

EXHIBIT LIST

HEARING DATE: May 3, 2018 at 1:30 p.m.

FILE NUMBER & NAME: HEX2018-006 (SV No. 124.1387) Chainring III, LLC, Petitioner

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
Ex. 1	Preliminary Report	COT/RPS	X			
Ex. 1a	Amendment #1 to Preliminary Report	COT/RPS	X			Exhibit submitted prior to hearing on 04.26.18.
Ex. 1b	Amendment #2 to Preliminary Report	COT/RPS	X			Evidentiary record held open for submission of exhibit. Record closed 05.30.18 upon submission of Ex. 1b.
Ex. 2	Map Exhibit	COT/RPS	X			
Ex. 3	Aerial Map Exhibit	COT/RPS	X			
Ex. 4	Petitioner provided survey exhibit	COT/RPS	X			
Ex. 5	Surveyed Legal Description of vacation area	COT/RPS	X			
Ex. 6	Warranty Deed 1719873	COT/RPS	X			
Ex. 7	Sheet 171 of Sound Transit D to M Street improvement plans of intersection	COT/RPS	X			
Ex. 8	Sheet 173 of Sound Transit D to M Street improvement plans of intersection	COT/RPS	X			
Ex. 9	Tacoma Water Comments	COT/RPS	X			
Ex. 10	Environmental Services Comments	COT/RPS	X			
Ex. 11	Public Works Traffic Comments	COT/RPS	X			
Ex. 12	Puget Sound Energy Comments	COT/RPS	X			
Ex. 13	CenturyLink Comments	COT/RPS	X			
Ex. 14	Comcast Comments	COT/RPS	X			
Ex. 15	Revised email comments from Comcast	COT/RPS	X			
Ex. 16	Comcast Access Agreement	COT/RPS	X			

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W = Withdrawn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, May 3, 2018 at 1:30 PM

PETITIONER: CHAINRING III, LLC

FILE NO. 124.1387

A. SUMMARY OF REQUEST:

Real Property Services has received a petition on behalf of Chainring III, LLC to vacate the segments of South Tacoma Way and South "C" Street rights-of-way, lying northerly and westerly of the improved portions of the rights of way and currently enclosed within existing fencing, to be used for parking and security of the adjacent business, all as depicted on the attached Exhibits 2, 3 and 4.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

All that portion of South Tacoma Way and South "C" Street, lying northerly and westerly of the improved portions of said rights of way, and currently enclosed within existing fencing. Legally defined and fully described on the attached Exhibit 5.

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 1,000 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 Notice was posted on March 28, 2018 at approximately 4:30 p.m. at locations described in item 1 below:

1. Placed 2 yellow public notice signs, attached to the existing fencing, along South C Street and South Tacoma Way at the northwest corner of the intersection.
2. Public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
3. Public notice memo advertised on the City of Tacoma web site at address:
<http://www.cityoftacoma.org/notices>
4. Public Notice advertised in the Daily Index newspaper.
5. Public Notice mailed to all parties of record within the 1,000 feet of vacation request.
6. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner intends to include this segment of right of way as their parking and security for the adjacent business.

E. HISTORY:

The City of Tacoma acquired this corner of the right of way proposed to be vacated in 1955 by Warranty Deed, in connection with a project for the relocation and alignment of Wakefield Drive, from Mr. & Mrs. Meaker and Ms. Shull as recorded under Auditor's File Number 1719873, records of Pierce County and attached hereto as Exhibit 6. In 2010 Sound Transit, in connection with the Sounder Commuter Rail, D to M Street, Track and Signal Project again changed grades and realigned the configuration of both South Tacoma Way and South C Street, and erected the existing fencing referenced herein, as depicted on the attached Exhibits 7 and 8.

F. PHYSICAL LAND CHARACTERISTICS:

This segment of right of way is partially paved and used as parking and drive isle and the remainder is a grassy slope all of which is fully enclosed in existing chain link fencing and gated. This segment of right of way is not accessible to nor serves the general pedestrian public. It does however have utilities within and across the subject area for which an Easement will be reserved herein.

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:
 - a. It will produce and add commercial uses of the lands to the tax rolls;
 - b. It will reduce the City's maintenance expenditures.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object to the vacation.
3. No general public is served by this enclosed road segment.
4. The vacation area is not contemplated or needed for future public use as a right of way.
5. No abutting property becomes landlocked nor will their access be substantially impaired.
6. The vacation 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 the Public Works Department, L.I.D. Section, at 591-5529 for the most current 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
Map Exhibit – Exhibit 2
Aerial Map Exhibit – Exhibit 3
Survey Exhibit – Exhibit 4
Legal Description – Exhibit 5
Warranty Deed – Exhibit 6
Sound Transit Plan Sheet 171 – Exhibit 7
Sound Transit Plan Sheet 173 – Exhibit 8

Tacoma Water – Exhibit 9
Environmental Services – Exhibit 10
Public Works Traffic – Exhibit 11
Puget Sound Energy – Exhibit 12
CenturyLink – Exhibit 13
Comcast Communications – Exhibit 14

Tacoma Power – No Objection
Click! Network – No Objection
Tacoma Fire – No Objection

Public Works/LID – No Response
Pierce Transit – No Response
Solid Waste – No Response
PW Engineering – No Response
Police – No Response
Planning & Development Services – No Response

J. RECOMMENDED CONDITIONS OF APPROVAL:

Should this street vacation request be approved, the Real Property Services Department of Public Works recommends reservation of easement to the City of Tacoma for existing utilities as requested and provided as numbered Exhibits herein.

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. TACOMA WATER

- a. Tacoma Water has requested an easement be reserved as provided in Exhibit 9.
- ❖ Contact Shelly Shaffer at (253) 502-8740 for questions
 - ❖ Contact Ryan Cox at (253) 396-3323 for questions

3. ENVIRONMENTAL SERVICES

- a. Environmental services has requested an Easement be reserved as provided in Exhibit 10
- ❖ Contact Rod Rossi at (253) 502-2127 for questions

4. PUBLIC WORKS / TRAFFIC

- a. Traffic has provided some concerns regarding the proximity of the vacation limits to the trail which may also require reservation of easement or reduction in the vacation limits.
 - ❖ Contact Jennifer Kammerzell at (253) 591-5511 for questions

5. PUBLIC WORKS/LID

- a. LID has no objection; however has provided an Advisory Comment for the Petitioner that there will be an in-lieu of assessment due for this vacation area that can be voluntarily paid at time of purchase or will be required at time of future permitting or development.

THIRD PARTY COMMENTS

6. PUGET SOUND ENERGY

- a. Puget Sound Energy has requested an independent Easement be granted for existing infrastructure as provided in Exhibit 12.
 - ❖ Contact Megan Holt at (253) 476-6417 for questions

7. CENTURYLINK

- a. CenturyLink has requested an independent Easement be granted for existing infrastructure as provided in Exhibit 13.
 - ❖ Contact Kerry Brent at (208)550-0264 for questions

8. COMCAST

- a. Comcast has requested an independent Easement be granted for existing infrastructure as provided in Exhibit 14.
 - ❖ Contact Aaron Cantrel at Aaron_Cantrel@comcast.com for questions.

Real Property Services has received the following public comment:

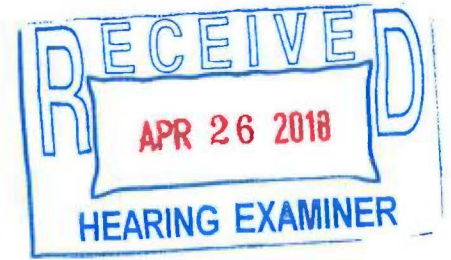
None

The applicant shall comply with all City regulations for any future use of the subject site.

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.

AMENDMENT TO
THE PRELIMINARY REPORT

Prepared for the Hearing Examiner
By the Real Property Services Division
To Be Held on
THURSDAY, MAY 3, 2018, AT 1:30 P.M.



PETITIONER: CHAINRING III, LLC
FILE NO. 124.1387

A. SUMMARY OF REQUEST:

Real Property Services has received a petition to vacate portions of the northwest intersection of South Tacoma Way and South "C" Street lying northerly and westerly of the improved portions of right of way.

B. AMENDED COMMENTS/DATA/EXHIBITS:

Amendment to Preliminary Report; Recommended Conditions of Approval; Paragraph J; subparagraph 8; "Comcast".

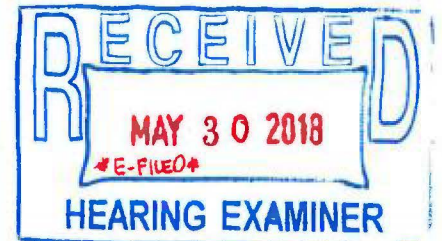
Based on responses received on April 26, 2018 from Comcast it appears that the utility was able to locate a previously executed Access Agreement dated June 7, 2017 that will fulfill their access requirements.

Email outlining discovery of Agreement and said Access Agreement are provided here, and will be made available, together with this Amendment, at the scheduled hearing, are referenced as Exhibits 15 and 16 respectively.

C. DEPARTMENTAL RECOMMENDATIONS ON AMENDMENT TO ORIGINAL REPORT:

Real Property Services requests the Hearing Examiner to accept this Amendment to the Preliminary Report, referenced as Exhibit 1a, and remove aforementioned subparagraph 8 in its entirety.

**AMENDMENT # 2 TO
THE PRELIMINARY REPORT**



**Prepared for the Hearing Examiner
By the Real Property Services Division
For Public Hearing Held on
THURSDAY, MAY 3, 2018, AT 1:30 P.M.**

**PETITIONER: CHAINRING III, LLC
FILE NO. 124.1387**

A. SUMMARY OF REQUEST:

At and before the Public Hearing held on May 3, 2018, for the requested vacation as referenced in file 124.1387, Public Works Traffic Department provided their concerns regarding the proximity of the vacation limits to the Historic Water Flume Line Trail. During the Hearing it was agreed that the Petitioner would limit the scope and extent of the vacation to provide a 2' recovery area to the Trail along South Tacoma Way and future walk alignment along South "C" Street.

Petitioner has provided the below legal description to be incorporated into the record and amend in its entirety that of previously submitted Exhibit 5. This amended description, together with the below legally defined utility easement for the City's water and storm water infrastructure, to Amendment 2 will also remove and/or revise several conditions of this vacation as noted below.

B. AMENDED COMMENTS/DATA/EXHIBITS:

Amendment to Preliminary Report; General Information; Legal Description of Vacation Area Amended to read as follows:

A portion of the Southwest Quarter of the Northwest Quarter of Section 9, Township 20 North, Range 3 East of the Willamette Meridian, City of Tacoma, County of Pierce, State of Washington, more specifically described as follows:

Commencing at the intersection of Holgate Street and South 25th Street, as shown on the Plat of Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the Pierce County Auditor;

Thence North 82°35'31" East, along the centerline of said South 25th Street, 154.32 feet to the centerline of South "C" Street;

EXHIBIT 1B

Thence South 07°21'08" East, along the centerline of said South "C" street, 455.04 feet to the intersection of the North line of Lot 17 in Block 2506 of aforementioned Plat of Tacoma Land Company's First Addition to Tacoma, extended Easterly;

Thence South 82°38'52" West, along said Easterly extension, 40.00 feet to the Northeast corner of said Lot 17 and the Point of Beginning;

Thence South 19°19'05" East 32.89 feet;
Thence South 10°59'38" East 59.11 feet to the beginning of a 40.00 foot radius curve, concave Northwest;

Thence, clockwise along the arc of said curve, through a central angle of 54°38'46" a distance of 38.15 feet;

Thence South 43°39'08" West 129.62 feet;

Thence South 85°40'43" West 7.34 feet to the Northwesterly margin of South Tacoma Way;

Thence North 44°58'09" East, along said Northwesterly margin, 34.44 feet to the beginning of non-tangent curve, concave Northwesterly, from which point a radial center bears North 62°39'10" West 477.00 feet, said Point also being on the Westerly line of that certain area granted to the City of Tacoma and described in Deed file under Pierce County Auditor Fee Number 1719873;

Thence, counter-clockwise, along the arc of said curve, through a central angle of 24°14'04", a distance of 201.76 feet to the North line of said Lot 17;

Thence North 82°35'31" East, along said North line, 8.08 feet to the Point of Beginning.

The above legally described lands shall amend earlier provided description submitted as Exhibit 5 of the Preliminary Report.

C. AMENDED COMMENTS/DATA/EXHIBITS:

Amendment to Preliminary Report; Recommended Conditions of Approval; Paragraph J; subparagraphs 2 & 3; "Tacoma Water & Environmental Services" to define City easement reservation to read as follows:

A strip of land, 20.00 feet in width, lying within the Southwest Quarter of the Northwest Quarter of Section 9, Township 20 North, Range 3 East of the Willamette Meridian, City of Tacoma, County of Pierce, State of Washington, the centerline of which is more specifically described as follows:

Commencing at the intersection of Holgate Street and South 25th Street, as shown on the Plat of Tacoma Land Company's First Addition to Tacoma, W.T., according to the Plat filed for record July 7, 1884, in the Office of the Pierce County Auditor;

Thence North 82°35'31" East, along the centerline of said South 25th Street, 154.32 feet to the centerline of South "C" Street;

Thence South 07°21'08" East, along the centerline of said South "C" Street, 507.74 feet;

Thence South 82°38'52" West 31.87 feet to the Point of Beginning of this described centerline;

Thence South 24°16'54" West 145.60 feet to the Terminus of this described centerline.

TOGETHER WITH a strip of land, 30.00 feet in width, the centerline of which is more specifically described as follows:

Commencing at the intersection of Holgate Street and South 25th Street, as shown on the aforementioned Plat of Tacoma Land Company's First Addition to Tacoma;

Thence North 82°35'31" East, along the centerline of said South 25th Street, 154.32 feet to the centerline of South "C" Street;

Thence South 07°21'08" East, along the centerline of said South "C" Street, 512.23 feet;

Thence South 82°38'52" West 31.59 feet to the Point of Beginning of this described centerline;

Thence South 42°28'26" West 58.03 feet to the Westerly line of that certain area granted to the City of Tacoma and described in Deed filed under Auditor Fee Number 1719783, and the Terminus of this described centerline.

