

4910 PINE STREET, LLC

STREET VACATION NO. 124.1339

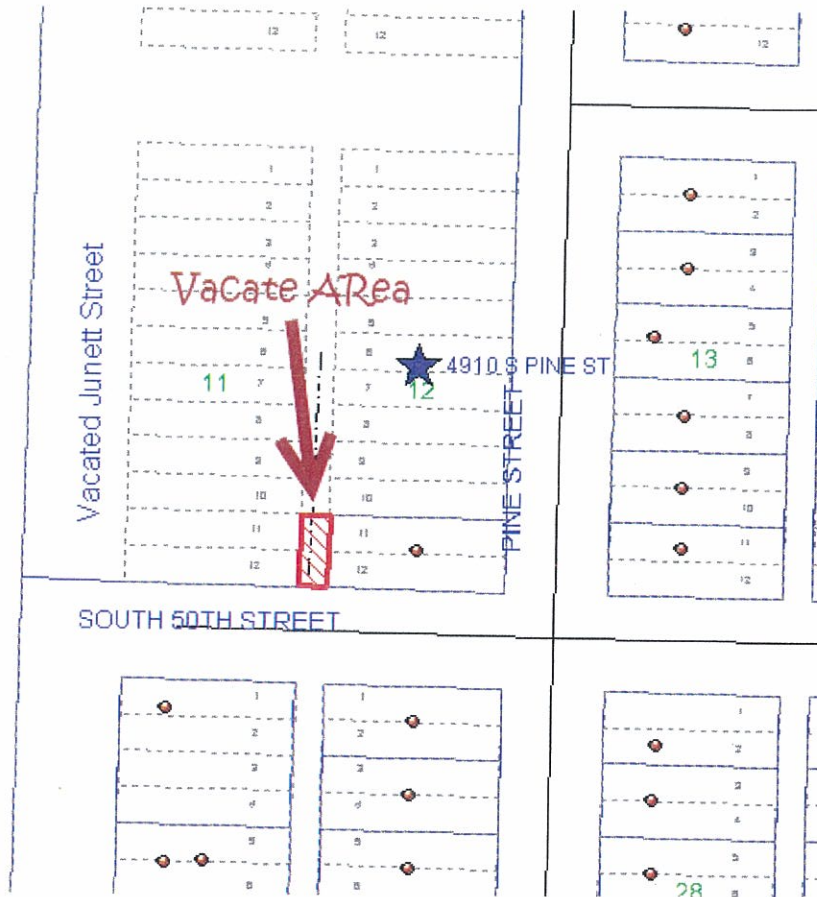
TO VACATE THE ALLEY REMAINDER BETWEEN PINE ST. & VAC. S. JUNETT ST., NLY OF S. 50TH ST

NW1/4 SEC. 19, T20N, R3E

NOT TO SCALE

ORIGINAL

EXHIBIT 1



4910 PINE STREET, LLC

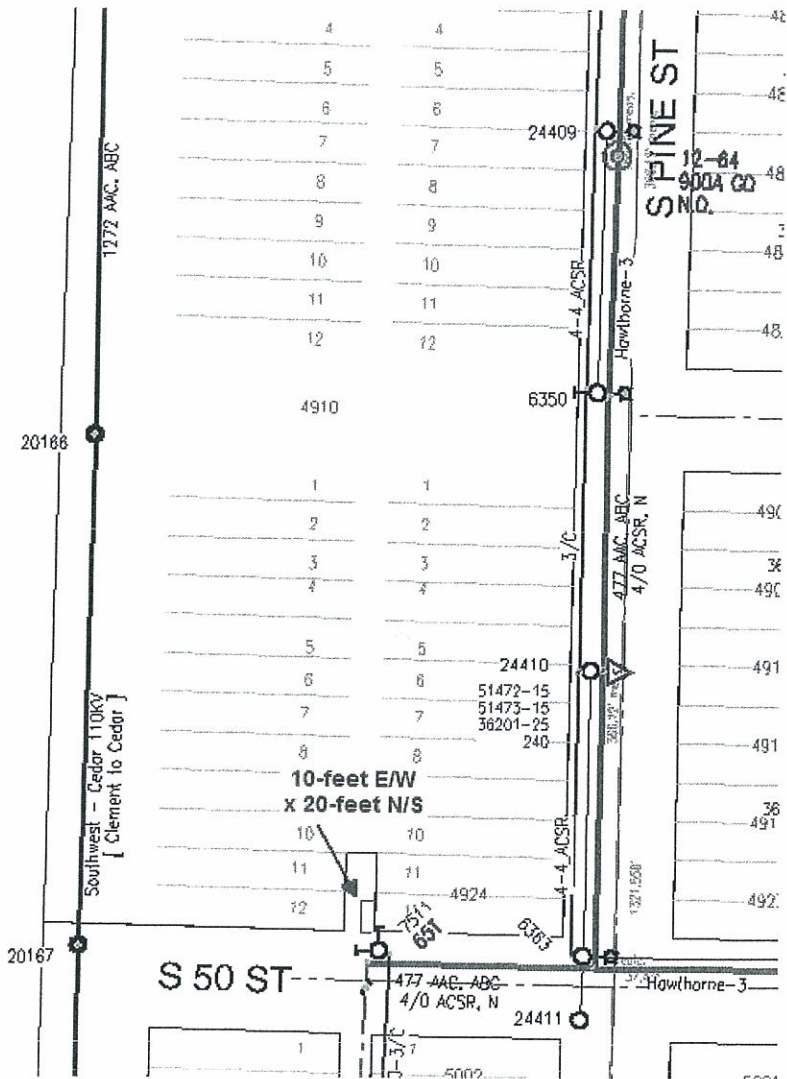
STREET VACATION NO. 124.1339

TO VACATE THE ALLEY REMAINDER BETWEEN PINE ST. & VAC. S. JUNETT ST., NLY OF S. 50TH ST.

NW1/4 SEC. 19, T20N, R3E

NOT TO SCALE

From: Van Allen, Rick
Sent: Tuesday, March 11, 2014 9:28 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments



Beginning at the south line (S 50th St R/W line) 10-foot east then 20-foot north.

Thanks, Rick

Rick Van Allen | Tacoma Power
T&D Electrical Services - New Services Engineering
P: (253) 502-8076 | F: (253) 502-8659
<http://www.mytpu.org/tacomapower/permitting>

From: Stevens, Troy
Sent: Tuesday, March 11, 2014 9:17 AM
To: Van Allen, Rick
Subject: RE: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Rick,

Just so I'm clear, the easement needs to be over the north 20 feet of the vacation area, but just east 10 feet?

Thanks,

Troy

From: Van Allen, Rick
Sent: Thursday, February 13, 2014 9:15 AM
To: Stevens, Troy
Cc: Bishop, Dori; Carper, Robert
Subject: RE: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Sorry should read 20-feet north by 10-feet east. Thanks.

Rick Van Allen | Tacoma Power
T&D Electrical Services - New Services Engineering
P: (253) 502-8076 | F: (253) 502-8659
<http://www.mytpu.org/tacomapower/permitting>

From: Van Allen, Rick
Sent: Thursday, February 13, 2014 9:11 AM
To: Stevens, Troy
Cc: Bishop, Dori; Carper, Robert
Subject: FW: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments



Hi Troy,

We need to maintain a 10-foot north x 20-foot east easement along the east side of the proposed vacation area for an existing down guy and anchor. Since this is a future apartment plat and the anchor will be removed when the plat is constructed it may be better if we created our own separate easement for this. Can you discuss with Dori and/or Robert to decide the best approach here?

Thanks, Rick
Rick Van Allen | Tacoma Power
T&D Electrical Services - New Services Engineering
P: (253) 502-8076 | F: (253) 502-8659
<http://www.mytpu.org/tacomapower/permitting>

From: Rusler, Jeffrey
Sent: Monday, February 10, 2014 5:20 PM
To: Van Allen, Rick
Subject: FW: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Rick,

This one is in your area  I don't think you were on the send list. 

