

RECEIVED

NOVEMBER 19, 2020

HEARING EXAMINER

PETITIONER WITNESS LIST

HEARING DATE: Thursday, December 3, 2020, at 1:30 p.m.

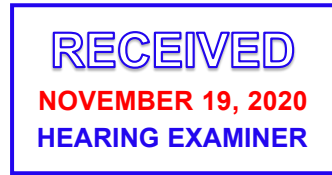
FILE NUMBER: HEX2020-034 (SV 124.1421)

FILE NAME: NIELSEN PACIFIC, LTD., *Petitioner*

WITNESS NAME	E	F	SUMMARY OF TESTIMONY
Kathy Hargrave, Sitts & Hill Engineers, Inc., Nielsen Pacific, LTD. - Petitioners Representative		X	Presentation of petitioners proposed request for vacation, summarize the proposal, address and demonstrate compliance with TMC9.22.070 from the clients perspective and answer any questions that are posed
Alden Robinson, R & R Commercial Properties, LLC.			Adjoining property owner.
Eric Cederstrand, TLF East L Street LLC.			Adjoining property owner.
Brad Nakamura, TLF Est L Street LLC.			Adjoining property owner.

E=EXPERT WITNESS; F=FACT WITNESS

CITY WITNESS LIST



HEARING DATE: Thursday, December 3, 2020, at 1:30 p.m.

FILE NUMBER: HEX2020-034 (SV 124.1421)

FILE NAME: NIELSEN PACIFIC, LTD., *Petitioner*

WITNESS NAME	E	F	SUMMARY OF TESTIMONY
Jennifer Kammerzell		X	Access requirements.
Teresa Dressler		X	Sanitary Sewer Easement requirements.

E=EXPERT WITNESS; F=FACT WITNESS

EXHIBIT LIST

HEARING DATE: Thursday, December 3, 2020, at 1:30 p.m.

FILE NUMBER: HEX2020-034 (SV 124.1421)

FILE NAME: NIELSEN PACIFIC, LTD., *Petitioner*

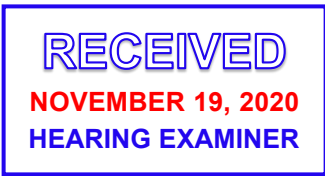
EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
EX. C-1	Preliminary Staff Report	City of Tacoma, Real Property Services (“COT, RPS”)	X			
EX. C-2	Aerial Map Exhibit	COT, RPS	X			
EX. C-3	Map Exhibit	COT, RPS	X			
EX. C-4	Posting Notice Exhibit	COT, RPS	X			
EX. C-5	Plat of Tacoma Land Company’s First Addition	COT, RPS	X			
EX. C-6	Enlargement of Vacation Area	COT, RPS	X			
EX. C-7	Application for Lot Combination (draft)	COT, RPS	X			
EX. C-8	Exhibit B of application of Lot Combination (draft)	COT, RPS	X			
EX. C-9	Advisory Note, current In-Lieu Sewer Assessment fees.	COT, RPS	X			
EX. C-10	Map	COT, RPS	X			Submitted during hearing on 12/03/2020.
EX. 11	Petitioner’s Proposed Condition of Approval Language	NIELSEN PACIFIC, LTD.	X			Filed with the HEX office on 12/04/2020.

KEY

A = Admitted

E = Excluded

W = Withdrawn



PRELIMINARY REPORT

**PREPARED FOR THE HEARING EXAMINER
BY REAL PROPERTY SERVICES**

**For the Hearing to be Held
Thursday, December 3, 2020 at 1:30 PM**

PETITIONER: NIELSEN PACIFIC, LTD

FILE NO. 124.1421

A. SUMMARY OF REQUEST:

Real Property Services has received a petition by Nielsen Pacific, LTD, a Washington corporation, to vacate that portion of East “K” Street, and alley, lying between East 26th Street and Wiley Avenue and westerly of East “L” Street, as depicted on the attached Exhibits 2 and 3. The vacated area of right of way is anticipated for business development and expansion.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

ALL THAT PORTION OF EAST ‘K’ STREET LYING BETWEEN AND ABUTTING BLOCKS 7634, 7636, 7733 AND 7735, AND THE ALLEY BETWEEN AND ABUTTING BLOCKS 7636 AND 7735, ALL OF TACOMA LAND COMPANY’S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF, FILED JULY 7, 1884, RECORDS OF THE PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON, LYING SOUTHERLY OF EAST 26TH STREET, WEST OF EAST “L” STREET AND NORTHERLY OF A LINE BEGINNING AT A POINT ON THE WEST LINE OF SAID BLOCK 7735 32 FEET NORTH OF THE SOUTHWEST CORNER THEREOF TO A POINT ON THE EAST LINE SAID BLOCK 7733 15 FEET NORTH OF THE SOUTHEAST CORNER THEREOF.

ALL SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON; WITHIN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 03 EAST OF THE WILLAMETTE MERIDIAN.

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 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 Notices have been advertised, and posted, as described below:

1. Yellow public notice signs were posted on October 29, 2020, along the subject right of way at the East K Street & East 26th Street, East K Street and Wiley Avenue and at the alley & East L Street intersections. Sign posting locations delineated on the map attached hereto and referenced as Exhibit 4.
2. On October 30, 2020 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 300 feet of vacation request.
6. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner intends to attach the proposed vacation area into adjacent properties for the purpose of business development and expansion potential.

E. HISTORY:

East “K” Street, being 80 feet in width, and alley, being 20’ in width, was dedicated to the public on July 7, 1884 by Plat filing of the Tacoma Land Company’s First Addition, records of Pierce County. Copy of said Plat and enlargement of requested vacation area are attached hereto and referenced as Exhibits 5 and 6.

F. PHYSICAL LAND CHARACTERISTICS:

Neither East “K” Street nor alley have any form of street surface improvements and have been maintained largely as additional yard space with private gravel driveway. No general public have used these rights of way for transportation purposes as part of the City’s street system.

Upon receiving this vacation request the City and Petitioner have had multiple discussions regarding issue/resolve of accesses and sanitary sewer concerns. While concepts relative to the removal and relocation of the City’s sanitary sewer main have been explored it has now been requested that the City reserve an easement for its continued placement and use.

Traffic conditions of this vacation have required relocation of the gravel access from East 26th Street to be reconstructed within the western half of proposed vacated East K Street to remove future encroachment matters. Also conditioned upon a Lot Combination of the most western two properties, of the southern block, referenced as parcel numbers 207735-0010 & 207735-002-0, to be combined with one of the adjacent properties along East L Street to ensure legal and physical accesses to East L Street as grades along East Wiley Avenue are prohibitive. TLF East L Street, LLC, owners of the affected southern block, have elected to combine the aforementioned two parcels with the southernmost property referenced as parcel number 207735-005-0 as evidenced by the November 19, 2020 submittal to the City under permitting LU20-0247, and referenced here in draft form as Exhibits 7 and 8. Completion of both driveway reconstruction and lot combination are conditions of this vacation.

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 reduce the City's maintenance expenditures and will add square footage to the tax rolls.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object to the vacation.
3. No general public is currently served by this unimproved right of way.
4. The vacation area is not contemplated or needed for future public use as a right of way.

5. That, with the completion of the Lot Combination, 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. At the time of this reading the Assessment is provided as an Advisory Comment only and not a condition of this action. Should the petitioner(s) wish to clear this item from title the Assessments can be paid in connection with this vacation action or will become due and payable at such time as future permitting of the site. Please note that the ordinance establishing the rate of assessment is updated every few years, and/or the infrastructure is replaced, and the amount quoted may increase in the future. As such, should the petitioner elect to wait to make such payment the In-Lieu Assessment should be recalculated at time of such development to ensure current rates.

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
Aerial Map Exhibit – Exhibit 2
Map Exhibit – Exhibit 3
Posting Notice Exhibit – Exhibit 4
Tacoma Land Company's First Addition – Exhibit 5
Enlargement of Vacation Area – Exhibit 6
Public Works/LID – Advisory Note Provided Exhibit 7

Public Works, Traffic – No Objection
Environmental Services – No Objection
Tacoma Fire – No Objection
PW Engineering – No Objection
Tacoma Power – No Objection
Click! Network – No Objection
Tacoma Water – No Objection
Planning & Development Services – No Response
Comcast Communications – No Objection
Puget Sound Energy – No Response
CenturyLink – No Objection
Police – No Response

Solid Waste – No Response
Pierce Transit – No Objection

J. RECOMMENDED CONDITIONS OF APPROVAL:

Since no objections were received should this street vacation request be approved, the Real Property Services Department of Public Works recommends that Payment be the only condition of approval:

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. PUBLIC WORKS TRAFFIC

- a. Please contact Jennifer Kammerzell at (253) 591-5511 regarding Traffic's comments.
- b. Traffic has no objection provided the existing gravel driveway is reconstructed within the limits of the western half of East K Street to ensure removal of future encroachment matters, and the completion of the Lot Combination for the legal and physical accesses.
- c. Relocation of said driveway and completion of Lot Combination are each conditions of this vacation.

3. ENVIRONMENTAL SERVICES

- a. Please contact Teresa Dressler at (253) 502-2187 regarding sanitary sewer comments.
- b. Environmental Services has no objection and has accepted the Petitioner's request for the City to retain an Easement for the continued placement and use of the public sanitary sewer system.
- c. Easement reservation will be included in the Ordinance and shall be 20' wide, being 10' of equal width on each side of the existing main.

Advisory Comment Only

4. PUBLIC WORKS/LID - ADVISORY COMMENT ONLY

LID estimates and comments provided herein by Real Property Services are advisory only, and not as a condition of this vacation. The In-Lieu Assessments can either be paid voluntarily in connection with this right of way purchase or will be required at time of development.

Real Property Services has received the following public comment:

2. Real Property Services received one email and one phone call requesting additional information for the vacation action but did not receive any comments of support or objection.

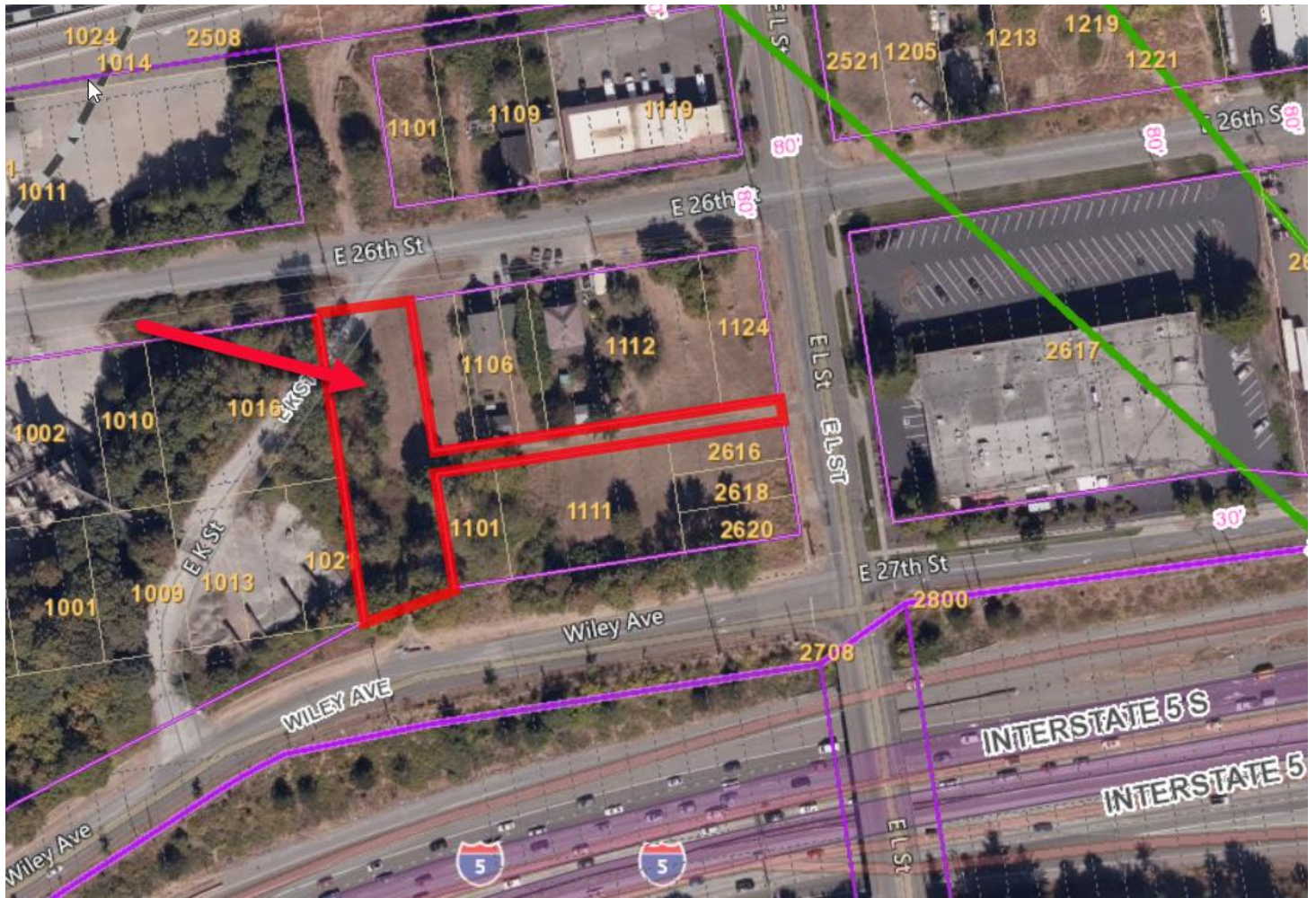
The applicant shall comply with all City regulations for any future use of the subject site.

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.



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Exhibit C-2

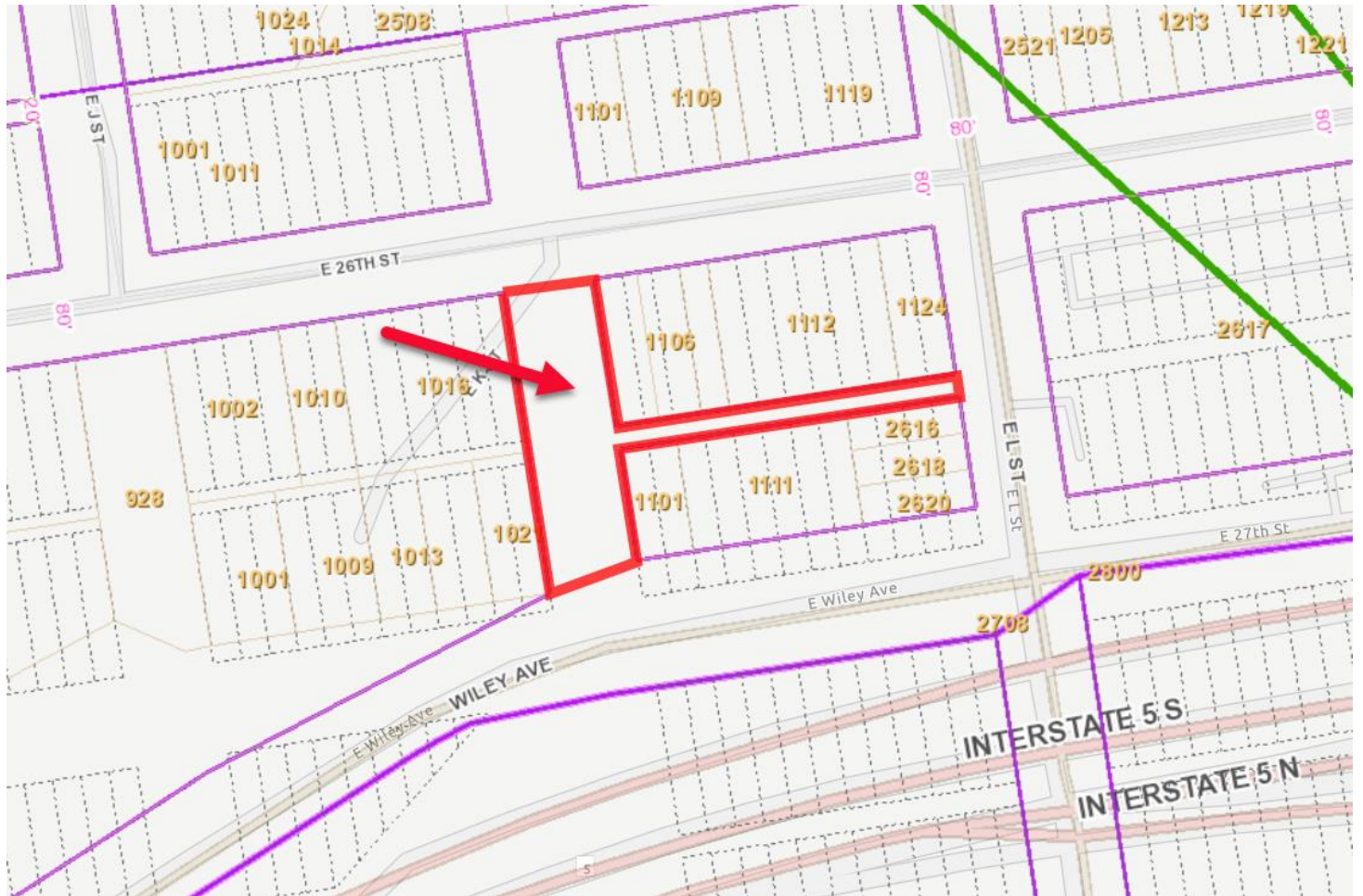


Nielsen Pacific, LTD etal
STREET VACATION NO. 124.1421
East "K" Street, and alley, between East 26th Street and Wiley Avenue
NW ¼ SEC. 10, T20N, R03E
NOT TO SCALE



