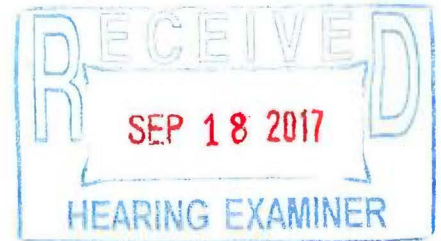


EXHIBIT LIST



HEARING DATE: September 28, 2017 at 1:30 p.m.

FILE NUMBER & NAME: (124.1381) Lackermayer Holdings, LLC & Lackermayer Family, LLC, Petitioner

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
Ex. 1	Preliminary Report	COT/RPS	X			
Ex. 2	Map Exhibit	COT/RPS	X			
Ex. 3	Aerial Map Exhibit	COT/RPS	X			
Ex. 4	Plat – Latshaws, Manning and Hays Addition to Tacoma Washington	COT/RPS	X			
Ex. 5	Plat – Amended Map of a Part of Latshaws Addition and Manning Addition to Tacoma Washington	COT/RPS	X			
Ex. 6	Enlargement of area to be vacated	COT/RPS	X			
Ex. 7	Tacoma Power Comments	COT/RPS	X			
Ex. 8	Click! Network Comments	COT/RPS	X			
Ex. 9	Tacoma Fire Comments	COT/RPS	X			
Ex. 10	Public Works LID Comments	COT/RPS	X			
Ex. 11	Puget Sound Energy Comments	COT/RPS	X			
Ex. 12	CenturyLink Comments	COT/RPS	X			
Ex. 13	ORD NO. 25455	Petitioner	X			
Ex. 14	Topographic Survey	Petitioner	X			

KEY

A = Admitted

E = Excluded

W = Withdrawn

ORIGINAL

PRELIMINARY REPORT

PREPARED FOR THE HEARING EXAMINER BY REAL PROPERTY SERVICES

For the Hearing to be Held
Thursday, September 28, 2017 at 1:30 PM

**PETITIONER: LACKERMAYER HOLDINGS, LLC &
LACKERMAYER FAMILY, LLC**

FILE NO. 124.1381

A. SUMMARY OF REQUEST:

Real Property Services has received a petition on behalf of Lackermayer Holdings, LLC and Lackermayer Family, LLC to vacate the remaining segment of South 45th Street right-of-way lying between Westerly of South Adams Street, as depicted on the attached Exhibits 2 and 3, for the redevelopment and expansion of the existing businesses.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

All that portion of South 45th Street, lying between and abutting Blocks 3 and 6 of Amended Map of a part of Latshaws Addition and Manning Addition to Tacoma, Washington, according to the Plat thereof filed for record in Volume 4 of Plats at Page 56, records of Pierce County, Washington, being an Amendment of that certain Plat entitled Map of Latshaws, Manning and Hays Addition to Tacoma, Washington, as per plat recorded in Volume 4 of Plats at Page 28, records of Pierce County, Washington, lying Westerly of the Westerly margin of South Adams Street.

All situate in the City of Tacoma, County of Pierce, State of Washington; within the Southeast Quarter of the Southeast Quarter of Section 13, Township 20 North, Range 02 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

ORIGINAL

which lies within 1,000 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 Notice was posted August 17, 2017 at approximately 12:00 p.m. at locations described in item 1 below:

1. Placed 2 yellow public notice signs, on an A-Board frame, at the southeasterly corner of South 45th Street and South Adams Street. Placed additional yellow public notice sign, attached to existing chain link fencing, at Southwesterly terminus of South 45th Street.
2. 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 1,000 feet of vacation request.
6. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner intends to include this segment of right of way into their plans for redevelopment of the adjoining properties to construct facilities to expand the operations of its existing business.

E. HISTORY:

The City of Tacoma acquired the right of way proposed to be vacated by dedication within the original Plat filing of Latshaws, Manning and Hays Additions to Tacoma, Washington on December 5, 1889 in Volume 4 of Plats at Page 28, and subsequent Amended Map of a part of

Latshaws Addition and Manning Addition to Tacoma, Washington file on January 24, 1890 as filed of record in Volume 4, at Page 56, records of Pierce County, Washington. Copies of both filed Plats are attached hereto as Exhibits 4 and 5 with Enlargement of the platted vacation area attached as Exhibit 6.

F. PHYSICAL LAND CHARACTERISTICS:

This segment of right of way dead ends resulting from previous vacated portions of South 45th Street has asphalt surface with curbs, gutter and sidewalks constructed only at the radius point of the intersection with South Adams Street.

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 produce and add commercial uses of the lands to the tax rolls;
 - b. It will reduce the City's maintenance expenditures.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object to the vacation.
3. No general public is served by this dead end road segment.
4. The vacation area is not contemplated or needed for future public use as a right of way.
5. No abutting property, not currently owned in whole or in part by this applicant, and contemplated under this development project, 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. Should the petitioner wish to clear this item from title, please contact Sue Simpson of the Public Works Department, L.I.D. Section, at 591-5529 for the most current assessment amount. Please note that the ordinance establishing the rate of assessment is updated every few years, and the amount quoted may increase in the future. When the petitioner has submitted a development plan, an in lieu of amount will be computed.

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
Map Exhibit – Exhibit 2
Aerial Map Exhibit – Exhibit 3

Plat – Exhibit 4
Amended Plat – Exhibit 5
Enlargement – Exhibit 6
Tacoma Power – Exhibit 7
Click! Network – Exhibit 8
Tacoma Fire – Exhibit 9
Public Works/LID – Exhibit 10
Puget Sound Energy – Exhibit 11
CenturyLink – Exhibit 12

Tacoma Water – No Objection
Pierce Transit – No Objection
Comcast Communications – No Objections

Solid Waste – No Response
PW Engineering – No Response
Police – No Response
Planning & Development Services – No Response

J. RECOMMENDED CONDITIONS OF APPROVAL:

Should this street vacation request be approved, the Real Property Services Department of Public Works recommends that the following conditions be made conditions 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. TACOMA POWER

- a. Please contact Rudy Eckert at (253) 502-8360 regarding Tacoma Power's comments.
- b. Tacoma Power has no objection; however, an Easement will be retained over the Southerly 18 feet and the Westerly 18 feet of the subject vacation for existing electrical infrastructure.

3. CLICK! NETWORK

- a. Please contact Greg Netcher at (253) 502-8868 regarding Click! Network's comments.

- b. Click! Network has no objection; however, an Easement will be retained over the Southerly 18 feet and the Westerly 18 feet of the subject vacation for existing electrical infrastructure.

4. TACOMA FIRE

- a. Please contact Chris Seaman at (253) 591-5503 regarding Tacoma Fire's comments.
- b. Tacoma Fire has no objection; however, a 20 foot wide ingress/egress Easement will be retained as centered on South 45th Street. Tacoma Fire would consider alternate accesses if provided by the applicant.

5. PUBLIC WORKS/LID

- a. Please contact Sue Simpson at (253) 591-5529 regarding LID's comments.
- b. LID has no objection; however has provided an Advisory Comment for the Petitioner that there currently is an in-lieu of assessment for sanitary sewer in the amount of \$1,382.27.
- c. ***Note: Advisory Comment only- this can be voluntarily paid at time of purchase or will be required at time of development.***

Third Party Comments for the record:

6. PUGET SOUND ENERGY

- a. Please contact Marilynn Danby at (253) 476-6451 regarding Puget Sound Energy's comments.
- b. Puget Sound Energy has no objection; provided existing infrastructure is to be protected by independent Easement.

7. CENTURY LINK

- a. Please contact Victoria Comer at (830) 513-6614 regarding CenturyLink's comments.
- b. CenturyLink has no objection; provided existing infrastructure is to be protected by independent Easement affecting the South 5 feet of the subject vacation.

Real Property Services has received the following public comment:

None

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.



Lackermayer Holdings, LLC

STREET VACATION NO. 124.1381

South 45th Street between Adams Street and the Railroad

SE 1/4 SEC. 13, T20N, R02E

NOT TO SCALE

ORIGINAL

Exhibit 2



Lackermayer Holdings, LLC

STREET VACATION NO. 124.1381

South 45th Street between Adams Street and the Railroad

SE 1/4 SEC. 13, T20N, R02E

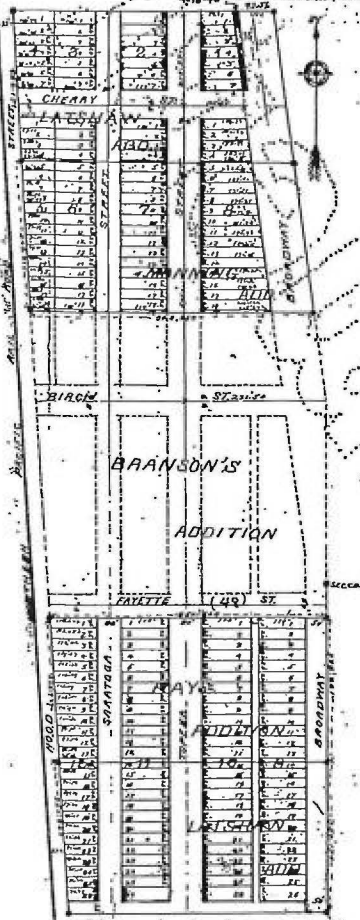
NOT TO SCALE

ORIGINAL

Exhibit 3

MAP OF LATSHAWS MANNING AND MAYS ADDITIONS TO TACOMA WASH.

See amended map of a part of Lathaws Addition and Manning Addition, Vol. 4, page 56.



Know all men by these presents:

that we Corby W. Lacy, and Ida C. Lacy his wife, owners of lot (2) in Enclain Park District,

as shown in an Amended Plat of lot (2) Enclain Park District, according to a certain plat thereof filed for records on the 5th day of Dec. A.D. 1919, in the Auditor's office of Pierce County, and we do hereby lay out and plat into town lots, blocks, streets and alleys the above described tract of land, which is hereafter to be known as "Lacy Addition to Tacoma Washington". And we do hereby donate and dedicate all of the streets and alleys as shown upon the amended plat and marked "Lacy Addition". And we do reserve all rights for right of way for any kind of car lines, electric, lighting, laying of gas and water mains and all other necessary improvements. In witness whereof we have hereunto set our hands and seals this 4 day of December A.D. 1919

Witnessed by J. I. Gilman }
Fred S. Lacy }

Corby W. Lacy
Ida C. Lacy

State of Washington }
County of Pierce }

This is to certify that on this 4 day of December A.D. 1919 before me a Notary Public in and for the State of Washington, County of Pierce personally appeared Corby W. Lacy and Ida C. Lacy his wife, well known to me to be the persons described in and who executed the above and foregoing instrument and who acknowledged to me that they executed the same as their free act and deed for the uses and purposes therein set forth. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate

Fred S. Lacy
Notary Public in and for the State of Washington
County of Pierce



Know all men by these presents:

that I, Frank H. Lathaw, unmarried, do hereby lay out, and plat into town lots, blocks, streets

and alleys the following described tract of land viz: All of lot number one (1) and two (2) in Enclain Park District, according to a certain plat thereof filed for records on the 9th day of February A.D. 1919, in the Auditor's office of Pierce County, W. S. said subdivided tract of land to be hereafter known as "Lathaw Addition to Tacoma Wash.". And I do hereby donate and dedicate to the use of the public forever all of the streets and alleys as shown upon the amended plat, (and marked "Lathaw Addition") and I do reserve all rights for water or gas mains, right of way for any kind of car lines, electric, lighting and all such other necessary improvements of said streets, size of lots, lengths of boundaries, and widths of streets, as is shown upon the plat. In witness whereof I have hereunto set my hands and seal this 4 day of December A.D. 1919

Frank H. Lathaw

I hereby certify that the above Addition has been properly surveyed and the distances measured thereon are correct.
C. C. Nease, C. E.

according to a certain plat thereof filed for records on the 9th day of February A.D. 1919, in the Auditor's office of Pierce County, W. S. said subdivided tract of land to be hereafter known as "Lathaw Addition to Tacoma Wash.". And I do hereby donate and dedicate to the use of the public forever all of the streets and alleys as shown upon the amended plat, (and marked "Lathaw Addition") and I do reserve all rights for water or gas mains, right of way for any kind of car lines, electric, lighting and all such other necessary improvements of said streets, size of lots, lengths of boundaries, and widths of streets, as is shown upon the plat. In witness whereof I have hereunto set my hands and seal this 4 day of December A.D. 1919

Witnessed by C. W. Manning }
C. W. Manning }

This is to certify that on this 4th day of December A.D. 1919 before me as Notary Public in and for the State of Washington, County of Pierce, personally appeared Frank H. Lathaw, unmarried, well known to me to be the person described in and who executed the above and foregoing instrument and who acknowledged to me that he executed the same as his free act and deed for the uses and purposes therein set forth. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate

C. W. Manning, Notary Public in and for the State of Washington



Know all men by these presents: that we Augustus L. Manning and Annie C. Manning his wife, do hereby lay out and plat into town lots, blocks, streets and alleys the following described tract of land viz: All of lot number five (5) in Enclain Park District according to a certain plat thereof filed for records on the 7th day of February A.D. 1919 in the Auditor's office of Pierce County, W. S. said described tract to be hereafter known as "Manning Addition to Tacoma Washington". And we do hereby donate and dedicate to the use of the public forever all of the streets as shown upon the amended plat, reserving all rights for the laying of gas and water mains, right of way for any kind of car lines, electric, lighting and all other necessary improvements of said streets; size of lots, lengths of boundaries and widths of streets as shown and marked upon the amended plat of Manning Addition. In witness whereof we have hereunto set our hands and seals this 4th day of December A.D. 1919.

Witnessed by J. I. Gilman }
C. W. Manning }

Augustus L. Manning
Annie C. Manning

This is to certify that on this 4 day of Dec. A.D. 1919 before me as Notary Public in and for the State of Washington, County of Pierce personally appeared Augustus L. Manning and Annie C. Manning his wife, well known to me to be the persons described in and who executed the foregoing and above instrument and who acknowledged to me that they executed the same as their free act and deed for the uses and purposes therein set forth. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate.

C. W. Manning, Notary Public in and for the State of Washington

For reference only, not for re-sale.

CRICHT

56

AMENDED MAP OF A PART OF
LATSHAWS ADDITION AND MANNING ADDITION
TACOMA WASH.



Have all men by their presents that this Amended plat of a part of Latslaw Addition to Tacoma Wash. is recited in lieu of and to correct an error in the size of the lots in Block Eight (8) of the original plat of Latslaw Addition as shown and decided on a map entitled "Map of Latslaw Manning and Manning Addition to Tacoma Wash." and on file in the Auditor's office of Pierce Co. Wash. The size of lots, and the width of streets are as shown upon the amended plat. In witness whereof I have hereunto set my hand and seal this 23rd day of January AD 1890.

Witnessed by E. W. Hoyle }
L. J. Cronson }
State of Washington }
County of Pierce } This is to certify that on this 23rd day of January AD 1890 before me a Notary Public in and for the State of Washington County of Pierce personally appeared Irish C. Latslaw, unmarried, well known to me to be the person described in and who executed the above and foregoing instrument

and who acknowledged to me that he executed the same as his free act and deed for the uses and purposes therein set forth. In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate.

E. W. Hoyle
Notary Public in and for Pierce Co., State of Washington



Have all men by their presents:

that this Amended plat of Manning Addition to Tacoma Wash. is recited in lieu of and to correct an error in the size of the lots in Block Eight of the original plat of Manning Addition as shown and decided on a map entitled "Map of Latslaw Manning and Manning Addition to Tacoma Wash." and on file in the Auditor's office of Pierce Co. Wash. The size of the lots and the width of the streets are as shown upon the amended plat. In witness whereof we have hereunto set our hands and seals this 23rd day of January AD 1890.

Witnessed by E. W. Hoyle }
L. J. Cronson }

Augustine L. Manning, Sr.
Fannie C. Manning, Sr.

State of Washington }
County of Pierce } This is to certify that on this 23rd day of January AD 1890 before me a Notary Public in and for the State of Washington; County of Pierce personally appeared Augustine L. Manning and Fannie C. Manning his wife, well known to me to be the persons described in and who executed the foregoing and who acknowledged to me that they executed the same as their free act and deed for the uses and purposes therein set forth.

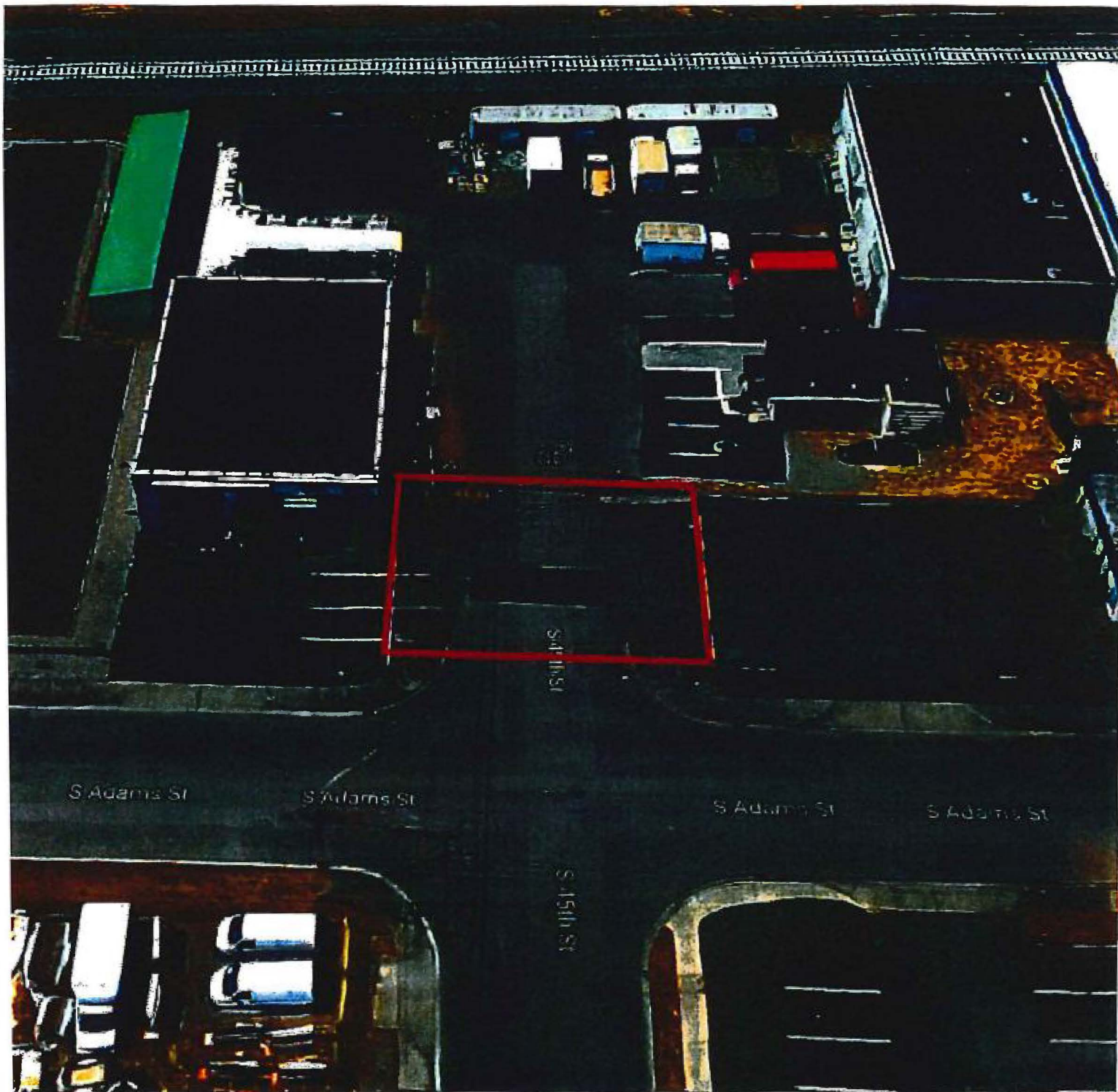
In witness whereof I have hereunto set my hand and affixed my official seal the day and year first above written in this certificate.

E. W. Hoyle
Notary Public in and for the State of Washington
County of Pierce



I hereby certify that the above additions are correct and properly executed.
E. O. Braun

Filed at the request of Irish C. Latslaw this 23rd day of January AD 1890 at 10^o o'clock AM.
Edward K. Higgins
Justice Pierce County Wash.
By W. McCall's Dep.



ORIGINAL

Exhibit 6

Cornforth, Ronda

From: Muller, Gregory
Sent: Thursday, July 13, 2017 2:33 PM
To: Cornforth, Ronda
Subject: FW: Scanned document from rcornfor
Attachments: RE: Scanned document from rcornfor

Ronda,

Yes, please increase the easement width to 18 feet on both the west and south sides.

Thanks!

Greg

From: Muller, Gregory
Sent: Wednesday, July 12, 2017 5:36 PM
To: Cornforth, Ronda
Subject: RE: Scanned document from rcornfor

Thanks, Ronda. I'll run this by Power.

Greg

From: Cornforth, Ronda
Sent: Wednesday, July 12, 2017 4:55 PM
To: Muller, Gregory
Subject: FW: Scanned document from rcornfor

One more thing.... Based on the survey I have the Westerly 15 feet will run through the pole. See attached snipit, the blue is the requested vacation, and the fainter green is the requested Power reservation. Do you want to increase the width?

From: Cornforth, Ronda
Sent: Wednesday, July 12, 2017 4:53 PM
To: Cornforth, Ronda
Subject: Scanned document from rcornfor

ORIGINAL

Cornforth, Ronda

From: Muller, Gregory
Sent: Wednesday, July 12, 2017 2:12 PM
To: Cornforth, Ronda
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Good afternoon, Ronda.

After speaking with both Thad and Rudy, they would like to stick with the original request for a Tacoma Power easement reservation over the south 15 feet and the west 15 feet of the vacation area to protect existing Tacoma Power and Click! infrastructure and to preserve future utility access to TPN 5160000080, which is a legally distinct parcel that could be sold off. They're fine with the potential to modify or release the easement down the line should the proponent subsequently submit a specific development request.

Thank you for your help!

Greg

From: Muller, Gregory
Sent: Tuesday, July 11, 2017 4:56 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Thanks for the update!

From: Cornforth, Ronda
Sent: Tuesday, July 11, 2017 4:29 PM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Thank you Greg – Thad called and indicated that, after he confers with Rudy, they may want to have a quick conversation with the Petitioner since they didn't know that it was a single owner to the West.

From: Muller, Gregory
Sent: Tuesday, July 11, 2017 2:23 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi, Ronda.

Click! will simply use the same easement area as Power. There is no separate requirement as a condition of the vacation for notification. If you'd like, I could ask Click! to update the letter removing reference to trenching, etc. I've attached the drawing referenced in their letter.

As far as "aerial" easement rights only, Power has a pole in the easement area, so requires underground and aboveground rights, too. Thus, the easement is needed in the south 15 feet and the west 15 feet of the vacation area.

As you suggest in your other e-mail, let's reserve the easement rights now and we'll deal with the specific development proposal if/when those plans are submitted.

Thanks.

Greg
253.502.8256

From: Cornforth, Ronda
Sent: Tuesday, July 11, 2017 12:49 PM
To: Muller, Gregory
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Greg,
I'm a little perplexed, can we clean up this chain for my record.