The sidelines of the above described strips of land shall be lengthened or shortened to intersect ion with themselves or the West line of said Deed filed under Auditor Fee Number 1719783.

Above described City reserved Easement for its existing water and storm water infrastructure is depicted, and incorporated herein, as Exhibit "B" to Amendment 2 of the Preliminary Report.

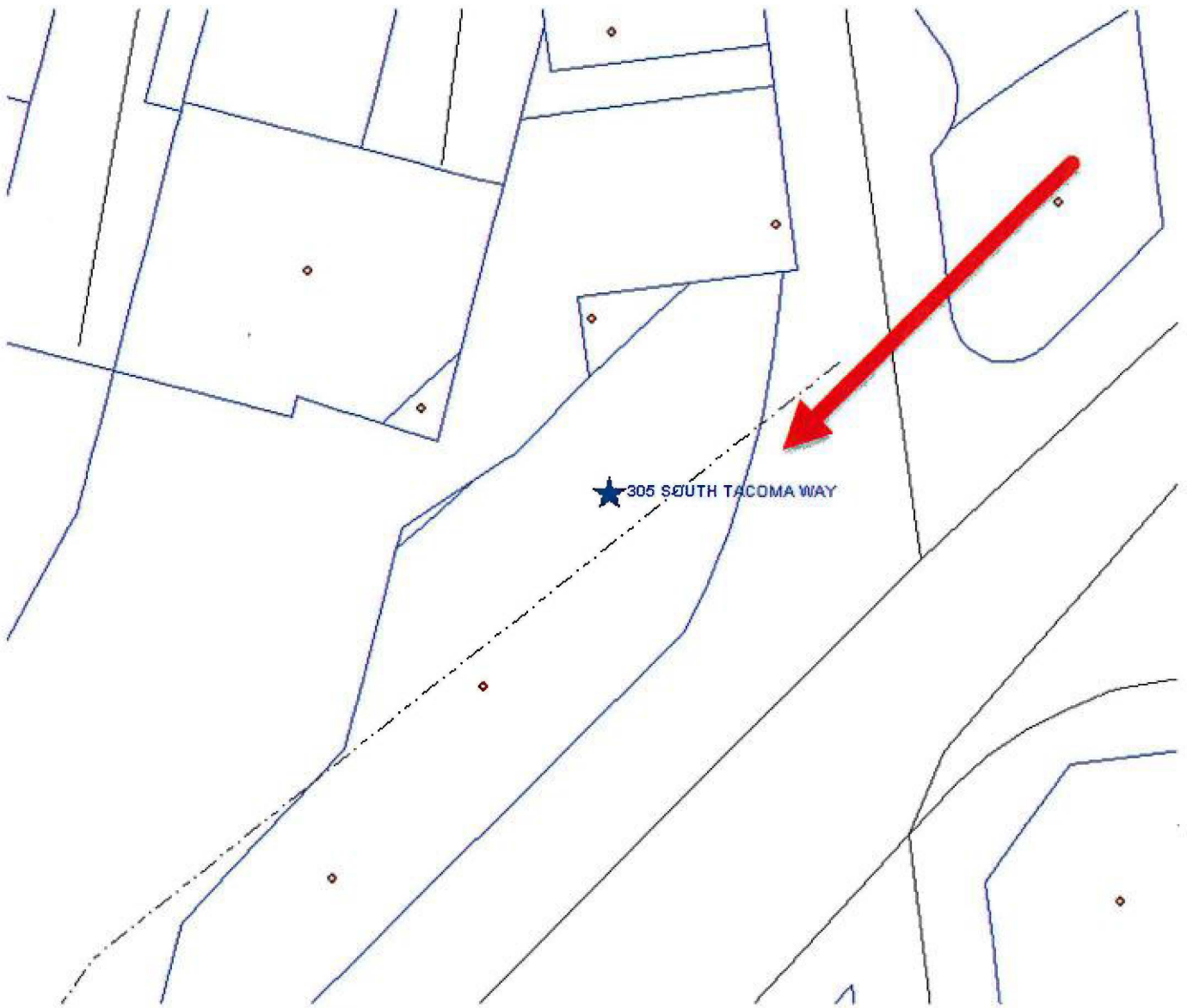
D. AMENDED COMMENTS/DATA/EXHIBITS:

Amendment to Preliminary Report; Recommended Conditions of Approval; Paragraph J; subparagraph 4; "Public Works/Traffic".

Pursuant to this revised legal description Public Works Traffic department no longer has concerns regarding the proximity of the vacation with existing and future sidewalk alignments and will withdrawal their condition to the vacation.

E. DEPARTMENTAL RECOMMENDATIONS ON AMENDMENT TO ORIGINAL REPORT:

Real Property Services requests the Hearing Examiner to accept this Amendment 2 to the Preliminary Report, referenced as Exhibit 1b, revising the description of the vacation area, defining the City easement to be reserved, admit into record the attached Exhibit "B" to this Amendment 2, and remove aforementioned Paragraph J; subparagraph 4 in its entirety.



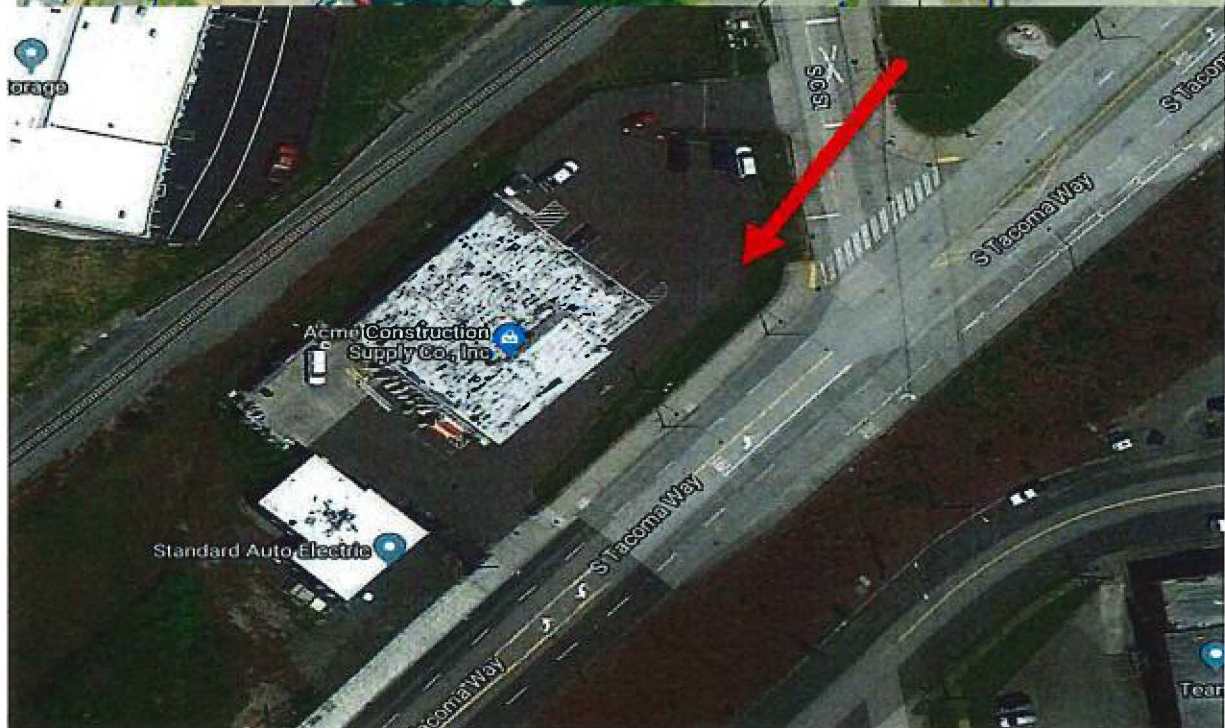
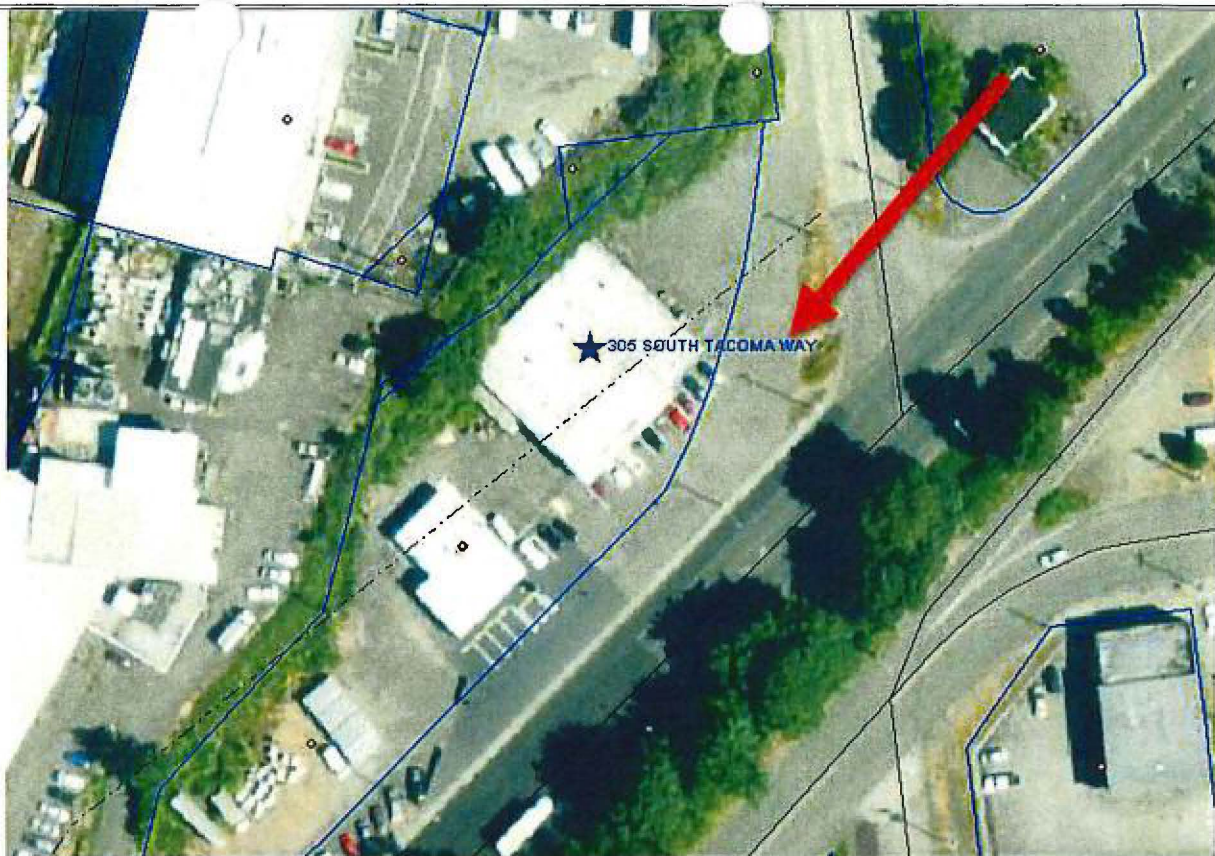
Chainring III, LLC

STREET VACATION NO. 124.1387

South C Street and South Tacoma Way adjacent 305 South Tacoma Way

NW 1/4 SEC. 09, T20N, R03E

NOT TO SCALE



Chainring III, LLC

STREET VACATION NO. 124.1387

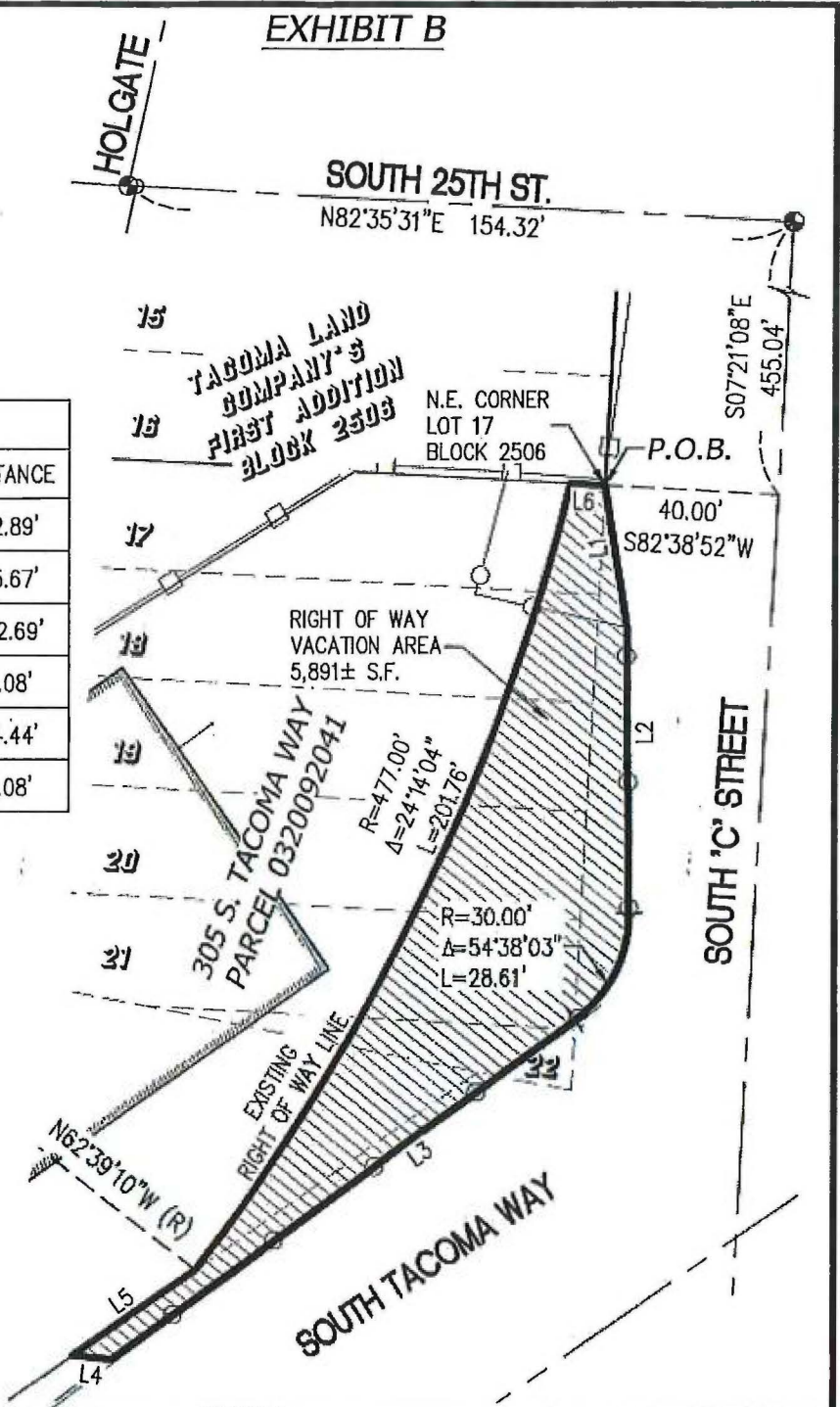
South C Street and South Tacoma Way adjacent 305 South Tacoma Way

