



ORDINANCE NO. 28426

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of the air rights of Court E, lying between South 15th and South 17th
5 Streets, for balconies in an apartment development; and adopting the
6 Hearing Examiner's Findings, Conclusions, and Recommendations
7 related thereto.

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

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's
13 Findings, Conclusions, and Recommendations as contained in the Hearing
14 Examiner's Report and Recommendation to the City Council bearing File
15 No. 124.1376 and dated March 27, 2017, which Report is on file in the office of
16 the City Clerk.
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Section 2. That the portion of the air rights of Court E, lying between South 15th and South 17th Streets, legally described as follows:

The Easterly 4.00 feet of the Westerly 14.00 feet of that portion of Court E lying adjacent to Lots 10-16, inclusive, Block 1511, Map of New Tacoma, Washington Territory, according to the plat thereof on file with the State Department of Natural Resources, Olympia, Washington, and lying between the elevations of 221.50 feet NGVD29 and 285.54 feet NGVD29;

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.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of the air rights of Court E, lying between South 15th and South 17th Streets
Petitioner: Napoleon Group, LLC
Vacation Req. No. 124.1376