Tacoma Power is reserving an aerial easement and I would assume that Click, as you noted, is also overhead for which the reservation would suffice. But the second line references trenching. Additionally - while the vacation is certainly requested for future development – I'm assuming, hopefully correctly, that the communication aspect is meant between Tacoma Power and Click and isn't a request for conditioning the vacation.

Lastly – the attached conflict letter refers to construction, not yet submitted as a plan, and references an attached drawing that isn't attached.

Would you like to recap, in a separate email, exactly what Click's needs are in relation to this vacation petition? I'd appreciate it.

From: Netcher, Greg
Sent: Monday, July 10, 2017 7:19 AM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi Greg,

Yes, you are correct. I typed underground when it's really aerial.
The easement works for us, as we'll follow power into the trench.

The most important thing for us in these situations is to be notified of upcoming meetings or construction, so we can take the appropriate steps.

But, anyway, attached is a revised letter for the record.

Thanks,
Greg

Greg Netcher
HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



From: Muller, Gregory
Sent: Friday, July 07, 2017 4:00 PM
To: Netcher, Greg
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi, Greg.

John Green field verified the infrastructure, and Tacoma Power has requested an easement over the south 15 feet and the west 15 feet of the vacation area. As Click! is attached to these poles, with this work for you, too? Do you want to update the response letter that references "underground" facilities rather than aerial?

Thanks!

Greg Muller, Real Estate Officer
Tacoma Public Utilities
253.502.8256

From: Netcher, Greg
Sent: Wednesday, July 05, 2017 9:02 AM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi Greg,

Click network **does** has an aerial strand in the proposed area.
Attached is our official response and a map showing the structure.

Please let me know if you need any further information.
Thank you

Greg Netcher
HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



From: Muller, Gregory
Sent: Monday, July 03, 2017 4:28 PM
To: Vaughan, Stuart; Glassy, Thad; Angel, Jesse; Quinones, Kimberly; Eckert, Rudy
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Good afternoon,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Cornforth, Ronda
Sent: Monday, July 03, 2017 10:29 AM
To: Barnett, Elliott; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Donni Fields; Erickson, Ryan; Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Muller, Gregory; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Spencer, William; Standley, Steven; Tina Vaslet ; Trohimovich, Merita
Cc: Cornforth, Ronda
Subject: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1381, as jointly requested by Lackermayer Holdings, LLC and Lackermayer Family, LLC , and provide comments for your respective utility/agency **on or before July 12, 2017**. Responses received later than July 12, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth

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

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



Date: 07/10/17

To: Gregory Muller, R.J. Cornforth

RE: Street Vacation 124.1381 - Lackermayer Holdings, LLC

Response Letter

Thank you for the notice of construction work to be done. Click! Network has reviewed the area in question. We *do have* facilities in this area. Please see the attached drawing for details, and include me on future meetings or planning in regards to this construction.

Please contact me at 253-502-8868 if there are any questions regarding our facilities. If I am not available, please contact Kim Quinones at 253-502-8131.

Thank you,

Greg Netcher
Click! Telecom Planning & Design Technician
253-502-8868

ORIGINAL

Exhibit 8

Cornforth, Ronda

From: Muller, Gregory
Sent: Wednesday, July 12, 2017 2:12 PM
To: Cornforth, Ronda
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Good afternoon, Ronda.

After speaking with both Thad and Rudy, they would like to stick with the original request for a Tacoma Power easement reservation over the south 15 feet and the west 15 feet of the vacation area to protect existing Tacoma Power and Click! infrastructure and to preserve future utility access to TPN 5160000080, which is a legally distinct parcel that could be sold off. They're fine with the potential to modify or release the easement down the line should the proponent subsequently submit a specific development request.

Thank you for your help!

Greg

From: Muller, Gregory
Sent: Tuesday, July 11, 2017 4:56 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Thanks for the update!

From: Cornforth, Ronda
Sent: Tuesday, July 11, 2017 4:29 PM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Thank you Greg -- Thad called and indicated that, after he confers with Rudy, they may want to have a quick conversation with the Petitioner since they didn't know that it was a single owner to the West.

From: Muller, Gregory
Sent: Tuesday, July 11, 2017 2:23 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi, Ronda.

Click! will simply use the same easement area as Power. There is no separate requirement as a condition of the vacation for notification. If you'd like, I could ask Click! to update the letter removing reference to trenching, etc. I've attached the drawing referenced in their letter.

As far as "aerial" easement rights only, Power has a pole in the easement area, so requires underground and aboveground rights, too. Thus, the easement is needed in the south 15 feet and the west 15 feet of the vacation area.

As you suggest in your other e-mail, let's reserve the easement rights now and we'll deal with the specific development proposal if/when those plans are submitted.

Thanks.

Greg
253.502.8256

From: Cornforth, Ronda
Sent: Tuesday, July 11, 2017 12:49 PM
To: Muller, Gregory
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Greg,
I'm a little perplexed, can we clean up this chain for my record.

Tacoma Power is reserving an aerial easement and I would assume that Click, as you noted, is also overhead for which the reservation would suffice. But the second line references trenching. Additionally - while the vacation is certainly requested for future development - I'm assuming, hopefully correctly, that the communication aspect is meant between Tacoma Power and Click and isn't a request for conditioning the vacation.

Lastly - the attached conflict letter refers to construction, not yet submitted as a plan, and references an attached drawing that isn't attached.

Would you like to recap, in a separate email, exactly what Click's needs are in relation to this vacation petition? I'd appreciate it.

From: Netcher, Greg
Sent: Monday, July 10, 2017 7:19 AM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi Greg,

Yes, you are correct. I typed underground when it's really aerial.
The easement works for us, as we'll follow power into the trench.

The most important thing for us in these situations is to be notified of upcoming meetings or construction, so we can take the appropriate steps.

But, anyway, attached is a revised letter for the record.

Thanks,
Greg

Greg Netcher
HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



Thanks.

Greg
253.502.8256

From: Cornforth, Ronda
Sent: Tuesday, July 11, 2017 12:49 PM
To: Muller, Gregory
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

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Lastly - the attached conflict letter refers to construction, not yet submitted as a plan, and references an attached drawing that isn't attached.

Would you like to recap, in a separate email, exactly what Click's needs are in relation to this vacation petition? I'd appreciate it.

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Sent: Monday, July 10, 2017 7:19 AM
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Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

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The easement works for us, as we'll follow power into the trench.

The most important thing for us in these situations is to be notified of upcoming meetings or construction, so we can take the appropriate steps.

But, anyway, attached is a revised letter for the record.

Thanks,
Greg

Greg Netcher
HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



From: Muller, Gregory
Sent: Friday, July 07, 2017 4:00 PM
To: Netcher, Greg
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi, Greg.

John Green field verified the infrastructure, and Tacoma Power has requested an easement over the south 15 feet and the west 15 feet of the vacation area. As Click! is attached to these poles, with this work for you, too? Do you want to update the response letter that references "underground" facilities rather than aerial?

Thanks!

Greg Muller, Real Estate Officer
Tacoma Public Utilities
253.502.8256

From: Netcher, Greg
Sent: Wednesday, July 05, 2017 9:02 AM
To: Muller, Gregory
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi Greg,

Click network *does* has an aerial strand in the proposed area.
Attached is our official response and a map showing the structure.

Please let me know if you need any further information.
Thank you

Greg Netcher
HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



From: Muller, Gregory
Sent: Monday, July 03, 2017 4:28 PM
To: Vaughan, Stuart; Glassy, Thad; Angel, Jesse; Quinones, Kimberly; Eckert, Rudy
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Good afternoon,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

From: Muller, Gregory
Sent: Friday, July 07, 2017 4:00 PM
To: Netcher, Greg
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Hi, Greg.

John Green field verified the infrastructure, and Tacoma Power has requested an easement over the south 15 feet and the west 15 feet of the vacation area. As Click! is attached to these poles, with this work for you, too? Do you want to update the response letter that references "underground" facilities rather than aerial?

Thanks!

Greg Muller, Real Estate Officer
Tacoma Public Utilities
253.502.8256

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Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

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Attached is our official response and a map showing the structure.

Please let me know if you need any further information.
Thank you

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HFC Engineering | Transmission & Distribution
Desk: 253-502-8868 | Cell: 253-370-4415 gnetcher@cityoftacoma.org



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Sent: Monday, July 03, 2017 4:28 PM
To: Vaughan, Stuart; Glassy, Thad; Angel, Jesse; Quinones, Kimberly; Eckert, Rudy
Cc: Martinson, John; Volkhardt, Greg; Collier, Regina; Netcher, Greg
Subject: FW: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Good afternoon,

Please see following e-mail and attachments for the street vacation request, and send your comments/questions my direction.

Thank you.

Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

From: Cornforth, Ronda
Sent: Monday, July 03, 2017 10:29 AM
To: Barnett, Elliott; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Donni Fields; Erickson, Ryan; Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Muller, Gregory; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Spencer, William; Standley, Steven; Tina Vaslet ; Trohimovich, Merita
Cc: Cornforth, Ronda
Subject: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1381, as jointly requested by Lackermayer Holdings, LLC and Lackermayer Family, LLC, and provide comments for your respective utility/agency on or before July 12, 2017. Responses received later than July 12, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth

City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
[**rcornfor@cityoftacoma.org**](mailto:rcornfor@cityoftacoma.org)

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Greg Muller,
Real Estate Officer
Tacoma Public Utilities
Phone: (253) 502-8256
Fax: (253) 502-8539

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Sent: Monday, July 03, 2017 10:29 AM
To: Barnett, Elliott; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Donni Fields; Erickson, Ryan; Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Muller, Gregory; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Spencer, William; Standley, Steven; Tina Vaslet ; Trohimovich, Merita
Cc: Cornforth, Ronda
Subject: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

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Please email me with any questions you may have.

Thank you.

R. J. Cornforth

City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737
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[**rcornfor@cityoftacoma.org**](mailto:rcornfor@cityoftacoma.org)

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

Cornforth, Ronda

From: Seaman, Chris
Sent: Tuesday, July 25, 2017 11:26 AM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Ronda,

Please reserve a 20-foot wide ingress/egress easement centered on S 45th. Tacoma Fire would consider alternate access if provided by applicant.

Regards,
CHRIS SEAMAN, P.E.
Senior Engineer
Tacoma Fire Department | Prevention Division
901 Fawcett Avenue | Tacoma, WA 98402
253.591.5503 | cseaman@cityoftacoma.org



From: Cornforth, Ronda
Sent: Wednesday, July 12, 2017 4:26 PM
To: Erickson, Ryan; Seaman, Chris
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

An Easement can't be rescinded by the owner, only by the City (or the Grantee of the Easement). I think we should meet about this, the question of emergency access to the Westerly properties should have been raised under the previous vacation. Reservation of access now would only garner you the most Easterly 50 feet and wouldn't provide service to the Westerly properties. Further, I can't condition an easement over adjacent properties via this vacation action. All comments, conditions are confined to the limits of the area to be vacated.

That said, and in the event you still want a reservation the question to be answered is: Since the vacation is for redevelopment and expansion of the existing businesses – do you care where your easement is sited provided it's of a certain in width?

From: Erickson, Ryan
Sent: Wednesday, July 12, 2017 4:08 PM
To: Seaman, Chris
Cc: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

I believe doing the easement reservation concurrent with the vacation ordinance is the cleanest and easiest route.

Let's call it an emergency access easement to the City of Tacoma and not just Fire Department.

ORIGINAL



TO: ALL CONCERNED AGENCIES & DEPARTMENTS

**FROM: RJ CORNFORTH
PUBLIC WORKS /REAL PROPERTY SERVICES**

SUBJECT: STREET VACATION REQUEST NO. 124.1381

DATE: June 29, 2017

Real Property Services has received a petition from the representative for Lackermayer Holdings, LLC to vacate the remaining South 45th Street lying between Adams Street and the Railroad in preparation for proposed redevelopment and expansion of existing businesses.

In order to be considered, your comments must be received by **Real Property Services, TMB, Room 737, by July 12, 2017**. If your comments are not received by that date, it will be understood that the office you represent has no interest in this matter.

- Attachment(s)
- AT&T Broadband
- Pierce Transit
- Puget Sound Energy
- Qwest Communications
- Fire Department
- Police Department
- TPU/Power/T&D
- TPU/Water/LID
- PW/Director (3)
- PW/BLUS (2)
- PW/Construction
- PW/Engineering
- PW/Engineering/LID
- PW/Engineering/Traffic
- PW/Environmental Services
- PW/Solid Waste
- PW/Street & Grounds
- Tacoma Economic Development
- Click! Network

RESPONSE

_____ No Objections

_____ Comments Attached

_____ 7/7/2017 _____ Date

_____ *[Signature]* _____ Signature

_____ PW/RPS _____ Department

The Connection Charge In Lieu of Assessment for
The notated portion of S 45th Street is \$1,382.27

ORIGINAL

Cornforth, Ronda

From: Danby, Marilyn <marilynn.danby@pse.com>
Sent: Tuesday, July 11, 2017 10:33 AM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC

Ronda, PSE has an existing 2" STW IP gas main within the proposed vacated area. This gas line serves surrounding buildings. Please send me the actual legal for this vacate, if the customers decides to proceed, so I can prepare the easement document.

Thanks

Marilynn

Marilynn M. Danby SR/WA
Senior Real Estate Representative
Puget Sound Energy
3130 South 38th Street
Tacoma, Wa 98409
Work: 253/476-6451
Work Cell: 253/905-4668
e-mail: marilynn.danby@pse.com

From: Cornforth, Ronda [<mailto:rcornforth@cityoftacoma.org>]
Sent: Monday, July 03, 2017 10:29 AM
To: Barnett, Elliott; Boudet, Brian; Cantrel, Aaron; Cornforth, Ronda; Danby, Marilyn; Donni Fields; Erickson, Ryan; Howatson, James; Johnson, David (PDS); Kammerzell, Jennifer; Kidd, Brennan; Larson, Chris; Muller, Gregory; Reynolds, Tanara ; Seaman, Chris; Simpson, Sue; Site Development; Spencer, William; Standley, Steven; Tina Vaslet ; Trohimovich, Merita
Cc: Cornforth, Ronda
Subject: Street Vacation 124.1381 - Comments DUE July 12, 2017 - Lackermayer Holdings, LLC
Importance: High

Agency Reviewer,

Please review the attached map exhibits for the proposed Street Vacation Petition 124.1381, as jointly requested by Lackermayer Holdings, LLC and Lackermayer Family, LLC , and provide comments for your respective utility/agency on or before July 12, 2017. Responses received later than July 12, 2017 risk NOT being incorporated into the vacation action.

Please email me with any questions you may have.

Thank you.

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services
747 Market Street, Ste. 737

ORIGINAL

Tacoma, WA 98402-7941
(253) 591-5052 / Fax (253) 594-7941
rcornfor@cityoftacoma.org

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

Cornforth, Ronda

From: Comer, Victoria <Victoria.Comer@centurylink.com>
Sent: Wednesday, July 19, 2017 8:36 AM
To: Hawes, Kinne
Cc: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - CenturyLink

Hi Kinne,

We have an aerial cable running along the south side of the area to be vacated. The south 5 feet of the vacated area would be sufficient for our facilities.

Thanks,

--

Victoria Comer
Network Real Estate | CenturyLink
(830) 513-6614 | Victoria.Comer@CenturyLink.com

From: Hawes, Kinne [khawes@vjglaw.com]
Sent: Monday, July 17, 2017 10:43 PM
To: 'Cornforth, Ronda'
Cc: Comer, Victoria
Subject: RE: Street Vacation 124.1381 - CenturyLink

Ronda, we need more information regarding this easement. Is there an existing utility service or facility on this property? What specifically does the utility require and in what specific area?

Lackermayer Family as a party? Is this only because it adjoins the vacated property? It does not appear that any part of its property is affected by this easement—correct?

Best Regards,
Kinne
Kinne Hawes
PO Box 1315
Tacoma WA 98401-1315
1201 Pacific Avenue, Suite 1900
Tacoma WA 98402
Direct Dial 253-591-8557
Fax 253-383-6377
khawes@vjglaw.com

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ORIGINAL

From: Cornforth, Ronda [mailto:rcornforth@cityoftacoma.org]
Sent: Monday, July 17, 2017 1:44 PM
To: Hawes, Kinne
Cc: Comer, Victoria (Victoria.Comer@centurylink.com)
Subject: FW: Street Vacation 124.1381 - CenturyLink

Kinne,

Attached is a draft of the proposed CenturyLink Easement that will be a condition of the vacation, please review and respond. My records indicate the need to include Lackermayer Family, LLC as a second Grantor to the easement.

Thank you.

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services

The meek shall inherit the Earth, but not its mineral rights.

From: Comer, Victoria [mailto:Victoria.Comer@centurylink.com]
Sent: Monday, July 17, 2017 1:18 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - CenturyLink

Hi Ronda,

Thanks for the information. I've attached the easement document, could you confirm that the Grantor's name is correct?

Thank you

--

Victoria Comer
Network Real Estate | CenturyLink
(830) 513-6614 | Victoria.Comer@CenturyLink.com

From: Cornforth, Ronda [rcornforth@cityoftacoma.org]
Sent: Monday, July 17, 2017 9:06 AM
To: Comer, Victoria
Subject: RE: Street Vacation 124.1381 - CenturyLink

Victoria,

Attached is an email I shared with Frank and John providing information regarding the Tribe, BIA and an example of the proper legal description method.