Jeff Rusler | Tacoma Power

Engineer

T&D Electrical Services - New Services Engineering

P: (253) 502-8309 | F: (253) 502-8659

<http://www.mytpu.org/tacomapower/permitting/>

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]

Sent: Thursday, February 06, 2014 4:22 PM

To: Adams, Monica (Pierce Transit); Angel, Jesse; Barnes, Maureen; Bateman, Joy; Bishop, Dori; Boudet, Brian; Cantrel, Aaron; Chris Mantle; Coffman, James; Coyne, Richard; Danby, Marilyn; Dykas, Veronica; Erickson, Ryan; Ferrell, Phil; Fletcher, Gloria; Harrison, Dylan; Howatson, James; Jeff Lawrey; Jeff Rusler; Kammerzell, Jennifer; Kingsolver, Kurtis; Larson, Tracy; Luchini, Melissa; Martinson, John; Reynolds, Tanara ; Simpson, Sue; Smith, Anne; Trohimovich, Merita

Subject: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Hi everyone,

Please see the attached Request for Agency Comments for Street Vacation 124.1339 (4910 Pine Street, LLC).

Thank you,

Troy Stevens

City of Tacoma, Public Works

Sr. Real Estate Specialist

(253) 591-5535

tstevens@ci.tacoma.wa.us

Stevens, Troy

From: Simpson, Sue
Sent: Friday, February 07, 2014 1:31 PM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments
Attachments: 124.1339 4910 Pine St .docm

Please find attached the collection in lieu of assessment for vac 124.1339.

Sue Simpson

Real Estate Specialist
253-591-5529
ssimpson@cityoftacoma.org

From: Stevens, Troy
Sent: Thursday, February 06, 2014 4:22 PM
To: Adams, Monica (Pierce Transit); Angel, Jesse; Barnes, Maureen; Bateman, Joy; Bishop, Dori; Boudet, Brian; Cantrel, Aaron; Chris Mantle; Coffman, James; Coyne, Richard; Danby, Marilyn; Dykas, Veronica; Erickson, Ryan; Ferrell, Phil; Fletcher, Gloria; Harrison, Dylan; Howatson, James; Jeff Lawrey; Jeff Rusler; Kammerzell, Jennifer; Kingsolver, Kurtis; Larson, Tracy; Luchini, Melissa; Martinson, John; Reynolds, Tanara ; Simpson, Sue; Smith, Anne; Trohimovich, Merita
Subject: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Hi everyone,

Please see the attached Request for Agency Comments for Street Vacation 124.1339 (4910 Pine Street, LLC).

Thank you,

Troy Stevens

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

1
ORIGINAL

EXHIBIT 4



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

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

SUBJECT: STREET VACATION REQUEST NO. 124.1339

DATE: February 6, 2014

Real Property Services has received a petition to vacate the remainder of the alley between Pine Street and South Junett north of South 50th Street, as shown on the attached vicinity map.

The Petitioner proposes to add the lands to be vacated to the adjoining property for the purpose of constructing a new apartment development.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, February 27, 2014**. 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

