



RESOLUTION NO. 39354

1 A RESOLUTION relating to City-owned property; authorizing the execution and
2 conveyance of a non-exclusive perpetual easement to Pierce County for a
3 sanitary sewer pipeline and associated appurtenances under, over, and
4 through a portion of Tacoma Rail Mountain Division right-of-way in the
5 Frederickson area of Pierce County; and accepting the sum of \$10,000 for
6 deposit into Tacoma Rail Mountain Division Fund 4120, as consideration for
7 the rights granted under the easement.

8 WHEREAS Tacoma Rail Mountain Division (“TRMW”) has owned, operated,
9 and/or maintained the rail line and right-of-way that runs between Tacoma and
10 Chehalis since it was acquired from the Weyerhaeuser Company in 1995, and

11 WHEREAS, included in this right-of-way is a Pierce County sewer main,
12 granted through an easement in 1988, and

13 WHEREAS Pierce County has requested this easement to allow sanitary
14 sewer services for the proposed 50-acre Rosemont 569-unit multi-family
15 development in the Frederickson area of Pierce County, and

16 WHEREAS the easement area comprises approximately 400 square feet, and
17 the proposed infrastructure includes approximately 22 linear feet of 12-inch diameter
18 sewer line, a service manhole with landing area, and protective retaining wall, and

19 WHEREAS it is not anticipated that the installation, operation, and
20 maintenance of the improvements will have a negative impact on TRMW's use or
21 operation of its 100-foot-wide right-of-way, and

22 WHEREAS a separate right-of-way permit agreement, issued
23 administratively, will be required in order to install the improvements, and

24 WHEREAS Pierce County will assume ownership and maintenance
25 responsibilities of the proposed infrastructure, and the developer, Rosemont
26



Properties L.L.C., will pay TRMW fair market value in the amount of \$10,000 for a non-exclusive perpetual sewer easement, and

WHEREAS Real Property Services has worked with the City Attorney's Office, TRMW, and Pierce County to prepare the proposed easement and now seeks final 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 convey a non-exclusive perpetual easement to Pierce County for a sanitary sewer pipeline and associated appurtenances under, over, and through a portion of Tacoma Rail Mountain Division right-of-way in the Frederickson area of Pierce County, said document to be substantially in the form of the proposed easement on file in the office of the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to accept the sum of \$10,000, for deposit into Tacoma Rail Mountain Division Fund 4120, for consideration of the rights granted under the easement.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney