

**SOUND TRANSIT
STAFF REPORT**

RESOLUTION NO. R2009-08

Property Acquisition for the Sounder Commuter Rail D to M Street Track and Signal Project

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	4/16/09	Discussion/Possible Action to Recommend Board Approval	Ahmad Fazel, Link Executive Director	(206) 398-5389
Board	4/23/09	Action	Jim Edwards, Director of Capital Projects Don Vogt, Senior Real Estate Representative	(206) 398-5436 (206) 689-3396

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate	✓	Property Acquisition	✓

PROJECT NAME

Sounder Commuter Rail D to M Street Track and Signal Project

PROPOSED ACTION

Authorizes the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the construction of the Sounder Commuter Rail D to M Street Track and Signal Project.

KEY FEATURES of PROPOSED ACTION

- The proposed action authorizes the acquisition of twenty-two parcels for the Sounder Commuter Rail D to M Street Project, including authority to pay eligible relocation and re-establishment benefits to owners and tenants as necessary. These property acquisitions include temporary construction easements (TCEs) and other similar easement rights.
- These additional parcels have been identified during final design for the revised alignment.
- Each of the parcels from which property interests are to be acquired is described in attachment Exhibit A to this Resolution.

BUDGET IMPACT SUMMARY

Current Project Phase: Final Design
Projected Completion Date: 2012

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET and FINANCIAL PLAN DISCUSSION

The Adopted 2009 Capital Budget for the project is \$101,024,555. Within that budget, \$47,257,085 has been budgeted in the right of way phase with \$15,345,757 committed through January 31, 2009. The acquisition costs of specific parcels are appropriate for discussion with Board members in executive session.

The proposed action is consistent with the current board-adopted budget, and is affordable within the agency's long-term financial plan and subarea financial capacity. The action will have no new revenue impact on Sound Transit.

BUDGET TABLE

Summary for Board Action (Year of Expenditure \$000)

Project: 135 - D Street - M Street Track & Signal

	2009 Board Adopted Budget ¹ (A)	Committed To Date ² (B)	This Action (C)	Total Committed & Action (D)	Uncommitted (Shortfall) (E)
1 Agency Administration	\$ 4,111	\$ 4,111	\$ -	\$ 4,111	\$ -
2 Preliminary Engineering	\$ 1,745	\$ 1,711	\$ -	\$ 1,711	\$ 34
3 Final Design	\$ 14,886	\$ 12,847	\$ -	\$ 12,847	\$ 2,039
4 Right of Way	\$ 47,257	\$ 15,346	\$ -	\$ 15,346	\$ 31,911
5 Construction	\$ 11,572	\$ 104	\$ -	\$ 104	\$ 11,468
6 Vehicles	\$ 8,953	\$ 8,953	\$ -	\$ 8,953	\$ 0
7 Contingency	\$ 12,500	\$ -	\$ -	\$ -	\$ 12,500
8 Total Current Budget	\$ 101,025	\$ 43,072	\$ -	\$ 43,072	\$ 57,953

Notes:

¹ Project budget is located on page 123 of the Proposed 2009 Budget book. The 2009 Budget was adopted by the Board on December 11, 2008.

² Committed to date amount includes actual outlays and commitments through January 31, 2009.

SMALL BUSINESS PARTICIPATION

Not applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

The proposed improvements for the Sounder Commuter Rail system between Tacoma and Lakewood, Washington include a new rail connection beginning at East D Street, immediately west of the Tacoma Dome Station, and extending to the existing BNSF track north of Tacoma Avenue South.

As a result of community interest in the route for the D to M section of the Tacoma to Lakewood Sounder line, the Board authorized consideration of various alternative alignments for this segment in April 2006. Initially, it had been contemplated that the alignment would run primarily in public right of way. However, as further design alternatives were considered, Alternative 3 Modified, which provided for a grade-separated crossing of Pacific Avenue emerged as the alignment preferred by the community, and this option was endorsed by the Tacoma City Council. The Board directed staff in February 2007 to conduct a feasibility study of this alignment, and the Board approved it on December 13, 2007. As a result of that action, additional parcels have been identified as being necessary to acquire for the project. The Board had previously authorized acquisitions in this corridor. Now that final design is underway, additional real estate interests in other parcels that need to be acquired have been identified. A complete description of these parcels is listed in Exhibit A to this proposed resolution.

In compliance with the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), the Federal Transit Administration (FTA) and Sound Transit prepared and issued a Final Environmental Impact Statement (FEIS) for the Lakewood to Tacoma Commuter Rail and SR-512 Park and

Ride Expansion in May 2002 which covered the proposed locations for the two commuter rail stations in South Tacoma and Lakewood, track and signal improvements and extensions from Tacoma to Lakewood, and a new layover yard at Camp Murray. A Record of Decision was issued by FTA in December 2002. On November 28, 2007, FTA approved a NEPA Pre-evaluation which evaluated the impacts of a new alignment in the D to M Street segment in Tacoma (Modified Alternative 3 with a grade separated railroad bridge at Pacific Avenue in Tacoma). In compliance with SEPA, a SEPA Addendum was issued on December 4, 2007 which also evaluated the impacts of Modified Alternative 3. This is the alignment to be constructed by Sound Transit. The SEPA Addendum and NEPA re-evaluation for Modified Alternative 3 disclosed and evaluated impacts on additional properties not affected as a part of the alternatives studied in the previous EIS. NEPA and SEPA documentation and approvals are complete for the set of proposed Lakewood to Tacoma commuter rail improvements authorized to date by the Sound Transit Board. The request for authorization of property rights in this staff report is intended to acquire temporary construction easements (TCEs) and other similar easement rights. The type and range of impacts anticipated from the project in regard to the parcels identified in this staff report have been disclosed in the previous NEPA/SEPA environmental documentation.

Prior Board/Committee Actions

Motion/Resolution Number and Date	Summary of Action
R2008-13 11/13/2008	Authorized the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Sounder Commuter Rail D to M Street Track & Signal Project.
R2008-02 2/14/2008	Authorized the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Commuter Rail D to M Street Track & Signal project.
R2003-13 6/26/2003	Acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), condemnation litigation, or entering administrative settlements, and to pay eligible relocation and re-establishment benefits to affected owners and tenants as necessary for the construction of the Lakewood and South Tacoma Commuter Rail Stations, the new Lakewood Connector railroad line to be constructed from D Street to M Street in Tacoma, and the Layover Yard at Camp Murray, and to execute all documents necessary to convey certain of those interests to the City of Tacoma.

CONSEQUENCES of DELAY

Timely approval of acquisitions is essential to meet project deadlines.

PUBLIC INVOLVEMENT

During the period beginning February 2006 (when Sound Transit began to study the feasibility of different alternatives for the D to M Street segment) and December 2007 (when the route to be constructed was confirmed), extensive community outreach was conducted to community and neighborhood groups, individual property and business owners, community stakeholders and residents. Activities included the following:

- Community and neighborhood groups were briefed at each juncture of the project and as new alternatives were introduced.
- Public open house and workshops regarding D-M alternatives were held October 2006 and November 2007.
- Staff participated in American Institute of Architects sponsored D-M design workshops in September 2006.

- Project update letters were sent to community contacts (stakeholders, adjacent and impacted businesses/property owner) in April 2006 and July 2007.
- Individual meetings with potentially impacted business/property owners and adjacent businesses were held in February/March 2006, May/June 2006, and April/May 2007. Real Estate staff participated in the April/May 2007 meetings to address any preliminary questions about the potential acquisition process.
- A letter was sent to community contacts in January 2008 informing stakeholders, businesses and property owners of the Board's decision on the route. A map of the route and Board motion was included.
- In compliance with state legislation regarding public notification, Sound Transit has mailed certified letters to property owners affected by this action. Legal notices of this proposed Board action have been published in the Tacoma area newspapers.

ENVIRONMENTAL COMPLIANCE

SSK 4-03-09

LEGAL REVIEW

LA 4/10/09

SOUND TRANSIT

RESOLUTION NO. R2009-08

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to acquire, dispose, or lease certain real property interests by negotiated purchase, by condemnation (including settlement), by condemnation litigation, or by administrative settlement; and to pay eligible relocation and re-establishment benefits to affected parties as necessary for the Sounder Commuter Rail D to M Street Track & Signal Project.