NW 1/4 SEC. 09, T20N, R03E

NOT TO SCALE

EXHIBIT B

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S19°19'05"E	32.89'
L2	S10°59'38"E	65.67'
L3	S43°38'25"W	132.69'
L4	S85°40'43"W	9.08'
L5	N44°58'09"E	34.44'
L6	N82°35'31"E	8.08'



SHEET TITLE
**RIGHT OF WAY
 VACATION
 AREA EXHIBIT**

PREPARED BY
**SITTS & HILL
 ENGINEERS, INC.**
 CIVIL ■ STRUCTURAL ■ SURVEYING
 4815 CENTER STREET TACOMA, WA. 98409
 PHONE: (253) 474-9449

SHEET
1 OF 1
 PROJECT NO.
16360

P:\16360\16360\vacation_app\16360 - vacation_app\16360.dwg 10/1/08 10:20am by: shtts/hjt

EXHIBIT "A"

RIGHT OF WAY VACATION AREA DESCRIPTION

A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON STATE, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF HOLGATE STREET AND SOUTH 25TH STREET, AS SHOWN ON THE PLAT OF TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO PLAT FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR;
THENCE NORTH 82°35'31" EAST, ALONG THE CENTERLINE OF SAID SOUTH 25TH STREET, 154.32 FEET TO THE CENTERLINE OF SOUTH "C" STREET;
THENCE SOUTH 07°21'08" EAST, ALONG THE CENTERLINE OF SAID SOUTH "C" STREET, 455.04 FEET TO THE INTERSECTION OF THE NORTH LINE OF LOT 17 IN BLOCK 2506 OF AFOREMENTIONED PLAT OF TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, EXTENDED EASTERLY;
THENCE SOUTH 82°38'52" WEST, ALONG SAID EASTERLY EXTENSION, 40.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 17 AND THE **POINT OF BEGINNING**;
THENCE SOUTH 19°19'05" EAST 32.89 FEET;
THENCE SOUTH 10°59'38" EAST 65.67 FEET TO THE BEGINNING OF A 30.00 FOOT RADIUS CURVE, CONCAVE NORTHWEST;
THENCE, CLOCKWISE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°38'03" A DISTANCE OF 28.61 FEET;
THENCE SOUTH 43°38'25" WEST 132.69 FEET;
THENCE SOUTH 85°40'43" WEST 9.08 FEET TO THE NORTHWESTERLY MARGIN OF SOUTH TACOMA WAY;
THENCE NORTH 44°58'09" EAST, ALONG SAID NORTHWESTERLY MARGIN, 34.44 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, FROM WHICH POINT A RADIAL CENTER BEARS NORTH 62°39'10" WEST 477.00 FEET, SAID POINT ALSO BEING ON THE WESTERLY LINE OF THAT CERTAIN AREA GRANTED TO THE CITY OF TACOMA AND DESCRIBED IN DEED FILED UNDER AUDITORS FEE NUMBER 1719873;
THENCE, COUNTER-CLOCKWISE, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°14'04", A DISTANCE OF 201.76 FEET TO THE NORTH LINE OF SAID LOT 17;
THENCE NORTH 82°35'31" EAST, ALONG SAID NORTH LINE, 8.08 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 5,891 +/- SQUARE FEET



DESIRAE SCHILLING, PLS
REGISTRATION NO. 49289
SITTS & HILL ENGINEERS
4815 CENTER STREET, TACOMA, WA 98409

1719873

VOL 1086 PAGE 601

EXCISE TAX PAID \$ 5.00 Tax
REC. NO. ✓ DATE 4/27/25

L. R. JOHNSON, Pierce Co. Treas.
W. H. B. Burtley Deputy



WARRANTY DEED

1 WHEREAS the City of Tacoma, in co-ordination with the State of
2 Washington, has prepared plans for the future relocation of a part of
3 Wakefield Drive in the City of Tacoma and for relocating the access
4 thereto; and

5 WHEREAS said plans require the acquisition of certain properties
6 hereinafter described, located at the northwest corner of C Street and
7 Wakefield Drive in the City of Tacoma, owned by the grantors; and

8 WHEREAS the grantors and grantee have mutually agreed as to the
9 present and future use of said property;

10 NOW, THEREFORE, the grantors, J. E. MEAKER and BEULAH M. MEAKER,
11 husband and wife, and MARGARET BEULL, for and in consideration of EIGHT
12 THOUSAND (\$8,000.00) DOLLARS in hand paid, and for other consideration
13 hereinafter expressed, hereby convey and warrant to the CITY OF TACOMA, a
14 municipal corporation, the following described real estate, situate in the
15 County of Pierce, State of Washington:

16
17 Begin at the northeast corner of Lot 17 of Block 2506 of the
18 Tacoma Land Company's First Addition to Tacoma, W.T.; thence
19 southerly along the east line of said block to the southeast
20 corner of said block; thence westerly along the south line of
21 said block a distance of 22 feet; thence southwesterly along
22 a line 65 feet distant from and parallel to the existing center
23 line of South Tacoma Way a distance of 80 feet; thence northerly
24 along the arc of a 12° curve to the left a distance of 203.5
25 feet to a point on the north line of Lot 17 of said Block 2506;
26 thence easterly along said north lot line a distance of 8.08
27 feet to the point of beginning. Being part of the southeast
28 quarter of the southwest quarter of the northwest quarter of
29 Section 9, Township 20 North, Range 3 East, W.M., and part of
30 Lots 17 through 22 inclusive of said Block 2506.
(hereinafter designated as Tract 1)

said property being a part of the following described property now owned
by the grantors:

All of Lots 17 to 22, inclusive, in Block 2506, Tacoma Land
Company's First Addition to Tacoma, W.T.
Also that part of Block 2607 and the vacated alley between
Blocks 2506 and 2607 in said addition and of Government Lot 6 in
Section 9, Township 20 North, Range 3 East of the W.M., described
as follows:

