



RIGHT OF WAY VACATION APPLICATION

When preparing this application, please print or type the reply to each question. If you have any questions, please contact Engineering Services at (253) 841-5577. Plans, specifications and other documents pertaining to the application shall be submitted at the time of application.

Petitioner Information:

Petitioner: CRP / VDC Freeman Logistics Owner, LLC

Address: 11411 NE 124th Street, Suite 190 Zoning: LM / W

City: Kirkland State: WA Zip: 98034

Day time Phone: (425) 968-5115

Fax Number: _____

E-mail Address: TLitz@VectorREcorp.com

Describe the proposed use of right of way to be vacated (Please be specific and attach building or site plans where applicable)

Please see attached Project Narrative.

Parcel numbers of adjacent property: 0420201052, 0420201040, 0420201034.

CERTIFICATION:

I hereby state that I am the applicant listed above, and certify that all information contained above and in exhibits attached hereto is true and correct to the best of my knowledge and belief and is submitted for consideration by the City of Puyallup. It is understood that the processing of this application may require additional supporting evidence, data or statements upon request of City staff.

Signature of Applicant:  Date 2/2/2024

Print Name: TYLER LITZENBERGER

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



We, the undersigned, support this request, and represent two-thirds of the lineal frontage of the property abutting the portion of the right of way to be vacated:

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____

Signature _____	Assessor's Parcel No. _____
Name (Print) _____	Phone _____
Street _____	City _____ Zip _____



PAYMENT FOR APPRAISAL AGREEMENT

To Whom It May Concern:

I / we, the undersigned Applicant(s), hereby agree to pay the full cost of an appraisal and will submit payment prior to the appraisal being completed. Development Services is authorized to obtain an appraisal from a qualified, independent appraiser as part of the staff report of the vacation.

Dated at Puyallup, Washington, this 5TH day of FEBRUARY, 2024

Applicant(s) Signature

Tyler Litzengerger

Print Name

TYLER LITZENBERGER



**REQUEST FOR PRIVATE UTILITY REVIEW
CITY OF PUYALLUP
RIGHT OF WAY VACATION PROPOSAL**

_____ Comcast Cable
Attn: Terry Britton
410 Valley Ave NW, Suite 9
Puyallup, WA 98371
(253) 864-4293
Terry_Britton@comcast.com

_____ Puget Sound Energy
Attn: Steve Botts
3130 S 38th St
Tacoma, WA 98409
(253) 476-6416
steve.botts@pse.com

_____ Fruitland Mutual Water
Attn: Ted Hardiman
PO Box 73759
Puyallup, WA 98373-0759
(253) 848-5519
Ted@fruitlandwater.com

_____ QWEST Communications
Attn: Marge Bailey
2510 - 84th St. S., Suite 18
Lakewood, WA 98499
(253) 597-4024
Marge.bailey@qwest.com

A petition for A 2,397 SQUARE FOOT PORTION OF 22ND AVENUE NW vacation has been submitted
(street or alley)

By CRP / VDC FREEMAN LOGISTICS OWNER, L.L.C. to the City of Puyallup.
(name of applicant)

We request a statement within fourteen (14) days of receipt of this notice furnishing the following information in order to complete the City's review of the requested vacation:

1. There is is not an existing utility route within the area described.
2. We have have not an interest in a potential utility route being retained in the vacated right of way.
3. For additional information call Linda Lansing, Engineering Services 253-841-5577.

Please address reply to:

City of Puyallup
Attn: Linda Lansing
Engineering Services
333 S. Meridian
Puyallup, WA 98371

Attachments: Address and Legal Description of Proposed Right of Way Vacation Request
Vicinity Map

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



CITY OF PUYALLUP PETITION TO VACATE RIGHT OF WAY INSTRUCTIONS AND INFORMATION

Following are instructions for completing your petition. If you have any questions, please contact Linda Lansing at 253-841-5577.

FILLING OUT THE APPLICATION

- Petitioner:** Must be the owner of a property adjacent to the area in the vacation request. Note: if the petitioner is purchasing the property under a real estate contract, the signature of the contract seller is also required.
- Address:** Mailing address of the Petitioner.
- Phone:** Telephone number where Petitioner can be reached during normal business hours.
- Assessor's Parcel No.** The Assessor's Parcel Number identifying Petitioner's property. This may be found on your tax statement and/or valuation notice, or on the internet at www.co.pierce.wa.us/atr
- Signature:** Petitioner must sign and date the form. If property is in joint ownership, all co-owners must sign the petition. By signing this document, Petitioner(s) acknowledge(s) the potential financial obligations and necessary conditions that may be required prior to City Council's consideration of an authorizing ordinance.
- More than two-thirds of all property owners abutting the right of way to be vacated must sign the petition indicating that they are in agreement with the vacation request.
- Proposed Use:** How do you intend to use the right of way? Describe your plans in detail and submit development / site plans to aid City staff in understanding your request.
- Legal Description:** A legal description of the right of way to be vacated must be written and signed by a licensed surveyor or registered engineer.
- Site Plan:** Submit on an 8.5" X 11" or 11" X 17" sheet of paper only.



