



ORDINANCE NO. 28657

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 5.66 foot width of the air rights running along the north side of South
5 15th Street for the length of the abutting parcel addressed as 1351
6 Fawcett Avenue, 16.5 feet above the existing grade at the Southwest
7 corner to another point 73.5 feet directly above, and extend 16.5 feet
8 above the existing grade at the Southeast corner to another point 91.2
9 feet directly above, to facilitate future development; and adopting the
10 Hearing Examiner's Findings, Conclusions, and Recommendations
11 related thereto.

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

15 BE IT ORDAINED BY THE CITY OF TACOMA:

16 Section 1. That the City Council hereby adopts the Hearing Examiner's
17 Findings, Conclusions, and Recommendations as contained in the Hearing
18 Examiner's Report and Recommendation to the City Council bearing
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1 File No. 124.1401 and dated January 22, 2020, which Report is on file in the
2 office of the City Clerk.

3 Section 2. That the 5.66 foot width of the air rights running along the
4 north side of South 15th Street for the length of the abutting parcel addressed
5 as 1351 Fawcett Avenue, beginning 16.5 feet above the existing grade at the
6 Southwest corner to another point 73.5 feet directly above, and extend
7 16.5 feet above the existing grade at the Southeast corner of another point
8 91.2 feet directly above the right-of-way, legally described as follows:
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11 The northerly 5.66 feet of that portion of South 15th Street lying
12 adjacent to the following:

13 South one-half of Lot 24, and all of Lots 25 and 26, Block 1309,
14 Map of New Tacoma, W.T., according to plat filed for record
15 February 3, 1875 in the Office of the County Auditor; and lying
16 between the elevations of 195.34 and 268.84 feet at the
17 Southwest corner and between 177.66 and 268.84 feet at the
18 Southeast corner (NGVD29 Vertical datum).

19 Situate in the City of Tacoma, County of Pierce, State of Washington;
20 is hereby vacated, and the land so vacated is hereby surrendered and
21 attached to the property bordering thereon, as a part thereof, and all right or
22 title of the City in and to the portion of the right-of-way so vacated does
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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: The 5.66 foot width of the air rights running along the north side of South 15th Street for the length of the abutting parcel addressed as 1351 Fawcett Avenue, 16.5 feet above the existing grade at the Southwest corner to another point 73.5 feet directly above, and extend 16.5 feet above the existing grade at the Southeast corner to another point 91.2 feet directly above.

Petitioner: 1351 Fawcett LLC
Vacation Req. No. 124.1401