From: Comer, Victoria [mailto:Victoria.Comer@centurylink.com]
Sent: Monday, July 17, 2017 8:06 AM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - CenturyLink

Hi Ronda,

I can have it done within the next day or two. Do you have any sketches of the vacated area that I could use as an exhibit in the easement? Also, do you have any wording for the ordinance and its recording number that I should use?

P.S. The saying in your last signature made me laugh :)

--
Victoria Comer
Network Real Estate | CenturyLink
(830) 513-6614 | Victoria.Comer@CenturyLink.com

From: Cornforth, Ronda [rcornforth@cityoftacoma.org]
Sent: Monday, July 10, 2017 4:47 PM
To: Comer, Victoria
Subject: RE: Street Vacation 124.1381 - CenturyLink

Perfect – you’ll need to prepare your easement for execution, send it to me and I’ll forward it to the Petitioner’s counsel for signature. I’ll hold your fully executed easement in escrow so as not to record prematurely and create a cloud on title.

How long do you anticipate document preparation to take you?

R. J. Cornforth
City of Tacoma, Public Works
Real Property Services

The meek shall inherit the Earth, but not its mineral rights.

From: Comer, Victoria [<mailto:Victoria.Comer@centurylink.com>]
Sent: Monday, July 10, 2017 3:44 PM
To: Cornforth, Ronda
Subject: RE: Street Vacation 124.1381 - CenturyLink

Ronda,

Okay thanks for the information. We have no objection, provided we retain all rights within the vacated section.

I've also attached a signed copy of the memo you sent out.

Thank you,

--
Victoria Comer
Network Real Estate | CenturyLink
(830) 513-6614 | Victoria.Comer@CenturyLink.com

From: Cornforth, Ronda [rcornforth@cityoftacoma.org]
Sent: Thursday, July 06, 2017 1:43 PM
To: Comer, Victoria
Subject: RE: Street Vacation 124.1381 - CenturyLink

Sure – but you don’t have to be that formal. An email indicating that you have facilities and will be requiring execution of an easement is sufficient. Your comments will simply be included in my report and the property owner will work directly with you to prepare the easement. Obviously, the easement and the description will need to allow for insertion

of the Ordinance and its recording number, but I'll hold the easement in pseudo escrow until the Ordinance is recorded – then I'll return it to you for recording.

R. J. Cornforth

City of Tacoma, Public Works

Real Property Services

747 Market Street, Ste. 737

Tacoma, WA 98402-7941

(253) 591-5052 / Fax (253) 594-7941

rcornfor@cityoftacoma.org

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

From: Comer, Victoria [<mailto:Victoria.Comer@centurylink.com>]

Sent: Thursday, July 06, 2017 1:13 PM

To: Cornforth, Ronda

Subject: Street Vacation 124.1381 - CenturyLink

Hi Ronda,

I'm the ROW Agent for CenturyLink working on this. Would a signed letter stating our interest, along with a signed copy of the Memorandum you sent work?

Thanks for your time.

--

Victoria Comer

Network Real Estate | CenturyLink

(830) 513-6614 | Victoria.Comer@CenturyLink.com

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EXHIBIT 1

9404040427

BK 1009PG0186

Req. #4604

94 APR -4 AM 11:20



ORDINANCE NO. 25456

RECORDED
CATHY PEARBALL-STIPEK
AUDITOR PIERCE CO. WASH

1 AN ORDINANCE vacating that portion of South 45th Street lying between and abutting
2 the west one-half of Blocks 3 and 6, and lying between and abutting Blocks 4 and
3 5, AMENDED MAP OF A PART OF LATSHAWS ADDITION AND
4 MANNING ADDITION TO TACOMA, WASHINGTON, according to the map
5 thereof filed for record in Volume 4 of Plats at page 56, records of Pierce County
6 Auditor, retaining and reserving therein an easement for the Light Division for
7 existing electrical facilities.

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

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That that portion of South 45th Street lying between and abutting the
13 west one-half of Blocks 3 and 6, and lying between and abutting Blocks 4 and 5,
14 AMENDED MAP OF A PART OF LATSHAWS ADDITION AND MANNING
15 ADDITION TO TACOMA, WASHINGTON, according to the map thereof filed for
16 record in Volume 4 of Plats at page 56, is hereby vacated, and the land so vacated
17 hereby surrendered and attached to the lots bordering thereon, respectively, as a part
18 thereof, and all right or title of said City of Tacoma and the public in and to the portion of
19 said streets so vacated does hereby vest in the owners of said property abutting thereon,
20 all in the manner provided by law; provided however, that there is hereby retained and
21 reserved, pursuant to statutes of the State of Washington, the following easement, to wit:
22 An easement in favor of the City of Tacoma over the entire vacated area for the erection,
23 operation and maintenance of power poles, lines and related facilities, together with the
24 perpetual right and privilege to enter upon each and every part of the property
25 hereinabove reserved at any time and with all necessary men, materials, appliances and
26 equipment, for the purpose of constructing, reconstructing, inspecting, operating,

ORIGINAL

9404040427

ord4604.doc-KJC/hw

DP

EX.13

BK1009PG0187



1 repairing or maintaining said existing electrical facilities.

2 Passed MAR 22 1994

3
4 Mayor

5
6 Attest: City Clerk

7 ord4604.doc-KJC/tw

8
9 Approved as to form and legality:

Property description approved:

10 *Kyle J. Lewis*
11 Assistant City Attorney

David L. Warren
12 Chief Surveyor, Public Works Dept.

13 Location: South 45th Street west of Adams Street.

14 Petitioner: Victor J. Yaconetti

15 Vacation Request #124.991

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26

9404040427

127

BK 009PG0188




City of Tacoma
General Services Department

City Clerk's Certificate

I, GENELLE BIRK, City Clerk of the City of Tacoma, Pierce County,
Washington, do hereby certify that the attached is a full, true
and correct copy of Ordinance No. 25455 passed by the
City Council on the 22nd day of March 19 94.

WITNESS MY HAND and the seal of said City this 7th

day of April, 19 94

GENELLE BIRK, General Services
Director/City Clerk
Crt/Fms15

9404040427

