



ORDINANCE NO. 28867

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 portion of South Pine Street public right-of-way, for extended property
5 area and potential expansion of the existing business use; and
6 adopting the Hearing Examiner's Findings, Conclusions, and
7 Recommendations 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
13 Examiner's Findings, Conclusions, and Recommendations as contained in
14 the Hearing Examiner's Report and Recommendation to the City Council
15 bearing File No. 124.1438 and dated November 21, 2022, which Report is on
16 file in the office of the City Clerk.
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Section 2. That a portion of South Pine Street public right-of-way, legally described as follows:

CITY OF TACOMA DEEDS RECORDED UNDER THOSE PORTIONS OF THAT CERTAIN REAL PROPERTY DESCRIBED IN RECORDING NO. 1271836 AND RECORDING NO. 2307652, RECORDS OF PIERCE COUNTY AUDITOR, WASHINGTON, LOCATED IN THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 7, TOWNSHIP 20 NORTH, RANGE 3 EAST OF THE W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY MARGIN OF SOUTH PINE STREET, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF LOT 1 PER CITY OF TACOMA SHORT PLAT NO. 77-154, RECORDS OF PIERCE COUNTY AUDITOR, DENOTED BY A NO. 4 REBAR AND RED PLASTIC CAP; THENCE SOUTHEASTERLY ALONG THE PROLONGATION OF A CURVE TO THE RIGHT WITH A RADIUS OF 1,185.37 FEET, THROUGH A CENTRAL ANGLE OF 09°06'04", AN ARC DISTANCE OF 188.29 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 14°45'36" EAST 188.09') TO AN ANGLE POINT; THENCE LEAVING SAID CURVE SOUTH 88°38'41" EAST A DISTANCE OF 23.46 FEET TO THE EAST MARGIN LINE OF SOUTH PINE STREET AS LAID OUT BY THE CITY OF TACOMA PER SAID DEED RECORDING NO. 1271836, BEING A LINE PARALLEL WITH AND 40 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 7; THENCE NORTH 01°21'19" EAST A DISTANCE OF 156.89 FEET TO THE NORTHEASTERLY CORNER OF SAID DEED RECORDING NO. 1271836 AND THE SOUTHEASTERLY CORNER OF SAID DEED RECORDING NO. 2307652; THENCE CONTINUING ALONG SAID EAST MARGIN OF SOUTH PINE STREET PER SAID RECORDING NO. 2307652, NORTH 01°21'19" EAST A DISTANCE OF 56.21 FEET TO A POINT OF INTERSECTION OF THE EAST MARGIN OF SOUTH PINE STREET PER SAID



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RECORDING NO. 2307652 AND THE SOUTHERLY LOT LINE OF SAID LOT 1; THENCE SOUTH 78°12'16" WEST ALONG SAID SOUTHERLY LINE OF SAID LOT 1 A DISTANCE OF 40.92 FEET TO AN ANGLE POINT OF SAID LOT 1 THEREIN, DENOTED BY A 'PK' NAIL WITH WASHER; THENCE SOUTH 58°35'16" WEST A DISTANCE OF 42.70 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



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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:

Environmental Services – Engineering

A standard utility easement reserved by the City for its existing wastewater and storm water infrastructure.

Tacoma Water

An easement reserved over a portion of the proposed Vacation Area as follows: the westerly 25 feet of the proposed area to be vacated, together with the northerly 40 feet of the proposed area to be vacated, for Tacoma Water infrastructure.

Tacoma Power

An easement reserved for Tacoma Power infrastructure over two areas of the proposed vacation area as follows:

North Portion: All that area lying north of a line extending between a point 30 feet south of the northwest corner and 30 feet south of the northeast corner of the area proposed for vacation.

South Portion: The south 10 feet of the area proposed for vacation.



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Environmental Services – Solid Waste

An access easement reserved by the City over the vacation area for solid waste access to the parcel to the north of the Vacation Area (Parcel No. 0320078001).

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A portion of South Pine Street public right-of-way
Petitioner: LBA LVF VII-COMPANY XXIII, LLC
Request No.: 124.1438