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Exhibit C-3



Nielsen Pacific, LTD etal

STREET VACATION NO. 124.1421

East "K" Street, and alley, between East 26th Street and Wiley Avenue

NW ¼ SEC. 10, T20N, R03E

NOT TO SCALE

Exhibit C-3

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Exhibit C-4

124.1421 – Nielsen Pacific, Ltd

Sign Posting Exhibit

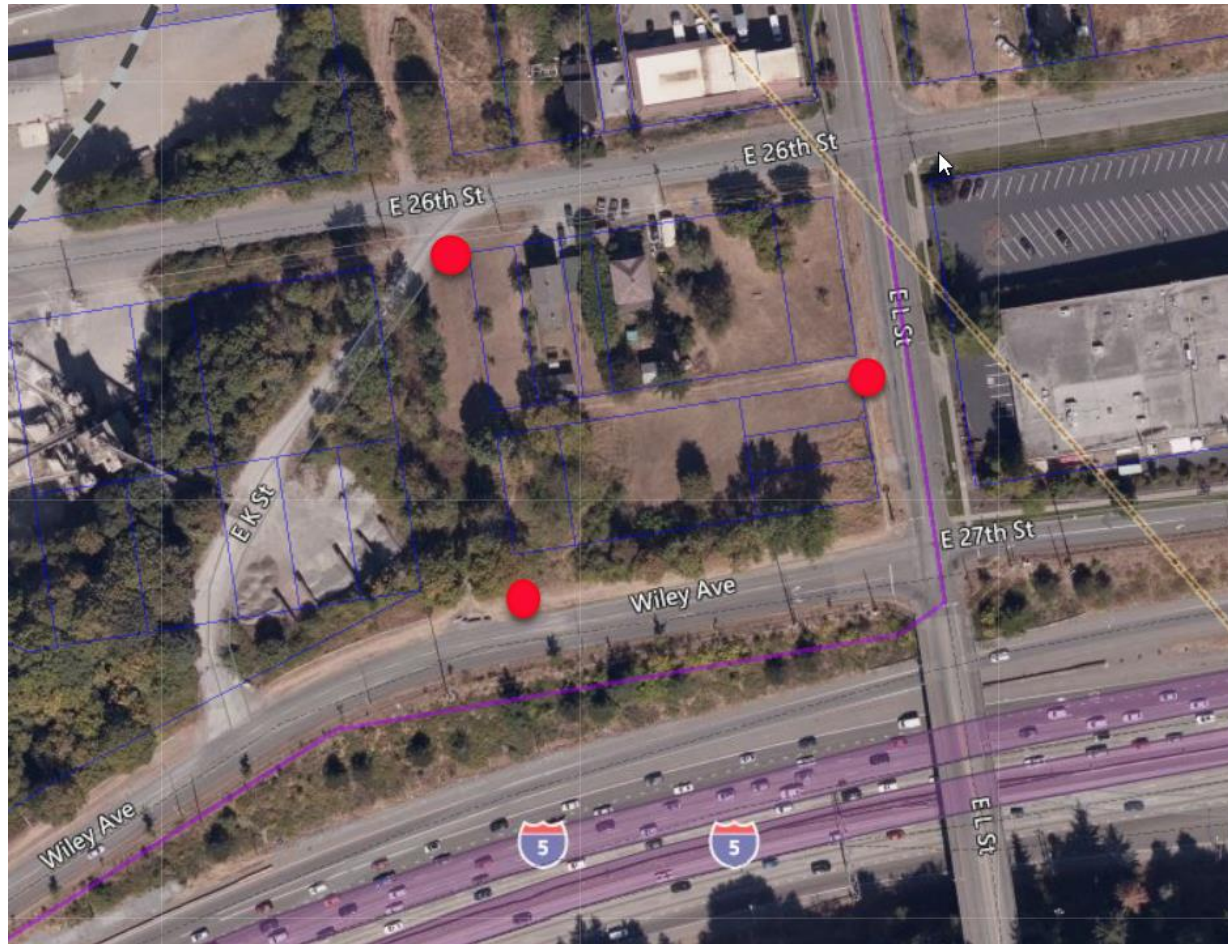
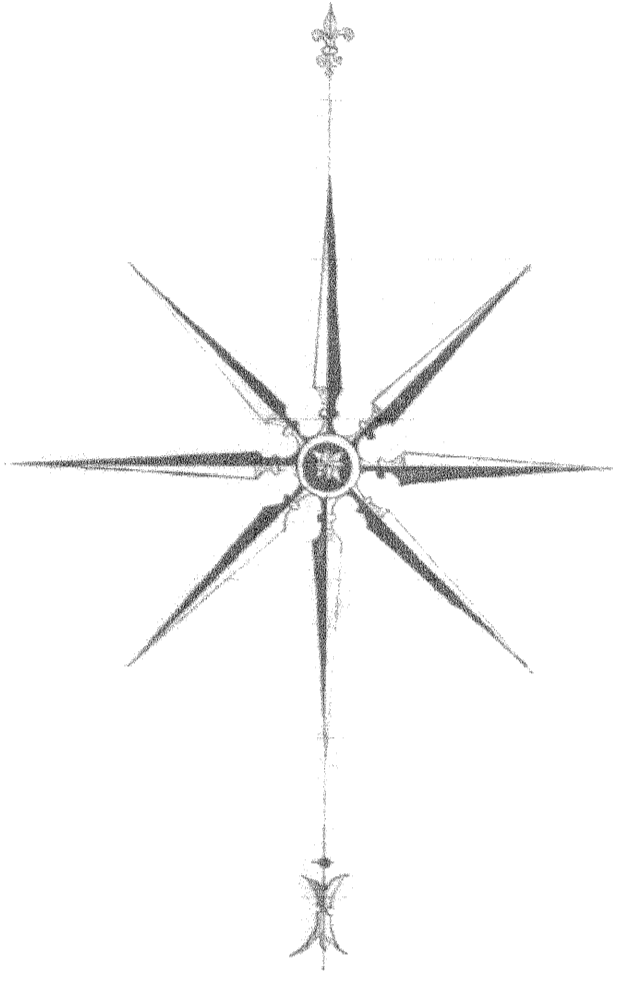


Exhibit C-4

MAP OF
The Tacoma Land Company's
FIRST ADDITION
TO
TACOMA
W.T.



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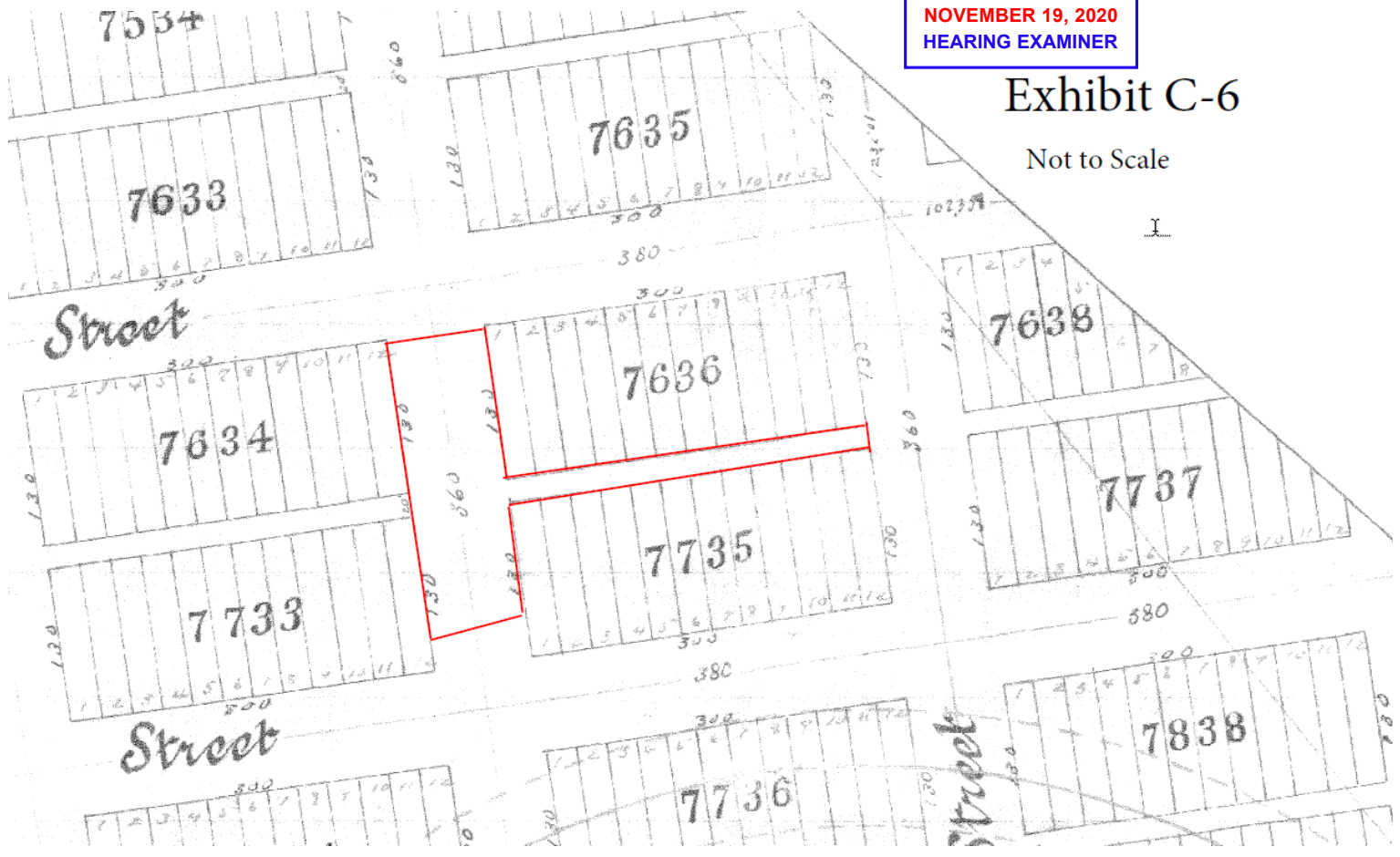
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HEARING EXAMINER

Exhibit C-6

Exhibit C-6

Not to Scale

I





Pierce County

Office of the Assessor-Treasurer

2401 South 35th Street, Room 142
Tacoma, Washington 98409-7498
(253) 798-6111 * FAX (253) 798-7498
ATLAS (253) 798-3333
www.co.pierce.wa.us/atr

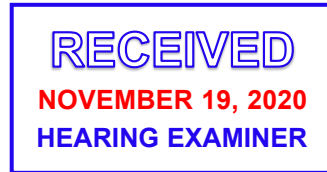


Exhibit C-7

REQUEST FOR SEGREGATION OR COMBINATION

(circle one)

A property segregation/combination covering the following transaction is requested:

Date _____ Parcel Numbers _____

Is this segregation to separate parcels that were combined for "tax purposes only"?

Yes () No (X) If yes, please list combination number and date _____

Send tax statement to:

Name _____
Address _____
City _____ State _____ Zip _____
Phone _____ Home _____ Work _____

ALL TAXES, ULIDS AND SPECIAL ASSESSMENTS MUST BE CURRENT BEFORE THIS SEGREGATION/COMBINATION CAN BE PROCESSED.

I hereby certify that I am the owner(s), taxpayer(s) of the above described property and that the information relating to lot lines and improvements is accurate.

Signature _____ Date _____

APPROVAL FROM PLANNING OR MUNICIPALITIES

If approved by the appropriate planning and/or zoning department this request will serve as document of change. This proposed property segregation/combination meets or is exempt from subdivision codes.

APPROVED ()

DISAPPROVED ()

Signature and Title _____ Date _____

Department _____ Phone _____ County or City _____

REVERSE SIDE OF FORM MUST BE COMPLETED

Exhibit C-7

*** Attach additional sheets if necessary***

DRAWING OF ORIGINAL PROPERTY (Note: Draw location of all buildings)

See Exhibit 'A' - Existing Parcels

Legal Description of original property:

1. _____

2. _____

DRAWING OF REVISED PROPERTY (Note: Draw all buildings and number each new parcel with corresponding revised tax legal descriptions below)

See Exhibit 'C' - Revised Parcels

Revised Legal Description:

1. _____

2. _____

Per article 2.05 of the Sanitary Sewer Utilities Administrative Code, an \$100.00 fee is required for all segregations of property located inside a Utility Local Improvement District (ULID).

UTILITIES DEPARTMENT:

Fee Required: Yes [] No [] Amount of Fee _____

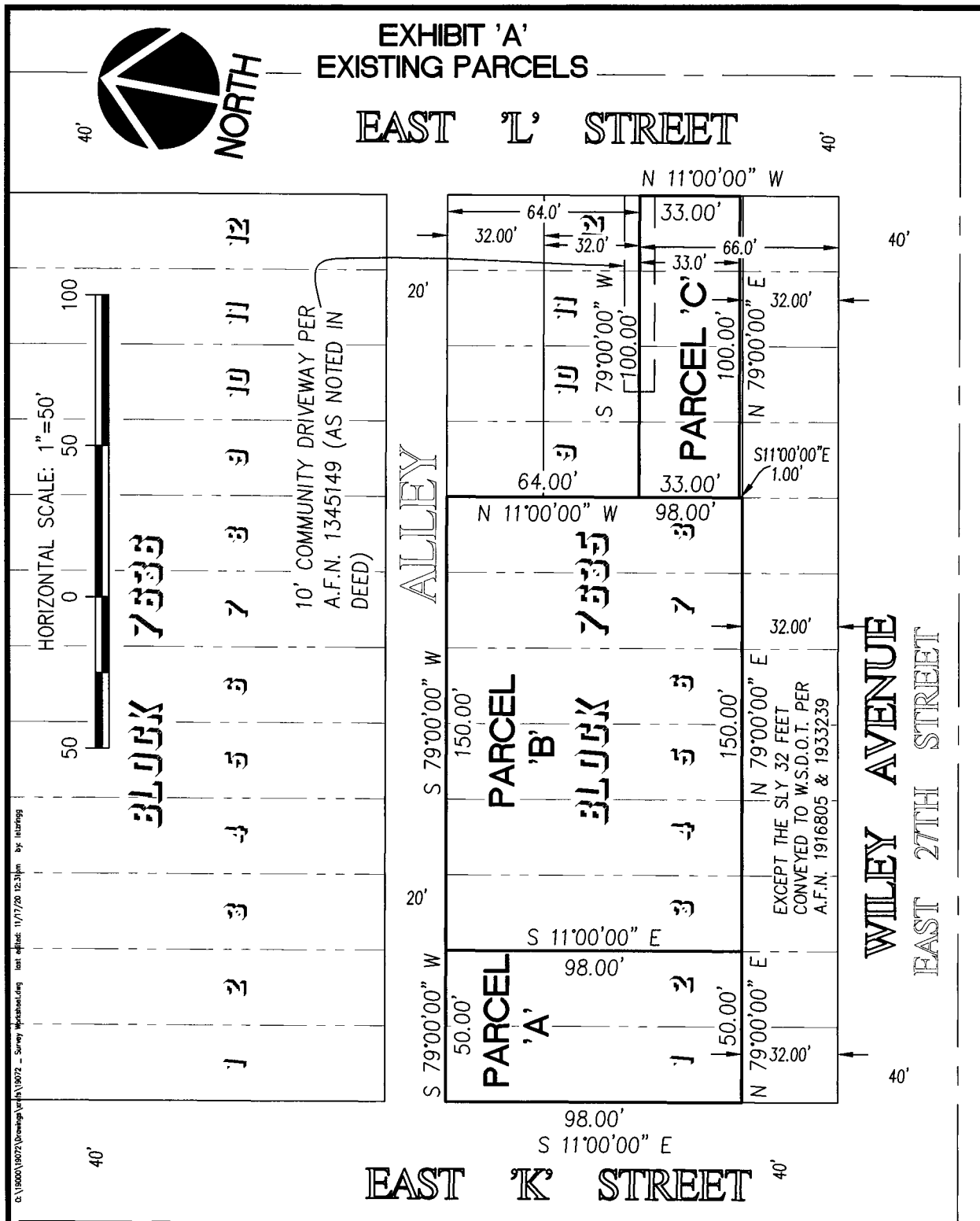
Verification of payment Utility Rep Signature _____

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NOVEMBER 19, 2020

HEARING EXAMINER

Exhibit C-8



SHEET TITLE
**TLF E. 'L' ST, LLC
 LOT COMBINATION
 EXHIBIT 'A'
 EXISTING PARCELS**

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

SHEET
 --
 PROJECT NO.
19072

EXHIBIT 'B'
EXISTING LEGAL DESCRIPTIONS

PARCEL 'A'

TAX PARCEL NO. 2077350010

LOTS 1 AND 2, BLOCK 7735, THE 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 COUNTY AUDITOR, IN THE CITY OF TACOMA, AND THE STATE OF WASHINGTON.

EXCEPT THE SOUTHERLY 32 FEET THEREOF AS CONDEMNED BY INSTRUMENT RECORDED UNDER PIERCE COUNTY RECORDING NO. 1933239

CONTAINING: 4,900±SQ. FT.

PARCEL 'B'

TAX PARCEL NO. 2077350020

LOTS 3 THROUGH 8, INCLUSIVE, IN BLOCK 7735 OF THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR.

EXCEPT THE SOUTHERLY 32 FEET THEREOF CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED MARCH 6, 1961 UNDER RECORDING NUMBER 1916805.

CONTAINING: 14,700±SQ. FT.

PARCEL 'C'

TAX PARCEL NO. 2077350050

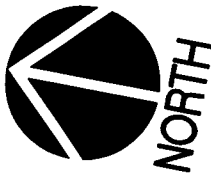
THE NORTH 33 FEET OF THE SOUTH 66 FEET OF LOTS 9 TO 12, INCLUSIVE, BLOCK 7735, THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR, IN PIERCE COUNTY, WASHINGTON.

CONTAINING: 3,300±SQ. FT.

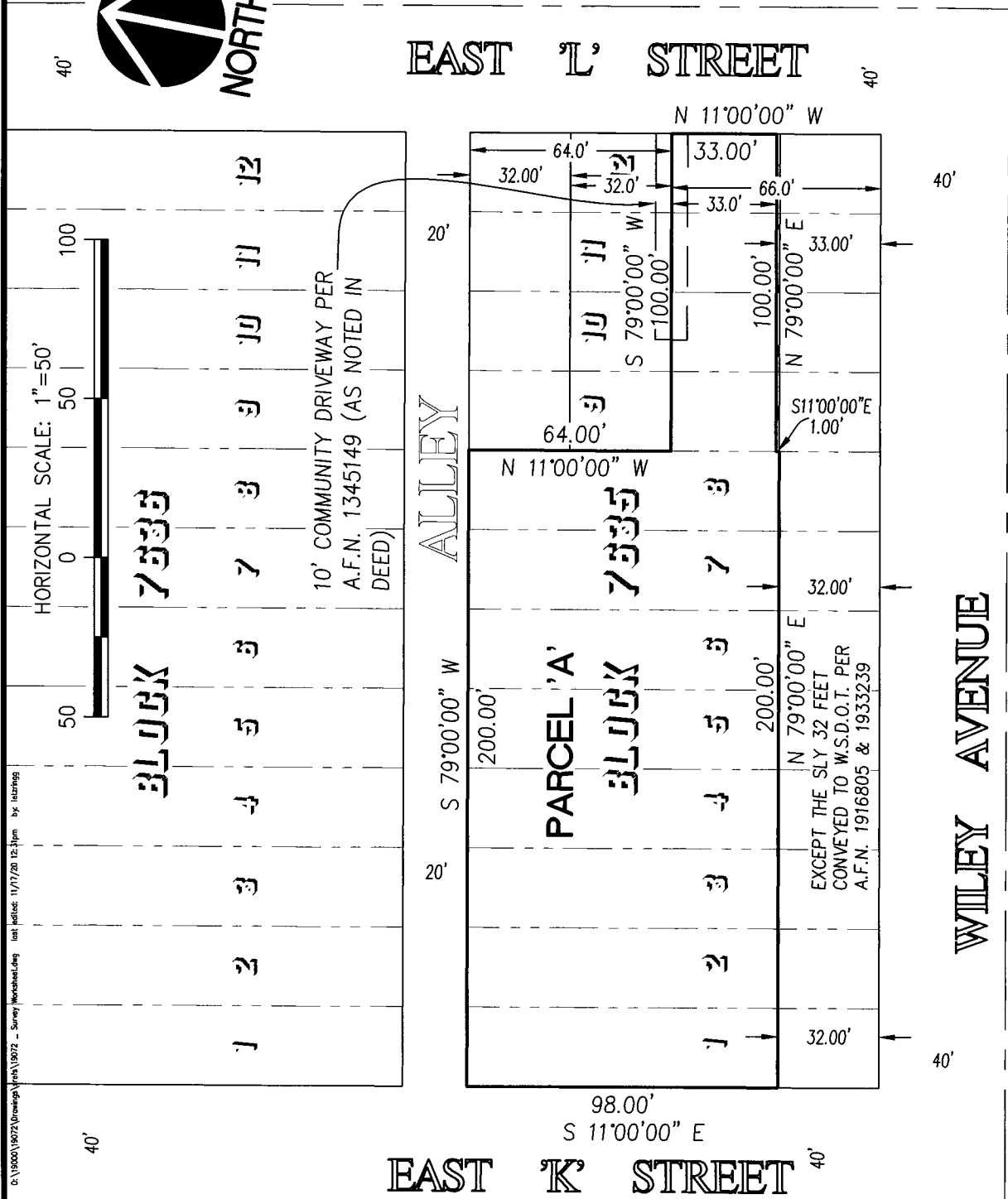
D:\19072\19072\Drawings\Area\19072 - Survey\Worksheet.dwg last edited: 11/17/20 12:31pm by: talzhang

