



RESOLUTION NO. 41122

1 A RESOLUTION relating to the Tacoma Rail Mountain Division; authorizing the
2 execution of a non-exclusive, perpetual easement within a portion of
3 Tacoma Rail Mountain Division right-of-way to Pierce County for a
4 grade-separated (below-grade) public road crossing in the Frederickson
5 vicinity of unincorporated Pierce County, Washington, as required for the
6 Frederickson 310 Project; and accepting the amount of \$310,000 for
7 deposit into the Tacoma Rail Mountain Division Fund.

8 WHEREAS CH REALTY IX-JV I TACOMA FRED310 LP (“Developer”) is
9 undertaking the FRED310 192nd Street East/70th Street East Roadway
10 Improvements as part of its industrial development, and

11 WHEREAS, in order to connect said roadway improvements, the
12 Developer has requested to build a new railroad bridge and grade-separated
13 (below-grade) public road crossing within the Tacoma Rail Mountain Division
14 right-of-way in the Frederickson vicinity of unincorporated Pierce County, as more
15 particularly described in the easement to be substantially in the form of the
16 document on file in the office of the City Clerk, and

17 WHEREAS an easement is necessary to allow the proposed construction,
18 and

19 WHEREAS the Developer will convey the grade-separated (below-grade)
20 public road crossing to Pierce County and will pay the estimated fair market value
21 for the easement to the City, in the amount of \$310,000, and

22 WHEREAS the Tacoma Rail Mountain Division is in full support of granting
23 this easement to Pierce County and believes it to be in the best interests of the
24 City, and
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WHEREAS Real Property Services has worked with Legal, Public Works, Tacoma Rail, Pierce County, and the Developer to prepare the proposed easement and is recommending approval from the City Council; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute a non-exclusive, perpetual easement within a portion of Tacoma Rail Mountain Division right-of-way to Pierce County for a grade-separated (below-grade) public road crossing in the Frederickson vicinity of unincorporated Pierce County, Washington, as required for the Frederickson 310 Project, said easement to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That the proper officers are hereby authorized to accept the amount of \$310,000, for deposit into the Tacoma Rail Mountain Division Fund, in consideration of the easement described in Section 1 above.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney