th Street, North 46th Street, Morrison Street, Mason Avenue,
20 Harriott Street, and portions of the alleyway located between North 45th Street
21 and North Cheyenne Street, to create individual residential lots ranging from
22 18,000 to 19,000 square feet, will be heard by the Hearing Examiner and her
23 recommendations thereafter transmitted to the Council of the City of Tacoma.
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Section 2. That the Clerk of the City of Tacoma shall give proper notice

of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: Portions of Waterview Street, North 45th and 46th Streets, Morrison Street, Mason Avenue, Harriott Street and portions of the alleyway located between North 45th Street and North Cheyenne Street

Petitioner: Waterview Point, LLC

File No.: 124.1354



EXHIBIT "A"
LEGAL DESCRIPTION

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WATERVIEW STREET

A STRIP OF LAND LYING WITHIN THE SOUTH HALF OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 40 FEET OF WATERVIEW STREET LYING SOUTHERLY OF THE NORTHWESTERLY LINE OF LOT 2, BLOCK 4, MASONS SHORELINE ADDITION AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 108, RECORDS OF PIERCE COUNTY, WASHINGTON, EXTENDED NORTHEASTERLY AND LYING NORTHERLY OF THE CENTER LINE OF MORRISON STREET.

ALLEY BLOCKS 10 AND 4 MASON'S SHORELINE ADDITION

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE ALLEY AS SHOWN ON THE PLAT OF MASON'S SHORELINE ADDITION TO TACOMA, RECORDED IN VOLUME 1 OF PLATS AT PAGE 108, IN PIERCE COUNTY, WASHINGTON.

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1, BLOCK 10 OF SAID MASON'S SHORELINE ADDITION; THENCE NORTH 49°56'44" WEST, ALONG THE NORTHEASTERLY LINE OF SAID BLOCK, 60.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 2 OF SAID BLOCK 10; THENCE NORTH 40°03'16" EAST, 20.00 FEET TO THE MOST WESTERLY CORNER OF LOT 2 OF BLOCK 4 OF SAID MASON'S SHORELINE ADDITION; THENCE SOUTH 49°56'44" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK, 60.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 4; THENCE SOUTH 40°03'16" WEST, TO THE POINT OF BEGINNING.

SHERIDAN STREET

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:



1 THAT PORTION OF SHERIDAN STREET (HERRIOT STREET) AS SHOWN ON
2 THE PLAT OF MASON'S SHORELINE ADDITION TO TACOMA, RECORDED IN
3 VOLUME 1 OF PLATS AT PAGE 108, IN PIERCE COUNTY, WASHINGTON, AS
4 MODIFIED BY CITY OF TACOMA DEED NUMBER 366.

5 BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 10 OF
6 SAID MASON'S SHORELINE ADDITION; THENCE NORTH 40°03'16" EAST,
7 ALONG THE SOUTHEASTERLY LINE OF BLOCKS 10 AND 4 OF SAID
8 ADDITION 220.00 FEET TO THE MOST EASTERLY CORNER OF SAID BLOCK
9 4; THENCE SOUTH 49°56'44" EAST, 80.00 FEET TO THE MOST NORTHERLY
10 CORNER OF BLOCK 3 OF SAID MASON'S SHORELINE ADDITION; THENCE
11 SOUTH 40°03'16" WEST, ALONG THE NORTHWESTERLY LINE THEREOF
12 172.70 FEET TO THE SOUTH LINE OF SAID MASON'S SHORELINE ADDITION;
13 THENCE NORTH 89°46'23" WEST, ALONG THE SOUTH LINE THEREOF,
14 73.87 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 48TH
15 STREET; THENCE NORTH 49°56'44" WEST, ALONG THE EAST LINE
16 THEREOF 23.27 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 1,
17 BLOCK 4 AND THE POINT OF BEGINNING.

18 EXCEPT THOSE PORTIONS VACATED BY ORDINANCE 19939.

19 **ALLEY BLOCK 1 HILLS ADDITION**

20 A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST
21 QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST FO THE
22 WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY,
23 WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

24 THAT PORTION OF THE ALLEY AS SHOWN ON THE PLAT OF HILL'S
25 ADDITION, RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE
26 COUNTY, WASHINGTON, LYING WESTERLY OF THE WEST RIGHT-OF-WAY
LINE OF MASON AVENUE AND EAST OF THE FOLLOWING DESCRIBED LINE:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 1,
SAID CORNER ALSO BEING A POINT ON THE NORTH LINE OF THE
AFOREMENTIONED ALLEY; THENCE NORTH 89°35'28" WEST, ALONG SAID
NORTH LINE, 118.45 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 28°05'13" EAST, 17.95 FEET; THENCE SOUTH 27°35'41"
EAST, 0.26 FEET TO THE SOUTH LINE OF SAID ALLEY AND THE TERMINUS
OF THIS DESCRIBED LINE.

27 **NORTH MASON AVENUE**

28 A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST
29 QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE



1 WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY,
2 WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

3 THAT PORTION OF MASON AVENUE AS SHOWN ON THE PLAT OF HILL'S
4 ADDITION, RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE
5 COUNTY, WASHINGTON, LYING SOUTHERLY OF THE SOUTH RIGHT-OF-
6 WAY LINE OF NORTH 45TH STREET AND NORTHERLY OF THE FOLLOWING
7 DESCRIBED LINE:

8 COMMENCING AT THE NORTHEAST CORNER OF BLOCK 4, HILL'S
9 ADDITION; THENCE SOUTH ALONG THE EASTERLY LINE OF SAID BLOCK 4,
10 BEING THE WESTERLY LINE OF MASON AVENUE 73.87 FEET TO THE POINT
11 OF BEGINNING; THENCE SOUTH 89°56'51" EAST, 40.00 FEET TO THE
12 EASTERLY RIGHT-OF-WAY LINE OF MASON AVENUE AND THE TERMINUS
13 OF THIS DESCRIBED LINE.

14 **MORRISON STREET**

15 A STRIP OF LAND LYING WITHIN THE WEST HALF OF THE SOUTHEAST
16 QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE
17 WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY,
18 WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

19 THAT PORTION OF MORRISON STREET AS SHOWN ON THE PLAT OF
20 MASON'S WATER FRONT ADDITION TO TACOMA, WASHINGTON,
21 ACCORDING TO THE PLAT RECORDED IN BOOK 1 OF PLATS AT PAGE 98,
22 IN PIERCE COUNTY, WASHINGTON, LYING EASTERLY OF THE EAST
23 RIGHT-OF-WAY LINE OF MASON AVENUE AND WESTERLY OF THE MOST
24 WESTERLY 40.00 FEET OF WATERVIEW STREET, RIGHT-OF-WAY LINE.
25 EXCEPT THAT PORTION VACATED PER CITY OF TACOMA ORDINANCE
26 NUMBER 15259.

NORTH 46TH STREET

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST
QUARTER AND A PORTION OF THE WEST HALF OF THE SOUTHEAST
QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE
WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY,
WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF NORTH 46TH STREET (WATER STREET AND FIRST
STREET) AS SHOWN ON THE PLAT OF HILL'S ADDITION RECORDED IN
VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE COUNTY, WASHINGTON, AND
WOODRUFF'S SECOND ADDITION TO TACOMA, PIERCE COUNTY,



WASHINGTON, RECORDED IN VOLUME 3 OF PLATS AT PAGE 61
DESCRIBED AS FOLLOWS:

1
2 BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1 OF SAID HILL'S
3 ADDITION; THENCE NORTH 89°44'25" WEST, ALONG THE NORTH LINE OF
4 SAID BLOCK 1, A DISTANCE OF 193.09 FEET TO A POINT ON A NON-
5 TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 455.00 FEET, AND
6 TO WHICH POINT A RADIAL BEARS SOUTH 50°53'19" WEST; THENCE
7 NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
8 07°03'11", AN ARC LENGTH OF 56.01 FEET; THENCE NORTH 46°09'51"
9 WEST, 56.57 FEET TO THE SOUTH LINE OF BLOCK 7 OF SAID WOODRUFF'S
10 SECOND ADDITION; THENCE SOUTH 89°44'25" EAST, ALONG THE SOUTH
11 LINE OF BLOCKS 7 AND 8, 320.61 FEET TO THE SOUTHEAST CORNER OF
12 BLOCK 8 OF SAID WOODRUFF'S SECOND ADDITION; THENCE SOUTH
13 38°57'28" EAST, A DISTANCE OF 51.08 FEET TO THE CENTER LINE OF SAID
14 NORTH 46TH STREET; THENCE SOUTH 89°29'30" WEST, ALONG SAID
15 CENTER LINE, A DISTANCE OF 40.78 FEET TO THE EAST RIGHT-OF-WAY
16 LINE OF NORTH MASON AVENUE; THENCE SOUTH 00°03'09" WEST, ALONG
17 SAID RIGHT-OF-WAY 40.00 FEET; THENCE NORTH 89°44'25" WEST, 40.00
18 FEET TO THE POINT OF BEGINNING.

12 **NORTH 45TH STREET**

13
14 A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST
15 QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE
16 WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY,
17 WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

17 THAT PORTION OF NORTH 45TH STREET (FIRST STREET), AS SHOWN ON
18 THE PLAT OF HILL'S ADDITION, RECORDED IN VOLUME 1 OF PLATS AT
19 PAGE 19, IN PIERCE COUNTY, WASHINGTON, LYING WESTERLY OF THE
20 WEST RIGHT-OFWAY LINE OF NORTH MASON STREET AND EAST OF THE
21 FOLLOWING DESCRIBED LINE;

20 COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 1 OF SAID HILL'S
21 ADDITION; THENCE NORTH 89°26'32" WEST, ALONG THE SOUTH LINE OF
22 SAID BLOCK 1, A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING;
23 THENCE SOUTH 00°03'09" WEST, 80.00 FEET TO THE SOUTH RIGHT-OF-
24 WAY LINE OF SAID NORTH 45TH STREET AND THE TERMINUS OF THIS
25 DESCRIBED LINE.

24 RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF
25 TACOMA FOR 10 FEET OF THE PROPOSED VACATION AREA, PARALLEL
26 WITH WATERVIEW STREET, FOR POWER POLES, ANCHORS, GUY WIRES,
OVERHEAD AND UNDERGROUND POWER AND DATA WIRES, DATA



1 ENCLOSURES AND VAULTS, POWER AND DATA CONDUIT, AND
2 TRANSFORMERS.

3 RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF
4 TACOMA FOR A WATER MAIN AND WATER SERVICE WITHIN THE RIGHT-
5 OF-WAY OF WATERVIEW STREET. THE DEVELOPER SHALL RETAIN AN
6 EASEMENT COVER EXISTING TACOMA WATER SERVICE AND METERS FOR
7 OVER THE AREA SOUTHWESTERLY OF THE MONUMENT LINE OF
8 WATERVIEW STREET, TO A DISTANCE OF 40 FEET FROM THE MONUMENT
9 LINE OF WATER STREET.

10 RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF
11 TACOMA FOR A 20-FOOT STORM AND SANITARY SEWER EASEMENT
12 CENTERED ON THE NORTH HERRIOT STREET RIGHT-OF-WAY FROM
13 NORTH WATERVIEW STREET, WEST OF THE NORTHERN PROPERTY LINE
14 OF TAX PARCEL 45000-0011 TO THE EAST LINE OF NORTH 43TH STREET.

15 NO PERMANENT STRUCTURES SHALL BE ERECTED WITHIN THE PUBLIC
16 EASEMENT AREA UNLESS SPECIFICALLY APPROVED IN WRITING BY THE
17 CITY OF TACOMA DIRECTOR OF PUBLIC WORKS. PERMANENT
18 STRUCTURES SHALL MEAN ANY CONCRETE FOUNDATION, CONCRETE
19 SLAB, WALL, ROCKERY, BUILDING, DECK, OVERHANGING STRUCTURES,
20 FILL MATERIAL,

21 RECREATIONAL SPORTS COURTS, CARPORTS, PORTABLE SHEDS,
22 PRIVATE UTILITIES, FENCES, OR OTHER SITE IMPROVEMENT THAT WILL
23 UNREASONABLY INTERFERE WITH THE NEED TO ACCESS OR CONSTRUCT
24 SANITARY OR STORM SEWER UTILITIES IN SAID EASEMENTS. PERMANENT
25 STRUCTURES SHALL NOT MEAN IMPROVEMENTS SUCH AS NORMAL
26 LANDSCAPING, ASPHALT PAVING, GRAVEL, OR OTHER SIMILAR SITE
IMPROVEMENTS THAT DO NOT PREVENT THE ACCESS OF MEN,
MATERIALS, AND MACHINERY ACROSS, ALONG, AND WITHIN THE SAID
EASEMENT AREA. LAND RESTORATION BY THE CITY WITHIN THE SAID
EASEMENT AREA DUE TO THE CONSTRUCTION, OPERATION, INSPECTION,
REPLACEMENT, REPAIR, OR MAINTENANCE OF SANITARY OR STORM
SEWER UTILITIES WILL BE STRICTLY LIMITED TO GRASS SEED, GRASS
SOD, AND/OR ASPHALT REPLACEMENT UNLESS OTHERWISE DETERMINED
BY THE CITY OF TACOMA. WATERVIEW POINTE LEGAL DESCRIPTION OF
VACATION.