WHEREAS, a Regional Transit Authority, hereinafter referred to as Sound Transit, has been created for the Pierce, King, and Snohomish County region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, on November 5, 1996, at a general election held within the Central Puget Sound Regional Transit Authority district, the voters approved local funding for Sound Move, the ten-year plan for high capacity transit in the Central Puget Sound Region; and

WHEREAS, Sound Move provided for the implementation of high capacity commuter rail service between Tacoma and Lakewood, and further provided for the construction, operation, and permanent location of an approximately 1.2 mile length of new railroad track in Tacoma, Washington, from D Street to M Street; and

WHEREAS, in compliance with the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), the Federal Transit Administration (FTA) and Sound Transit prepared and issued a Final Environmental Impact Statement (FEIS) for the Lakewood to Tacoma Commuter Rail and SR-512 Park and Ride Expansion in May 2002 which covered the proposed locations for the two commuter rail stations in South Tacoma and Lakewood, track and signal improvements and extensions from Tacoma to Lakewood, and a new layover yard at Camp Murray. A Record of Decision was issued by FTA in December 2002. FTA approved a NEPA Reevaluation in February 2007 which evaluated, among other design changes and new information, the proposed change of location of the layover facility from Camp Murray to Lakewood after Camp Murray became unavailable. On November 28, 2007, FTA approved another NEPA Reevaluation, which evaluated the impacts of a new alignment in the D to M Street segment in Tacoma (Modified Alternative 3 with a grade separated railroad bridge at Pacific in Tacoma). In compliance with SEPA, a SEPA Addendum was issued on December 4, 2007, which also evaluated the impacts of Modified Alternative 3. As

a result, NEPA and SEPA documentation and compliance are complete for the set of proposed Lakewood to Tacoma commuter rail improvements authorized to date by the Sound Transit Board; and

WHEREAS, in order to acquire the properties determined to be necessary for the construction, operation and maintenance of project improvements required under Sound Move, it is necessary for Sound Transit to acquire by negotiated purchase or to condemn certain rights in the property for public purposes, and to pay eligible relocation and re-establishment benefits to affected parties; and

WHEREAS, Sound Transit has identified certain real properties as necessary for the construction and permanent location of the Sounder Commuter Rail D to M Street Track & Signal Project, and they are reasonably described in Exhibit A of this resolution; and

WHEREAS, on April 6, 2009, Sound Transit mailed certified letters to property owners affected by this action and also published newspaper notices in compliance with state law regarding public notification; and

WHEREAS; Sound Transit has commissioned or will commission appraisals to determine the fair market value of the properties, and will continue to negotiate in good faith with the owners of the properties authorized to be acquired by negotiated purchase or condemned, with the intent of reaching agreements for the voluntary acquisition of the property for fair market value; and

WHEREAS, the funds necessary to acquire the property by voluntary purchase or to pay just compensation adjudged due after condemnation and the funds necessary to pay eligible relocation and re-establishment costs shall be paid from Sound Transit general funds.

NOW THEREFORE BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority as follows:

SECTION 1. The chief executive officer is hereby authorized to execute such agreements as are customary and necessary for the acquisition, lease, or disposal of the real property interests described in Exhibit A (said property to be used for the Sounder Commuter Rail D to M Street Track & Signal Project) and incorporated herein by reference, and for the payment of eligible relocation and re-establishment costs. In accordance with Sound Transit's adopted Real Property Acquisition and Relocation Policies, Procedures and Guidelines, the acquisition price of the properties shall not exceed the fair market value to be determined through the appraisal process; provided that in the event the total of the acquisition, relocation, and re-

establishment costs of the properties for the Sounder Commuter Rail D to M Street Track & Signal Project exceeds Sound Transit's approved budget for right-of-way acquisition (plus contingency), then the chief executive officer shall obtain approval from the appropriate committee or the Board, per Resolution No. 78-1, before the acquisition of the property for the Sounder Commuter Rail D to M Street Track & Signal Project by purchase or by condemnation and the payment of eligible relocation and re-establishment costs.

SECTION 2. The chief executive officer or her designee is hereby authorized to settle condemnation litigation or enter administrative settlements (a settlement in lieu of initiating condemnation litigation) for the acquisition of the real property interests described in Exhibit A. Such settlements shall be made only upon the finding of legal counsel that the settlement is consistent with the law and is reasonable, prudent, and in the public interest. Such settlements shall not exceed established project budgets. For all other settlements proposed, the chief executive officer shall obtain prior approval of the appropriate committee or the Board, per Resolution No. 78-1.

SECTION 3. The Sound Transit Board deems the Sounder Commuter Rail D to M Street Track & Signal Project to be a public use for a public purpose. The Board deems it necessary and in the best interests of the citizens residing within Sound Transit's boundaries to acquire the property identified in Exhibit A as being necessary for the construction, operation, and permanent location of the Sounder Commuter Rail D to M Street Track & Signal Project, parties be paid relocation and re-establishment costs associated with displacements from the properties.

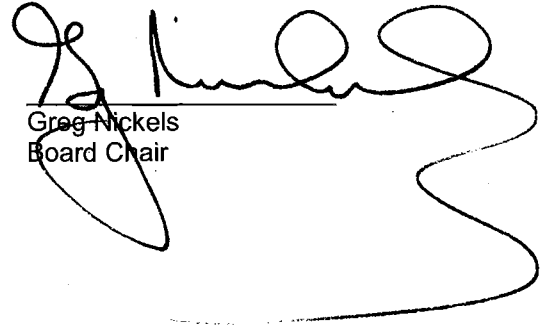
SECTION 4. The Sound Transit Board of Directors finds that the public health, safety, necessity, convenience, and welfare demand and require that the properties described in Exhibit A be immediately acquired, condemned, appropriated, taken and damaged for the construction, operation, and permanent location of the Sounder Commuter Rail D to M Street Track & Signal Project.

SECTION 5. In addition to the authority granted the chief executive officer in Section 1 above, condemnation proceedings are hereby authorized to acquire all, or any portion thereof, of the properties and property rights and/or rights in those of the properties described in Exhibit A, not owned by a public entity, for the purpose of constructing, owning, and operating a permanent location of the Sounder Commuter Rail D to M Street Track & Signal Project. The chief executive officer is also authorized to make minor amendments to the legal descriptions of the properties described in Exhibit A, as may be necessary to correct scrivener's

errors and/or to conform the legal description to the precise boundaries of the property required for the Project.


SECTION 6. The funds necessary to acquire the property by purchase or to pay just compensation adjudged due after condemnation shall be paid from Sound Transit general funds.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on April 23, 2009.



Greg Nickels
Board Chair

ATTEST:



Marcia Walker
Board Administrator

EXHIBIT A
RESOLUTION NO. R2009-08
Commuter Rail D to M Street Track and Signal Project

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692092	DM019	City of Tacoma	032008 403 1	South Tacoma Way Tacoma WA

Legal Description:

That part of the east half of the southeast quarter of the northwest quarter of the southeast quarter of Section 8, Township 20 North, Range 3 East, W.M., in Pierce County, Washington, lying southerly of the Burlington Northern right of way;

EXCEPT that portion in South 32nd Street.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
693925	DM020	The City of Tacoma	032008 401 6	South Tacoma Way Tacoma WA

Legal Description:

Beginning at the northeast corner of the southwest quarter of the southeast quarter of Section 8, Township 20 North, Range 3 East, W.M., in Pierce County, Washington;
 Thence west 329.9 feet;
 Thence south 19.19 feet;
 Thence north 80°47' east 91.41 feet;
 Thence south 09°13' east 27.68 feet;
 Thence east 96.86 feet;
 Thence northeasterly on a curve to the left with a radius of 1,146 feet a distance of 144.26 feet to the point of beginning.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
663412	DM021	RLC Associates L.L.C.	202504 001 1	2502 Pacific Avenue Tacoma WA 98402-2808

Legal Description:

Lots 1, 2, 3 and 4, and the northerly 3 inches of Lot 5, Block 2504, The Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
693904	DM022	HHH Investments, LLC	207513 001 0	2501 Pacific Avenue Tacoma WA 98402-2809

Legal Description:

Lots 1 through 4, inclusive, and the north 5 feet of Lot 5, Block 7513, AND Lots 1 through 4, inclusive, and the north 5 feet of Lot 5, Block 7514, The Tacoma Land Company's First Addition to Tacoma, according to the plat thereof filed for record July 7, 1884, in the Office of the County Auditor, in Pierce County, Washington;

TOGETHER WITH all the alley between said Blocks abutting upon said lots, vacated by Ordinance No. 3172 of the City of Tacoma;

TOGETHER WITH all of "A" Street lying between Blocks 7514 and 7516 in said addition and abutting upon Lots 1 through 4, inclusive, and the north 15 feet of Lot 5, in said Block 7514, as vacated by Ordinance No. 3222 of the City of Tacoma.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
666883	DM023	Cholu Pak and Jinsoon Pak	207613 004 0	2611 Pacific Ave Tacoma WA

Legal Description:

Lots 5, 6 and 7, Block 7613, The Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692094	DM024	Cholu Pak and Jinsoon Pak	207613 005 0	South 27 th Street Tacoma WA

Legal Description:

Lots 8, 9 and 10, Block 7613, The Tacoma Land Company's First Addition to Tacoma, according to the plat thereof filed for record July 7, 1884, in Pierce County, Washington;

TOGETHER WITH the air rights above 16 feet of the established grade of the west half of the alley abutting said Lot 9 and 10, vacated by Ordinance No. 17310 of the City of Tacoma.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692095	DM025	Pingco Management, LLC	207614 001 0	102 South 26 th Street Tacoma WA 98402-2801

Legal Description:

Lots 1, 2 and 3, Block 7614, The Tacoma Land Company's First Addition to Tacoma, W.T., according to plat recorded July 7, 1884, in Pierce County, Washington

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692096	DM026	Tacoma Armour Building LLC	207615 003 2	A Street Tacoma WA

Legal Description:

That portion of Lot 3, Block 7615, Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington, described as follows:

Commencing at a point on the south line of said Lot 3, a distance of 8.8 feet easterly from the southwest corner thereof;

Thence northerly parallel with the west line of said Lot 3, a distance of 130.0 feet to a point on the north line of said Lot 3, a distance of 8.8 feet easterly from the northwest corner thereof;

Thence easterly along said north line to a point on a line described as follows:

Commencing at a point opposite Highway Engineer's State SB 129+19.50 on the SB line survey of State Route 705, Tacoma SPUR, and 195.83 feet southwesterly therefrom;

Thence southerly to a point opposite Highway Engineer's Station 127+83.63 on said SB line survey and 218.90 feet southwesterly therefrom and the end of this line description;

Thence southerly along said line to a point on the south line of said Lot 3;

Thence westerly along said south line to the point of beginning.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692096	DM027	Tacoma Armour Building LLC	207615 003 1	A Street Tacoma WA

Legal Description:

Those portions of Lots 2 and 3, Block 7615, Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington, described as follows:

Beginning at a point on the north line of said block which is 43 feet east of the northwest corner thereof;

Thence east along said north line 15.8 feet;

Thence south at right angles 37 feet;

Thence west at right angles 15.8 feet;

Thence north 37 feet to the point of beginning.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692096	DM028	Tacoma Armour Building LLC	207615 001 2	101 East 26 th Street Tacoma WA

Legal Description:

Lot 1, Block 7615, Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington;

TOGETHER WITH those portions of Lots 2 and 3, in said Block 7615, described as follows:

Commencing at a point in the northerly line of said Block 7615, 43 feet easterly of the northwest corner thereof;
 Thence south 37 feet;
 Thence east 15.8 feet;
 Thence south 93 feet to a point in the southerly line of said Block 7615;
 Thence westerly 33.8 feet to the southwest corner of said Lot 2;
 Thence northerly along the westerly line of said Lot 2, 130 feet to the northwest corner thereof;
 Thence easterly 16 feet to the point of beginning.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692097	DM029	J. Patrick Sunnen and Laurie J Sunnen	207518 002 1	217 E 25 th Street Tacoma WA 98421-1106

Legal Description:

The northerly 77 feet of Block 7518 of the Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the County Auditor, in Pierce County, Washington

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692098	DM030	The City of Tacoma	207518 002 4	East B Street Tacoma WA

Legal Description:

Lots 5 through 12, inclusive, in Block 7518 of the Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the County Auditor, in Pierce County, Washington;

EXCEPT the north 97 feet thereof;

AND EXCEPT portions of Lot 5 within East "B" Street.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692099	DM031	The City of Tacoma	207520 001 6	East 25 th Street Tacoma WA

Legal Description:

Block 7520, Tacoma Land Company's First Addition to the City of Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington;

EXCEPT the north 97 feet thereof.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692900	DM032	City of Tacoma	207522 001 6	East 25 th Street Tacoma WA

Legal Description:

Blocks 7526, 7524, 7522, Tacoma Land Company's First Addition to the City of Tacoma, W.T., in Pierce County, Washington, according to the plat thereof filed July 7, 1884, in the office of the Auditor of Pierce County;

EXCEPT the north 97 feet.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692902	DM034	World Famous Freighthouse LLC, Winders Freighthouse LLC, Barry's Freighthouse LLC, Bea's Freighthouse LLC	207520 001 1	East 25 th Street Tacoma WA

Legal Description:

The northerly 77 feet of Block 7520, Tacoma Land Company's First Addition, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692903	DM035	World Famous Freighthouse LLC, Winders Freighthouse LLC, Barry's Freighthouse LLC, Bea's Freighthouse LLC	207522 001 1	2501 East D Street Tacoma WA

Legal Description:

The northerly 77 feet of Block 7522, Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692905	DM037	Ruth 2, L.L.C.	207619 001 0	East C Street Tacoma WA

Legal Description:

Lots 1 and 2, Block 7619, The Tacoma Land Co. First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692906	DM038	Gary W Johnson and Delores M Johnson, and their successor trustees	207619 007 0	323 E 26 th Street Tacoma WA 98421-1308

Legal Description:

Lots 11 and 12, Block 7619, The Tacoma Land Company's First Addition to Tacoma, W.T., according to the plat thereof recorded July 7, 1884, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692907	DM039	James D Killian and Lawrence A Jezek and Judith Tatom-Jezek	207621 001 0	401 E 26 th Street Tacoma WA 98421-1310

Legal Description:

Lots 1 and 2, Block 7621, The Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the office of the County Auditor, in Pierce County, Washington.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692908	DM040	John P Parks	202506 002 0	2509-2515 S Holgate St Tacoma WA 98402-1202

Legal Description:

Lots 5 through 11, inclusive, and the northerly 2 feet of Lot 12, Block 2506, The Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the County Auditor;

TOGETHER WITH that portion of the alley vacated by Ordinance No. 4021 of the City of Tacoma and attached to Lot 11 and the north 2 feet of Lot 12;

EXCEPT that portion of the above-described property, if any, conveyed to the City of Tacoma by deed recorded under Recording Number 200105010582.

Order No.	R/W No.	Owner/Contact	Parcel #	Site Address
692908	DM008	John P Parks	202506 004 1	2509-2515 S Holgate St Tacoma WA 98402-1202

Legal Description:

Lot 12, Block 2506, The Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884, in the Office of the County Auditor;

EXCEPT the northerly 2 feet thereof;

TOGETHER WITH that portion of the alley vacated by Ordinance No. 4021 of the City of Tacoma, described as follows:

Beginning at a point created by extending the southerly line of Lot 12, Block 2506, The Tacoma Land Company's First Addition to Tacoma, W.T., westerly to the intersection of the east line of Holgate Street;

Thence northerly along the east line of Holgate Street to a point created by extending westerly a line running parallel with and 2 feet south of the north line of said Lot 12;

Thence easterly on said line to the west line of said Lot 12;

Thence south along said west line 23 feet to the point of beginning;

EXCEPT that portion of the above-described property, if any, conveyed to the City of Tacoma by deed recorded under Recording Number 200105010582.