



ORDINANCE NO. 28239

1
2
3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 portion of South 49th Street lying between South Wilkeson Street and
5 Interstate 5; and adopting the Hearing Examiner's Findings,
6 Conclusions, and Recommendations related thereto.

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

10 BE IT ORDAINED BY THE CITY OF TACOMA:

11 Section 1. That the City Council hereby adopts the Hearing Examiner's
12 Findings, Conclusions, and Recommendations as contained in the Hearing
13 Examiner's Report and Recommendation to the City Council bearing File
14 No. 124.1341 and dated July 23, 2014, which Report is on file in the office of
15 the City Clerk.
16
17
18
19



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That the portion of South 49th Street lying between South Wilkeson Street and Interstate 5, described as follows:

Beginning at the Southeast corner of Lot 16, Block 22, Acme Addition to Tacoma, according to the Plat thereof recorded in Book 8 of Plats, Page 110, records of Pierce County, Washington; thence North 87°26'32" West, along the South line of said Block 22, a distance of 365.29 feet; thence South 03°03'10" East a distance of 60.29 feet, more or less, to the North line of Block 23 of said Acme Addition; thence South 87°26'32" East, along the North line of said Block 23, a distance of 269.39 feet; thence North 02°32'28" East a distance of 47.50 feet; thence South 87°26'32" East a distance of 90.00 feet; thence North 02°33'28" East a distance of 12.50 feet to the True Point of Beginning.

All situate in the Northwest quarter of the Northwest Quarter of Section 20, Township 20 North, Range 03 East, W.M., within 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 easements, to-wit:



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CITY OF TACOMA – ENVIRONMENTAL SERVICES

An easement for the existing storm and sanitary mains shall be reserved across the vacated Right-of-Way in the area legally described as follows:

Commencing at the centerline intersection of South Wilkeson Street and South 49th Street; thence North 87°26'32" West, along the centerline of said South 49th Street, a distance of 124.96 feet to the True Point of Beginning; thence North 02°33'28" East a distance of 9.63 feet; thence North 87°10'52" West a distance of 273.41 feet; thence South 03°03'22" East a distance of 32.18 feet; thence South 87°24'14" East a distance of 270.26 feet; thence North 02°33'28" East a distance of 21.33 feet, more or less, to the centerline of South 49th Street and the True Point of Beginning.

Access to the above-described easement area, as reserved herein, shall be unhindered at all times.

CITY OF TACOMA – TACOMA FIRE

The Petitioner shall relocate the existing fire hydrant, at its own expense and in coordination with Tacoma Water, to a location near the South 49th Street termination.

CITY OF TACOMA – TACOMA WATER

The Petitioner shall enter into an easement agreement with Tacoma Water regarding use of the vacated area by Tacoma Water that will be executed and recorded concurrently with the vacation ordinance and not as a reservation therein.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

PUGET SOUND ENERGY

The Petitioner shall execute and record an easement agreement with Puget Sound Energy, which will be recorded concurrently with the vacation ordinance.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of South 49th Street lying between South Wilkeson Street and Interstate 5
Petitioner: Wesco Management, LLC
Vacation Req. No. 124.1341