



ORDINANCE NO. 28354

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating the south
4 125 feet of the alley between Union Avenue and Puget Sound Avenue,
5 lying north of South 40th Street, for the purpose of consolidating
6 adjoining properties and facilitating future development of the site; and
7 adopting the Hearing Examiner's Findings, Conclusions, and
8 Recommendations related thereto.

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

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's
14 Findings, Conclusions, and Recommendations as contained in the Hearing
15 Examiner's Report and Recommendation to the City Council bearing File
16 No. 124.1360 and dated March 15, 2016, which Report is on file in the office of
17 the City Clerk.
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Section 2. That the south 125 feet of the alley between Union Avenue and Puget Sound Avenue, lying north of South 40th Street, legally described as follows:

A portion of the Northwest quarter of the Southwest quarter of Section 18, Township 20 North, Range 03 East, W.M., more particularly described as follows:

The alley abutting Lots 1 through 5, inclusive, Blocks 2 and 3, Cascade Park Addition to Tacoma, W.T., according to the Plat recorded in Book 1 of plats, page 120, records of Pierce County, Washington;

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 easement, to-wit:



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City of Tacoma

A utility easement over a 5-foot by 5-foot area in the southeast corner of the vacated area shall be reserved for the City of Tacoma for maintenance, repair, construction, and replacement of existing and future above-ground and underground utilities.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: South 125 feet of the alley between Union Avenue and Puget Sound Avenue, lying north of South 40th Street
Petitioner: Active Investment Co., LLC
Vacation Req. No. 124.1360