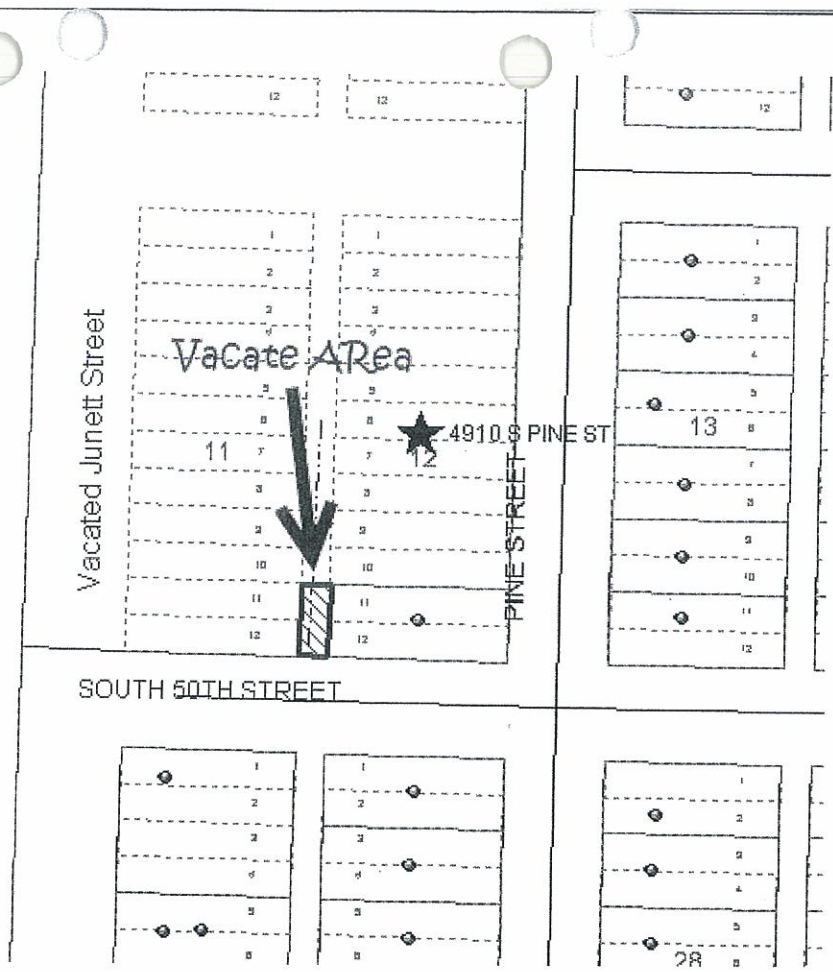
_____ Comments Attached

_____ 2/7/2014 _____ Date

_____ Sue Simpson _____ Signature

_____ PW/LID _____ Department

In Lieu of Assessment for sanitary sewer
\$1,290.09



4910 PINE STREET, LLC

STREET VACATION NO. 124.1339

TO VACATE THE ALLEY REMAINDER BETWEEN PINE ST. & VAC. S. JUNETT ST., NLY OF S.

NW1/4 SEC. 19, T20N, R3E

NOT TO SCALE

Stevens, Troy

From: Ferguson, Leslie R <Leslie.Watson@CenturyLink.com>
Sent: Monday, February 10, 2014 9:07 AM
To: Stevens, Troy
Subject: RE: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Troy:

It looks like we have an aerial cable that crosses S 50th St into the area that is going to be vacated. In order to approve the vacation, we would need an easement from the new property owner for our cable and aerial terminal, or they would need to pay us for our relocation costs.

Thanks,

Leslie Ferguson

Centurylink Engineer
2510 84th St S. Suite 18
Lakewood, WA. 98499
Office: 253-597-4033
Cell: 253-921-5443
leslie.watson@centurylink.com

From: Bateman, Joy
Sent: Monday, February 10, 2014 8:29 AM
To: Ferguson, Leslie R
Subject: FW: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Good Morning- looks like this is in Greenfield.

Joy

From: Stevens, Troy [<mailto:tstevens@ci.tacoma.wa.us>]
Sent: Thursday, February 06, 2014 4:22 PM
To: Adams, Monica (Pierce Transit); Angel, Jesse; Barnes, Maureen; Bateman, Joy; Bishop, Dori; Boudet, Brian; Cantrel, Aaron; Chris Mantle; Coffman, James; Coyne, Richard; Danby, Marilyn; Dykas, Veronica; Erickson, Ryan; Ferrell, Phil; Fletcher, Gloria; Harrison, Dylan; Howatson, James; Lawrey, Jeff J; Jeff Rusler; Kammerzell, Jennifer; Kingsolver, Kurtis; Larson, Tracy; Luchini, Melissa; Martinson, John; Reynolds, Tanara; Simpson, Sue; Smith, Anne; Trohimovich, Merita
Subject: Street Vacation 124.1339 - 4910 Pine Street, LLC - Request for Agency Comments

Hi everyone,

Please see the attached Request for Agency Comments for Street Vacation 124.1339 (4910 Pine Street, LLC).

Thank you,

Troy Stevens

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

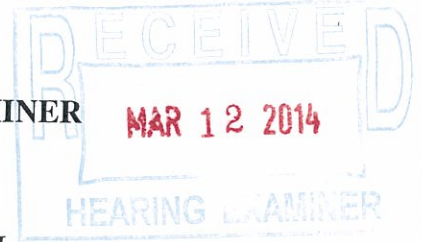
ORIGINAL

EXHIBIT 5

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER
BY REAL PROPERTY SERVICES

For the Hearing to be Held
Thursday, March 20, 2014 at 9:00 AM



PETITIONER: 4910 PINE STREET, LLC

FILE NO. 124.1339

A. SUMMARY OF REQUEST:

Real Property Services has received a petition to vacate the remainder of the alley between Pine Street and South Junett Street north of South 50th Street for a low density multi-family housing development. The area is shown on the attached map Exhibit A.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

That portion of the alley between Blocks 11 and 12, South Park Addition to Tacoma, W.T., according to the Plat thereof recorded in Volume 3 of Plats, Page 64, records of Pierce County, Washington, lying south of that portion of said alley vacated by City of Tacoma Ordinance 12726, recorded under Auditor's File Number 1383345, and North of the North margin of South 50th Street.

