



RESOLUTION NO. 38796

1 A RESOLUTION relating to the purchase of real property; authorizing the
2 acceptance of a quit claim deed from Pierce County for the conveyance
3 of a Pierce County Tax Title parcel located in the Heron Ridge Estates
4 Phase 1 plat north of Marine View Drive in Northeast Tacoma, for a
purchase price of \$1,300 plus recording fees, budgeted from the Surface
Water Fund, to maintain an existing stormwater facility.

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6 WHEREAS the subject property includes three tracts of land, Tract A, B
7 and C (hereinafter collectively the "Tracts"), and while Tracts A and C are
8 currently undeveloped, Tract B contains an underground stormwater detention
9 facility that takes runoff from the public roads and private property of Heron
10 Ridge Estates, and

11 WHEREAS the stormwater improvements were designed as part of the
12 plat of Heron Ridge Estates, recorded May 3, 1995, and dedicated to the
13 homeowner's association, which association is no longer functioning, and

14 WHEREAS proper functioning of the detention facility is important to
15 ensure that no downstream impacts occur, and it appears, at present, that the
16 private stormwater system has not been maintained based on field
17 investigations, and

18 WHEREAS the Tracts have been foreclosed on and are now noted as
19 Pierce County tax title and the City does not have an easement for access onto
20 the Tracts and cannot perform necessary maintenance to the private
21 stormwater facility, and

22 WHEREAS the stormwater facilities are of a type that should be
23 inspected and maintained at least annually if not more often and include an
24 underground detention facility, flow splitter, and associated piping, and
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WHEREAS the City's Environmental Compliance Group has been in contact with the property owners in Heron Ridge Estates to attempt to facilitate inspection and maintenance of the facility; however, maintenance has not been accomplished to this point, and

WHEREAS it is imperative that Environmental Services has full access to the Tracts in order to perform needed maintenance on the detention facility because without City involvement it is uncertain whether needed maintenance will be performed, and the detention facility serves public roads, and

WHEREAS Environmental Services will assume ownership and maintenance obligations of the private system contained within Tract B, which is a paved parking area that is utilized by residents of Heron Ridge Estates as overflow parking, as well as storage of boats and recreational vehicles, and

WHEREAS once the Tracts are acquired by the City, the area will be gated and private use will not be permitted in order to ensure that the City can obtain access to the facilities as needed, and

WHEREAS, a title search has been completed and reviewed for the Tracts, and the search indicates that the Tracts do not contain any encumbrances that would negatively affect the City, and the acquisition of the Tracts will allow Environmental Services to own and maintain access for inspection and maintenance of the stormwater facility, and

WHEREAS Environmental Services now seeks final approval from the City Council for the acquisition of the Tracts by quit claim deed; Now, Therefore,



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

That the proper officers of the City are hereby authorized to accept conveyance of a Pierce County Tax Title parcel located in the Heron Ridge Estates Phase 1 plat north of Marine View Drive in Northeast Tacoma, by quit claim deed for a purchase price of \$1,300 plus recording fees, budgeted from the Surface Water Fund, to maintain the existing stormwater facility.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney