



ORDINANCE NO. 29095

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating the air
4 rights over East 30th Street approximately 400 feet easterly from the
5 intersection of East Portland Avenue and East 30th Street, to build a
6 pedestrian connection between the Emerald Queen Casino and a
7 planned parking garage; and adopting the Hearing Examiner's
8 Findings, Conclusions, and Recommendations related thereto.

9 WHEREAS the City received a petition for vacation of air rights over
10 East 30th Street approximately 400 feet easterly from the intersection of East
11 Portland Avenue and East 30th Street, to build a pedestrian connection
12 between the Emerald Queen Casino and a planned parking garage, and

13 WHEREAS the Petitioner, the Puyallup Tribe of Indians, requested the
14 vacation to build an elevated 20-foot by 80-foot pedestrian connection
15 between the Emerald Queen Casino and a planned parking garage, and
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1 WHEREAS the vacation area is not currently being used for any right-
2 of-way (“ROW”) purpose, nor does the City see any future need for it as a
3 public ROW, and
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5 WHEREAS a public hearing was held on January 15, 2026, and the
6 Hearing Examiner’s recommendation is based on the evidence and testimony
7 presented at this hearing, however, no members of the public appeared to
8 express concerns or opposition to, and/or support for the proposed vacation,
9 and
10

11 WHEREAS all steps and proceedings required by law and by
12 resolution of the City Council to vacate the portion of the right-of-way
13 hereinafter described have been duly taken and performed; Now, Therefore
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15 BE IT ORDAINED BY THE CITY OF TACOMA:
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17 Section 1. That the City Council hereby adopts the Hearing Examiner’s
18 Findings, Conclusions, and Recommendations as contained in the Hearing
19 Examiner’s Report and Recommendation to the City Council bearing File
20 No. 124.1463 and dated January 21, 2026, which Report is on file in the office
21 of the City Clerk.
22



1 Section 2. That the air rights above East 30th Street approximately
2 400 feet easterly from the intersection of East Portland Avenue and East 30th
3 Street, legally described as follows:
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5 THAT PORTION OF THE EAST 30TH STREET
6 80 FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE
7 PLAT OF THE INDIAN ADDITION TO THE CITY OF
8 TACOMA, RECORDED IN VOLUME 7 OF PLATS AT
9 PAGE 30, RECORDS OF PIERCE COUNTY,
10 WASHINGTON, DESCRIBED AS FOLLOWS:

11 THE WESTERLY 20.00 FEET OF THE EASTERLY
12 375.55 FEET OF SAID EAST 30TH STREET RIGHT-
13 OF-WAY LYING BETWEEN THE EASTERLY
14 RIGHT-OF-WAY MARGIN OF PORTLAND AVENUE
15 EAST AND THE WESTERLY RIGHT-OF-WAY
16 MARGIN OF EAST R STREET AND LYING ABOVE
17 THE ELEVATION OF 71.00 FEET AND BELOW THE
18 ELEVATION OF 90.00 FEET RELATIVE TO
19 CITY OF TACOMA DATUM OF NGVD29.

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22
23
24 are hereby vacated, and the air rights so vacated are hereby surrendered and
attached to the property bordering thereon, as a part thereof, and all right or



1 title of the City in and to the portion of the right-of-way so vacated does
2 hereby vest in the owners of the property abutting thereon, all in the manner
3 provided by law.
4

5 Passed _____

6 _____
7 Mayor

8 Attest:
9 _____
10 City Clerk

11 Approved as to form:
12 _____
13
14 Deputy City Attorney

11 Property description approved:
12 _____
13
14 Chief Surveyor
15 Public Works Department

16 Location: A portion of air rights above East 30th Street approximately 400
17 feet easterly from the intersection of East Portland Avenue and
18 East 30th Street.

18 Petitioner: The Puyallup Tribe of Indians
19 Vacation Req. No. 124.1463