F. K. MURRAY
F. K. MURRAY
STATE TRUST BUILDING
TACOMA, WASH.

D-31927

1719873

1 Beginning on the west line of said Block 2506 at a point 6
2 feet south of the northwest corner of Lot 19 in said Block 2506;
3 thence westerly to an intersection with the westerly line of
4 Holgate Street extended at a point 70 feet southerly from the
5 southeast corner of Block 2507 of said addition; thence westerly
6 to an intersection with the easterly boundary line of Hood Street
7 at the southwest corner of a tract conveyed to Tacoma Ice Company, a
8 corporation, by Margarete L. Suiter, individually and as Executrix
9 of the Estate of C. Lloyd Suiter, dec'd., in Deed dated October
10 3, 1950, recorded October 10, 1950 in Book 973 of Deeds at page
11 675, under Auditor's Fee No. 1571563; thence southerly on the east
12 line of Hood Street to a point which is 20 feet northerly from its
13 intersection with the center line of South 27th Street, which
14 point is described in a deed to property conveyed to the Tacoma
15 Light and Water Company and recorded in Book 18 of Deeds at page
16 162; thence south 70°3' east 230 feet, more or less, along the
17 northerly line and the northerly line extended of the foregoing
18 tract conveyed to said Tacoma Light and Water Company to a point
19 65 feet measured at right angles from the center line of State
20 Road Number One (being the present center line of the pavement
21 of said State Road); thence northeasterly parallel with and 65
22 feet distant at right angles from said center line of said State
23 Road to the southerly boundary line of said Block 2506; thence
24 northwesterly on the southerly boundary line of said Block 2506
25 to the southwest corner of said Block 2506; thence northerly
26 along the westerly boundary line of said Block 2506 to the point
27 of beginning.

(hereinafter designated as Tract 2)

15 In addition to Tract 1 hereinabove specifically conveyed to
16 grantee, and as part of the consideration for this conveyance, the
17 grantors as owners of Tract 2, for and on behalf of their heirs, executors,
18 administrators and assigns, as owners of Tract 2, do hereby covenant and
19 agree and by this conveyance do forever waive and release any and all
20 claim, right, cause of action, award of damages, or other remedy in law
21 arising out of any change of grade of not to exceed one foot from exist-
22 ing grade of Wakefield Drive and/or C Street at the access openings here-
23 inafter provided and not to exceed one foot on the access road herein-
24 after provided, and any other restriction of access to either or both of
25 said streets resulting to said Tract 2, other than for such access as
26 provided herein. Upon the acceptance of this conveyance by the grantee,
27 the covenants herein contained shall run with the land herein described,
28 and shall bind both parties hereto, their heirs, executors, administra-
29 tors, successors and assigns.

30 The grantee, by the acceptance of this conveyance, hereby

E. K. MURRAY
E. M. MURRAY
1815 WEST BUILDING
TACOMA, WASH.

covenants and agrees to construct and maintain a service access road not less than sixteen feet wide along Wakefield Drive and C Street adjacent to and for the full length of the aforescribed portions of Tract 2 reserved by the grantors, with one access opening from South C Street near the northeast corner of said Tract 1 and three access openings from Wakefield Drive, one being near the intersection of the westerly line extended of South C Street with the northerly curb line of Wakefield Drive and to be used only for ingress to said Tract 2 by westbound traffic, the second being not less than 300 feet westerly from said intersection at a point to be designated by grantors and to be provided with traffic island or divider and to allow lefthand turn by traffic thereat for access to said Tract 2, and the third to be not less than 100 feet easterly from the second at a point to be designated by grantors and to be used only for ingress to or egress from said Tract 2 by westbound traffic; the exact locations of said access road and its access points shall be later determined by the grantors and grantee consistent herewith; said road and access to be constructed only upon development of said Tract 1 for use with a limited access public highway.

DATED this 16th day of MARCH, 1955.

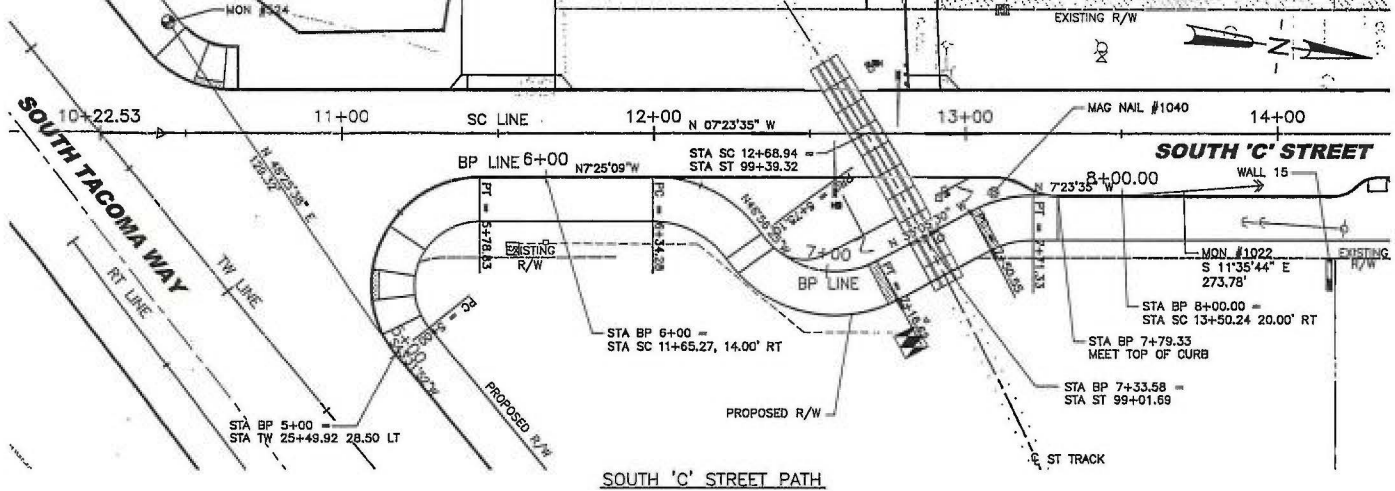
Margaret Skull
Bulah M. Meeker
J. P. Walker