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

EX. 6

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. PURPOSE OF REQUEST:

The Petitioner plans on acquiring the vacated area for the development of a low density multi-family housing development.

D. HISTORY:

The southerly 100 feet of the alley between Pine Street and vacated South Junett Street was dedicated in South Park Addition to Tacoma, W.T., according to the Plat thereof recorded in Volume 3 of Plats, Page 64, records of Pierce County, Washington. It lies south of that portion of the alley vacated in 1945 by City of Tacoma Ordinance 12726, recorded under Auditor's File Number 1383345.

E. PHYSICAL LAND CHARACTERISTICS:

The 20 foot wide alley segment is level and consistent with the unimproved adjacent property.

F. 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

G. 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.

Aerial Maps (2) – Exhibit 1
Plat Maps and Vacation Ordinance – Exhibit 2
Tacoma Power – Exhibit 3
Public Works/LID – Exhibit 4
Century Link Communications – Exhibit 5

Puget Sound Energy – No Objection
PW/Traffic Engineering – No Objection
Environmental Services/Solid Waste – No Objection
ESSE Stormwater/Wastewater – No Objection
Tacoma Water – No Objection
Click! Communications – No Objection
Tacoma Fire – No Objection
Comcast Communications – No Objection
Pierce Transit – No Objection

I. 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. TACOMA POWER

- a. Please contact Rick Van Allen at (253) 502-8076 regarding Tacoma Power's comments.
- b. Tacoma Power has no objection; however, a public easement must be reserved over a 10' wide X 20' long area at the southeast corner of the vacated area for an existing down guy and anchor.

3. PUBLIC WORKS/LID

- a. Please contact Sue Simpson at (253) 591-5529 regarding LID's comments.
- b. LID has no objection; however, the collection in-lieu of assessment for sanitary sewer will be \$1,290.09.

Please note 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, the in-lieu amount will be reviewed and may be recalculated.

4. CENTURY LINK

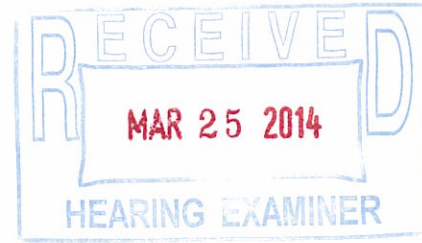
- a. Please contact Leslie Ferguson at (253) 597-4033 regarding CenturyLink's comments.
- b. CenturyLink has no objection; however, they have an aerial cable that crosses South 50th into the area that is going to be vacated; in order to approve the vacation, they will need an easement from the petitioner for their cable and aerial terminal, or the petitioner will need to pay CenturyLink's relocation costs.

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.

MEMORANDUM

DATE: March 24, 2014
TO: Hearing Examiner
FROM: Troy Stevens, Sr. Real Estate Specialist *tax*
SUBJECT: Street Vacation No. 124.1339 – Updated History Section



The History section of the Preliminary Report for Street Vacation 124.1339 (4910 Pine Street, LLC) has an error. The north/south distance of the alley is not 100 feet, but rather 50 feet.

The total lot dimension (north/south) listed on the Plat of South Park Addition for Lots 11 and 12, Block 12, is 50 feet. Each lot is 25 feet.

The "History" paragraph should have read:

The southerly 50 feet of the alley between Pine Street and vacated South Junett Street was dedicated in South Park Addition to Tacoma, W.T., according to the Plat thereof recorded in Volume 3 of Plats, Page 64, records of Pierce County, Washington. It lies south of that portion of the alley vacated in 1945 by City of Tacoma Ordinance 12726, recorded under Auditor's File Number 1383345.

ORIGINAL

EX. 7