<small>SHEET TITLE</small> TLF E. 'L' ST, LLC LOT COMBINATION EXHIBIT 'B' EXISTING LEGALS	<small>PREPARED BY</small> SITTS & HILL ENGINEERS, INC. CIVIL ■ STRUCTURAL ■ SURVEYING 4815 CENTER STREET TACOMA, WA. 98409 PHONE: (253) 474-9449	<small>SHEET</small> -- <small>PROJECT NO.</small> 19072
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EXHIBIT 'C'
REVISED PARCEL



EAST 'L' STREET



HORIZONTAL SCALE: 1"=50'

BLOCK 7335

1 2 3 4 5 6 7 8 9 10 11 12

10' COMMUNITY DRIVEWAY PER
A.F.N. 1345149 (AS NOTED IN
DEED)

ALLEY

PARCEL 'A'

BLOCK 7336

1 2 3 4 5 6 7

WILEY AVENUE

EAST 'K' STREET

<p>SHEET TITLE TLF E. 'L' ST, LLC LOT COMBINATION EXHIBIT 'C' REVISED PARCEL</p>	<p>PREPARED BY SITTS & HILL ENGINEERS, INC. CIVIL ■ STRUCTURAL ■ SURVEYING 4815 CENTER STREET TACOMA, WA. 98409 PHONE: (253) 474-9449</p>	<p>SHEET — PROJECT NO. 19072</p>
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EXHIBIT 'D'
REVISED LEGAL DESCRIPTION

PARCEL LEGAL DESCRIPTION

LOTS 1 THROUGH 8, INCLUSIVE, IN BLOCK 7735, OF THE 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 COUNTY AUDITOR, IN THE CITY OF TACOMA, AND THE STATE OF WASHINGTON.

EXCEPT THE SOUTHERLY 32 FEET THEREOF AS CONDEMNED BY INSTRUMENT RECORDED UNDER PIERCE COUNTY RECORDING NO. 1933239 AND 1916805.

TOGETHER WITH THE NORTH 33 FEET OF THE SOUTH 66 FEET OF LOTS 9 TO 12, INCLUSIVE, IN BLOCK 7735, THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR, IN PIERCE COUNTY, WASHINGTON.

CONTAINING: 22,900±SQ. FT.

C:\19072\19072\Drawings\19072 - Survey\19072.dwg last edited: 11/17/20 12:31pm by: h2r2p3g

SHEET TITLE TLF E. 'L' ST, LLC LOT COMBINATION EXHIBIT 'D' REVISED LEGAL	PREPARED BY SITTS & HILL ENGINEERS, INC. CIVIL ■ STRUCTURAL ■ SURVEYING 4815 CENTER STREET TACOMA, WA. 98409 PHONE: (253) 474-9449	SHEET -- PROJECT NO. 19072
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Exhibit C-9

From: [Russell, Lee](#)
To: [Cornforth \(Van Allen\), Ronda](#)
Subject: RE: Street Vacation 124.1421 - Comments DUE September 25, 2020 - Nielsen Pacific LTD, etal
Date: Thursday, September 17, 2020 12:00:01 PM

Ronda,

Here are the breakdowns for the in-lieu sewer assessments for the street vacation.

TLF East L Street LLC – \$1,412.44

R&R Commercial Properties LLC – \$1,389.69

Nielsen Pacific LTD - \$1,610.70

Thanks

Lee Russell

Real Estate Specialist

City of Tacoma Real Property Services

747 Market St. Rm 737

Tacoma, Wa 98402

lrussell@cityoftacoma.org

Ph. 253-591-5277

Exhibit C-9

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DECEMBER 3, 2020
HEARING EXAMINER

Exhibit C-10

Meyers, Aundrea

From: Cornforth (Van Allen), Ronda
Sent: Thursday, December 3, 2020 2:02 PM
To: Hearing Examiner
Subject: 124.1421



R. J. Van Allen (formerly Cornforth)

Sr. Real Estate Specialist
City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
rcornforth@cityoftacoma.org

We are made wise not by the recollection of our past, but by the responsibility for our future.

Meyers, Aundrea

From: Kathy Hargrave <kathyh@sittshill.com>
Sent: Friday, December 4, 2020 7:53 AM
To: Hearing Examiner
Cc: Cornforth (Van Allen), Ronda; Stephen Nielsen (holroydsn@icloud.com); Alden Robinson - Boulton Insulation (AldenRobinson@hotmail.com)
Subject: Tacoma Hearing Examiner File No. 124.1421 - East K Street and Abutting Alley Vacation

Mr. Hearing Examiner,

On behalf of the Petitioner - Nielsen Pacific, LTD (Nielsen) and adjoining property owner on the east side of the proposed vacated East K Street - R&R Commercial Properties (R&R), we would like to propose an alternative remedy to relocation of the Nielsen driveway to the west side of the vacated street.

The Recommended Conditions of Approval for the East K Street and Abutting Alley Vacation from Public Works Traffic include the relocation of the existing gravel driveway serving the Nielsen Pacific property to the west side of the vacated right-of-way of East K Street to ensure removal of future encroachment matters.

We propose that the Hearing Examiner allow for a joint driveway approach that can be used for ingress, egress and utilities by both Nielsen and R&R, centrally located in the vacated ROW, through reciprocal easements granted to each other.

Thank you for your consideration.

Sincerely,

Kathy A. Hargrave, P.E., LEED AP® ■ *Principal*

SITTS & HILL ENGINEERS, INC.

CIVIL ■ STRUCTURAL ■ SURVEYING

4815 CENTER STREET, TACOMA, WA 98409

PHONE: (253) 474-9449 ext. 303

EMAIL: kathyh@sittshill.com

<http://www.sittshill.com/>