Accepted:
Frank H. Casleton
 City Manager

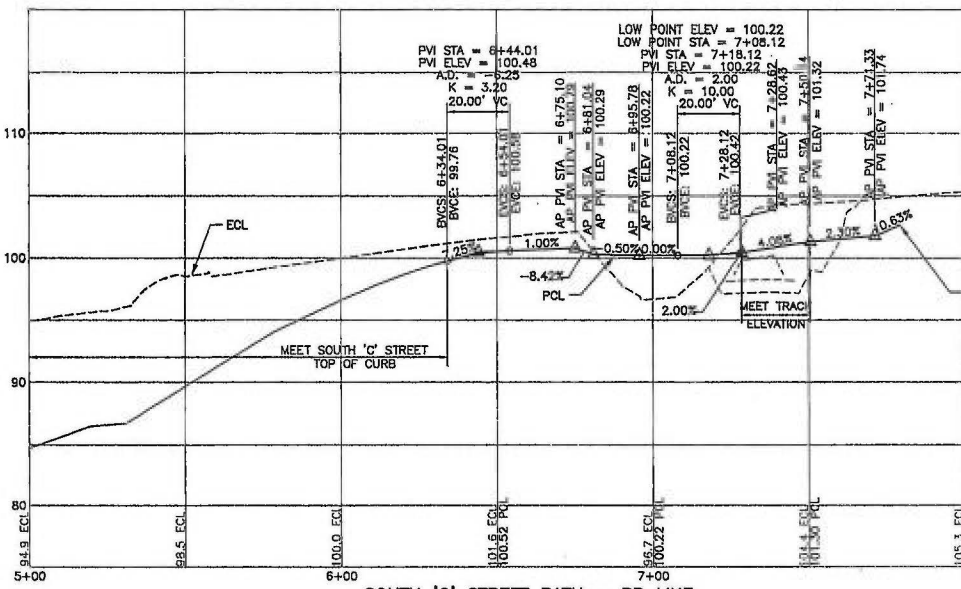
APPROVED: Sam J. Wilson
 City Attorney

Description Approved
 Dept. of Public Works
 by Chas. A. York

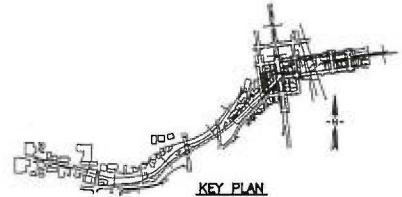
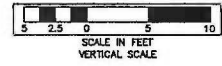
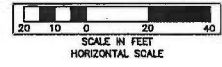
A B C D E F G H



- NOTES:**
1. SEE RIGHT OF WAY PLANS FOR APPROXIMATE LOCATIONS OF CONSTRUCTION EASEMENTS.
 2. CUT & FILL CATCH LINES SHOWN ON GRADING PLANS.
 3. FOR TYPICAL SECTION SEE DRAWING No. RS13.



PI STATION	DELTA	RADIUS	TANGENT	LENGTH
BP 5+39.42	129°03'00"	35.00'	73.46	78.83'
BP 6+56.36	54°21'34"	43.00'	22.08	55.47'
BP 7+00.33	82°01'55"	29.00'	25.22	41.52'
BP 7+61.15	27°41'55"	43.00'	10.60	20.79'



2010 - 11:53am
J:\161316_Draft_SoundTransit\CP0151-09\RP13.dwg

No.	Date	Des.	Chk.	App.	Revisions
0	04/12/10				ISSUED FOR BID - CP 0151-09

PUBLIC WORKS DEPARTMENT

Approved: *[Signature]*

CONSTRUCTION DIVISION

Work Order No.: 60000022166

Date: 4/12/10

Designed By: R.SHELTON
 Drawn By: T.STEWART
 Checked By: K.LOEN
 Approved By: K.LOEN



Scale: (printed 22"x34")
 AS NOTED
 Filename: D2M-RP13.dwg
 Contract No.: CP 0151-09
 Date: April 12, 2010

SOUND TRANSIT D-TO-M STREETS TRACK & SIGNAL PROJECT

SOUTH 'C' STREET PATH ROADWAY PLAN AND PROFILE

Drawing No.: **RP13**
 Sheet No.: **173 of 1516**

Cornforth, Ronda

From: Shaffer, Shelly
Sent: Wednesday, February 14, 2018 12:58 PM
To: Muller, Gregory; Cornforth, Ronda
Cc: Angel, Jesse
Subject: RE: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC

Good afternoon,

Below are Tacoma Water's requirements.

Tacoma Water has an existing 24" water main that is located in the proposed vacation that must remain in service and accessible at all times. Additionally there are water services near the proposed vacated area. These also must remain in service and accessible at all times. Currently, the fence/gate is blocking access to the water services.

A 20-foot water main easement shall be reserved over the entire length of the water main within the proposed street vacation. The petitioners Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. A 20-foot water main easement shall be reserved over the entire length of the service laterals and meters and will also extend 5-feet past the water services.

If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they will be relocated by Tacoma Water at the owners' expense.

No structures, retaining walls, fences, trees, ornate sidewalks, stamped concrete, etc are permitted around water facilities.

Thanks,

Shelly Shaffer
LID Representative
Tacoma Water
(253)502-8740
sshaffer@cityoftacoma.org

From: Muller, Gregory
Sent: Saturday, February 03, 2018 2:48 PM
To: Vaughan, Stuart; Glassy, Thad; Shaffer, Shelly; Quinones, Kimberly; Reed, Daniel
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg; Angel, Jesse
Subject: FW: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC
Importance: High

Hello,

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



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

**FROM: RJ CORNFORTH
PUBLIC WORKS /REAL PROPERTY SERVICES**

SUBJECT: STREET VACATION REQUEST NO. 124.1387

DATE: February 2, 2018

Real Property Services has received a petition from the representative for Chainring III, LLC to vacate the corner of South C Street and South Tacoma Way within existing fencing and currently used as parking for 305 South Tacoma Way.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by February 16, 2018.** 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

 X Comments Attached

2 - 2 - 18

Date

[Handwritten Signature]

Signature

ES - SE

Department

RE: 305 South Tacoma Way

Environmental Services would require a utility easement to be established in order to repair, replace or maintain a 60" surface water trunk line (SAP #6252316) along with several catch basins located within the requested vacation area. Based on the size and depth of the surface water trunk line the utility easement would need to be a minimum of 30 feet.

Cornforth, Ronda

From: Kammerzell, Jennifer
Sent: Monday, February 26, 2018 4:41 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC

Has this already been consolidated for comments? Traffic has concerns about the size of the request and limited area for maintenance of the trail if vacated directly behind the fence.

Jennifer Kammerzell

Senior Engineer
City of Tacoma - Public Works Dept.

voice: 253.591.5511
jkammerell@cityoftacoma.org
www.cityoftacoma.org

From: Cornforth, Ronda
Sent: Friday, February 2, 2018 9:39 AM
To: Barnett, Elliott <elliott.barnett@ci.tacoma.wa.us>; Boudet, Brian <BBOUDET@ci.tacoma.wa.us>; Cantrel, Aaron <Aaron_Cantrel@cable.comcast.com>; Erickson, Ryan <RErickso@ci.tacoma.wa.us>; Greg Hunt <Greg.Hunt@CenturyLink.com>; Johnson, David (PDS) <DJohnson2@ci.tacoma.wa.us>; Kammerzell, Jennifer <jkammerzell@ci.tacoma.wa.us>; Kidd, Brennan <bkidd@ci.tacoma.wa.us>; Larson, Chris <CLARSON@ci.tacoma.wa.us>; Megan Holt <megan.holt@pse.com>; Muller, Gregory <GMuller@ci.tacoma.wa.us>; Rossi, Rod <rrossi@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>; Spencer, William <WSpencer@ci.tacoma.wa.us>; Standley, Steven <sstandley@ci.tacoma.wa.us>; Stringer, Shawn <SStringe@ci.tacoma.wa.us>; Tina Vaslet <tvaslet@piercetransit.org>
Cc: Cornforth, Ronda <rcornforth@cityoftacoma.org>
Subject: RE: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC
Importance: High

Amended Request - corrected Petitioner and Due Dates below.

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1387, as requested by Chainring III, LLC, and provide comments for your respective utility/agency **on or before February 16, 2018**. Responses received later than November 16, 2017 risk **NOT** being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth

City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737

Cornforth, Ronda

From: Holt, Megan <megan.holt@pse.com>
Sent: Thursday, February 08, 2018 2:47 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC

PSE does operate and maintain a 2" MPE IP gas main within the proposed vacate area and will need an easement from the property owner.

Thank you

Megan Holt SR/WA
Sr. Real Estate Representative
Puget Sound Energy, Inc.
253-476-6417 (O) | 253-495-1427 (C)

From: Cornforth, Ronda [mailto:rcornforth@cityoftacoma.org]
Sent: Friday, February 02, 2018 9:39 AM
To: Barnett, Elliott; Boudet, Brian; Cantrel, Aaron; Erickson, Ryan; Greg Hunt ; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Holt, Megan; Muller, Gregory; Rossi, Rod; Seaman, Chris; Simpson, Sue; Site Development; Spencer, William; Standley, Steven; Stringer, Shawn; Tina Vaslet
Cc: Cornforth, Ronda
Subject: RE: Street Vacation 124.1387 - Comments DUE February 16, 2018 - Chainring III, LLC
Importance: High

Amended Request - corrected Petitioner and Due Dates below.

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1387, as requested by Chainring III, LLC, and provide comments for your respective utility/agency **on or before February 16, 2018**. Responses received later than November 16, 2017 risk **NOT** being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941

Cornforth, Ronda

From: Cornforth, Ronda
Sent: Wednesday, February 14, 2018 8:08 AM
To: 'Brent, Kerry'
Subject: RE: Street Vacation Request No. 124.1387

Received – thank you.

The customer will contact you to work out any easements or relocations. I've tentatively scheduled the public hearing for May 3rd.

From: Brent, Kerry [mailto:Kerry.Brent@centurylink.com]
Sent: Wednesday, February 07, 2018 10:16 AM
To: Cornforth, Ronda <rcornforth@cityoftacoma.org>
Subject: Street Vacation Request No. 124.1387

Hello Ronda,

CenturyLink does have facilities in the area of the proposed vacation. We would either need an easement retained for the existing facilities, or we would have to come to an agreement with the landowner for relocation placement and cost.

Can you please reply to my email to let me know you have received our comments on this vacation request, and please let me know if you need anything else from me at this time?

Thank you,
Kerry

Kerry Brent

Title Agent | SelectROW Team

Network Real Estate | CenturyLink

208.550.0264 | Kerry.Brent@centurylink.com

Direct Report: Kristi.Michael@CenturyLink.com

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.

Cornforth, Ronda

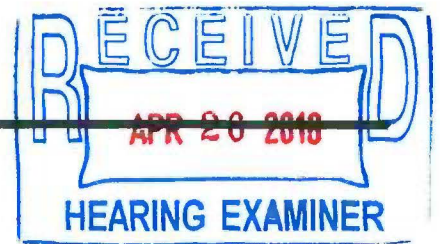
From: Cornforth, Ronda
Sent: Tuesday, February 13, 2018 3:22 PM
To: 'Cantrel, Aaron R'
Subject: RE: Street Vacation 124.1387

Sure, that'll work. Thanks for catching it BEFORE end of comment period.

From: Cantrel, Aaron R [mailto:Aaron_Cantrel@comcast.com]
Sent: Friday, February 09, 2018 7:37 AM
To: Cornforth, Ronda <rcornforth@cityoftacoma.org>
Subject: Street Vacation 124.1387

Rhonda I sent you Comcast's comments for the above mentioned Street Vacation. I just ran across a new-build job that wasn't posted to our maps yet and it does place our new facilities within the Vacation Area. Is it as simple as sending a new response since the comment period ends on 2/16?

Cornforth, Ronda



From: Mike Wells <mike@stratusdevelopers.com>
Sent: Thursday, April 26, 2018 8:38 AM
To: Cornforth, Ronda
Cc: Desi Schilling; aaron_cantrel@comcast.com
Subject: Comcast
Attachments: 305 S Tacoma Way Access Agreement.pdf; ATT00001.htm

Hello Ronda,

See the correspondence below from Aaron at Comcast. It seems an access agreement is already in place that appears to be satisfactory to Comcast. That work from your standpoint?

Thanks,

Mike Wells | (503)720-0036 | mike@stratusdevelopers.com | Stratus Real Estate Developers, LLC | CCB #205380

Begin forwarded message:

From: "Cantrel, Aaron R" <Aaron_Cantrel@comcast.com>
Subject: RE: Street vacation 124.1387
Date: April 26, 2018 at 8:16:49 AM PDT
To: Mike Wells <mike@stratusdevelopers.com>

I'm not sure now if we need an actual easement. We definitely performed construction within the Vacation area but we did have an Access agreement with the property owner. Does eliminate a need for a formal easement?

From: Mike Wells <mike@stratusdevelopers.com>
Sent: Wednesday, April 25, 2018 8:58 AM
To: Cantrel, Aaron R <Aaron_Cantrel@comcast.com>
Cc: Desi Schilling <desis@sittshill.com>
Subject: Street vacation 124.1387

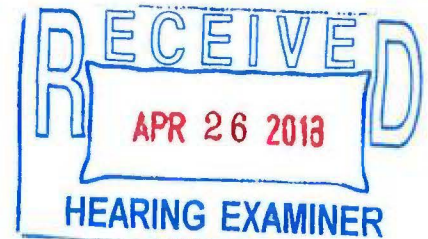
Good morning Aaron,

I'm reaching out in followup to your attached email to Ronda Cornforth at City of Tacoma regarding a street vacation. How should we get the process started to create the easement? Thanks in advance for coaching me through your system.

Kind regards,



Comcast Cable Communications Management, LLC
15825 25th AVE W
LYNNWOOD, WA
98087



Attention: Business Services Vice President
Date: 6/7/2017

RE: Access to Property
Property Address: 305 S TACOMA WAY
TACOMA, WA
98402

Dear Comcast:

CHAINRING III LLC, (the "Owner"), being the owner of the premises described above (the "Property"), hereby consents to the installation, operation, and maintenance by Comcast Cable Communications Management, LLC, on behalf of its affiliates (together, "Comcast"), at Comcast's sole cost and expense, of Comcast's cable and other equipment into, over, under, across, and along the Property, to be used by Comcast to provide communications services to tenants and other occupants of the Property.

Comcast will contact the Owner, or Owner's representative, before work begins. This information will not be used for any other purpose.

Contact name & phone number: Dana Soward / 503.444.5221
(Type)

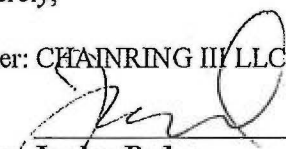
Contact email address: danas@acmetool.com
(Type)

Comcast shall repair any damage to the Property caused by the installation, operation, or maintenance of Comcast's equipment on the Property.

Owner's consent will continue for so long as Comcast provides communications services to tenants or other occupants of the Property. The Access to Property shall bind and benefit the parties and their respective successors and assigns.

Sincerely,

Owner: CHAINRING III LLC

By: 
Name: Jordan Bader
Title: Manager

Accepted and Agreed to by:
Comcast Cable Communications Management, LLC

By: _____
Name: MATT FASSNACHT
Title: Vice President of Business Services
Date: _____