



ORDINANCE NO. 28693

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 dead-end portion of South 74th Street, lying between the westerly
5 boundary of South Hosmer Street and the easterly boundary line of
6 the South 72nd Street Interchange to Interstate Highway 5, to be
7 incorporated into the abutting parcels for enhanced access with
8 greater control, and possible future business expansion; and
9 adopting the Hearing Examiner's Findings, Conclusions, and
10 Recommendations related thereto.

11 WHEREAS all steps and proceedings required by law and by
12 resolution of the City Council to vacate the portion of the right-of-way
13 hereinafter described have been duly taken and performed; Now, Therefore,

14 BE IT ORDAINED BY THE CITY OF TACOMA:

15 Section 1. That the City Council hereby adopts the Hearing Examiner's
16 Findings, Conclusions, and Recommendations as contained in the Hearing
17 Examiner's Report and Recommendation to the City Council bearing File
18 No. 124.1414 and dated September 16, 2020, which Report is on file in the
19 office of the City Clerk.



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Section 2. That the dead-end portion of South 74th Street, lying between the westerly boundary of South Hosmer Street and the easterly boundary line of the South 72nd Street Interchange to Interstate Highway 5, legally described as follows:

A portion of the Northwest Quarter of the Southwest Quarter of Section 29, Township 20 North, Range 3 East of the W.M., more particularly described as follows:

That portion of South 74th Street as conveyed to the City of Tacoma by Deed recorded November 29, 1962, under Auditor's Fee No. 1989469, records of Pierce County, commencing at the intersection of the easterly line of the South 72nd Street Interchange as described in Fee No. 1690005, records of Pierce County Auditor, with the south line of Tract 17, Map of Wapato Lake Views, according to Plat recorded in Book 2 of Plats at Page 129, records of Pierce County Auditor;

Thence southwesterly along said easterly line to an intersection with the north line of South 74th Street as described in said Deed No. 1989469, being 240 feet south and parallel with said south line of Tract 17, said intersection being the True Point of Beginning;

Thence east along said north line a distance of 241 feet more or less to an intersection with the line described in Pierce County Superior Court Cause No. 301351, recorded under recording number 8103180217, records of Pierce County Auditor, specifically, at Highway's Engineer Station (hereinafter referred to as HES) SH 4+81.78 on the SH Line Survey of SR5 and 42 feet distant northwesterly, when measured radially from said SH Line as depicted in drawings entitled SR-5 Tacoma Freeway: South City Limits to Pacific Avenue Right-of-Way, dated January 22, 1957, revised September 20, 1985, on file in the office of the Director of Transportation, Olympia, Washington;



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Thence southwesterly along a non-tangent curve to the right having a radius of 418.00 feet, being parallel with and 42 feet northwesterly of said SH Line, through a central angle of 08°48'02" an arc distance of 64.20 feet to intersect the south line of South 74th Street per said Deed No. 1989469, at HES SH 5+52.49 per said SR-5 Tacoma Freeway drawings;

Thence west along said south line of South 74th Street a distance of 236 feet more or less to the easterly line of said South 72nd Street Interchange as described in Fee No. 1690005;

Thence northeasterly along said easterly line a distance of 62.5 feet more or less to the Point of Beginning;

All situate in the City of Tacoma, County of Pierce, State of Washington;

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:



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EASEMENTS

TACOMA PUBLIC UTILITIES

Tacoma Public Utilities has no objection to the vacation, but requires the following easement rights:

Tacoma Power: Requests an easement over the east 15' of the Vacation Area for existing power facilities.

Tacoma Water: Requests an easement over the east 100' of the Vacation Area for existing water facilities, including, without limitation, an existing hydrant.

TACOMA FIRE

Tacoma Fire has requested that the easement to be retained by the City provide for emergency vehicle access across the entire Vacation Area, as well as expressly providing access to the existing fire hydrant.



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TACOMA SOLID WASTE

Tacoma Solid Waste has requested that easement rights be reserved for access across the Vacation Area to provide pick up services to the adjacent parcels.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A dead-end portion of South 74th Street, lying between the westerly boundary of South Hosmer Street and the easterly boundary line of the South 72nd Street Interchange to Interstate Highway 5.

Petitioner: Dean Paulson, LLC
Vacation Req. No. 124.1414