INSTRUCTIONS AND INFORMATION continued

FILING FEE

A fee of \$1,370.00 is required for all vacation requests.

OTHER COSTS

The Petitioner(s) will be required to submit payment for the appraisal prior to the appraisal assignment being completed. The City reserves the right to select the appraiser for the assignment.

The Petitioner(s) will be required to submit a final processing fee of \$780.00 if the Council, by resolution, agrees to hold a public hearing.

State law states that, if the right of way has been part of a dedicated public right of way for twenty-five years or less, the City may be compensated at one half of the appraised value of the area to be vacated. (RCW 35.79.030) If the subject right of way has been in the inventory for more than 25 years, the City requires the owners of the abutting property to compensate the City in an amount not to exceed the full-appraised value of the area to be vacated.

NOTES

1. All conditions must be met within ninety (90) days following the first reading of the ordinance, except when “good cause” is shown for the delay.
2. If the City Council grants the Vacation, it may require monetary compensation or land dedication. This monetary compensation or dedication must be fulfilled by the person filing the petition before the Ordinance granting the Vacation will be signed by the Mayor.
3. If any time prior to the public hearing, 50 percent or more of all the owners of properties adjacent to the street, alley or part thereof, to be vacated file a written objection to the vacation with the Department of Development Services, the City may not hold a public hearing or grant the vacation.
4. The City Council does not make the decision on allocation of the vacated land. Vacated streets are not always distributed equally to the abutting properties, but rather are returned to the property from which the land was originally dedicated.
5. In vacating a street, alley, or part thereof, the City will, usually, reserve an easement for both public and private utilities and their successors or the right to exercise and grant an easement, in the location of the vacation. If the petitioner requests that an easement not be reserved or that the easement be moved or reduced in area, the petitioner must:
 - A. Submit written approvals from all private utilities holding a City franchise within the area proposed to be vacated (see *Request for Private Utility Review* form attached).
 - B. When mailing out the request form, include a vicinity map, explanation of the vacation request, and the address and legal description of the area to be vacated.
 - C. The written approvals from all private utilities must be submitted before the vacation can be scheduled for a public hearing. It is the applicant’s responsibility to see that the public utilities submit the written approval.

City of Puyallup | Engineering Services
333 S Meridian | Puyallup WA 98371
253-841-5577



INSTRUCTIONS AND INFORMATION continued

CONDITIONS / CONSIDERATIONS

Advice will be solicited from various agencies with an interest in the right of way (City of Puyallup's Water Department, City of Puyallup's Sewer Department, City of Puyallup's Stormwater Department, City of Puyallup's Street Department, Fruitland Mutual Water Company, Comcast Cable, Puget Sound Energy, Qwest Communications, etc. The City of Puyallup will, usually, reserve an easement for public and private utilities. No permanent structures may be built over these easements (RCW 35.79.030). If the petitioner requests that an easement not be reserved or that the easement be moved or reduced in area, the petitioner must submit written approvals from those affected private utilities holding a franchise with the City of Puyallup.

City staff will consider the following criteria when making recommendation to Council:

1. Will the vacation provide a public benefit?
2. Will the vacation adversely affect the traffic pattern?
3. Will the greater public good be adversely affected by the vacation?
4. Will the right of way be needed for future public use?
5. Will any parcel become landlocked or denied direct access?
6. Is the right of way abutting bodies of water? (RCW35.79.035)



PROJECT NARRATIVE

Enclosed please find an application to vacate the previous bus stop location along the north side of 22nd Avenue NW, which is $\pm 2,397$ square feet. The Freeman Logistics project will be dedicating approximately $\pm 19,760$ square feet to the City of Puyallup and building a new 22nd Avenue NW, to the City standard, but this bus stop location is no longer relevant since 22nd Avenue NW will dead end approximately 165 feet to the east. The termination of 22nd Avenue NW is adjacent to the Highway 167 expansion under design by WSDOT, with plans to begin construction in 2026. Please refer to the enclosed exhibit showing the proposed land for vacation.

The vacated right of way will be used by the Freeman Logistics development for frontage landscaping and parking to support the project. Please refer to the attached site plan which has been submitted to the City under P-21-0136.

Please refer to the legal description, depiction and exhibit showing the proposed vacation area, which is attached to this narrative.

The applicant, CRP / VDC Freeman Logistics Owner, L.L.C., is the owner of all of the property on each side of the proposal vacation property.

The public will benefit by this vacation as the new 22nd Avenue NW will have sidewalks and street lights constructed to the City standard, on both sides. The uniformity provides for a much more aesthetically pleasing finished product for the City, along with a safer walkway, without jogs or inviting places for transient activity.

The vacation will have no impact on traffic patterns, as the vacation area was only going to be used for a bus stop waiting area. The applicant is planning on dedicating additional land to the City to further improve 22nd Avenue NW, which will ease traffic patterns and ultimately add to pedestrian safety.

The greater public good will not be adversely affected by the vacation. A bus stop in this location is no longer appropriate due to the lack of connected street corridors on this dead end street.

The bus stop area of land will not be needed for future public use, or will any parcels become land locked or denied direct access following vacation of this right of way.

The 22nd Avenue NW street vacation does not abut bodies of water.

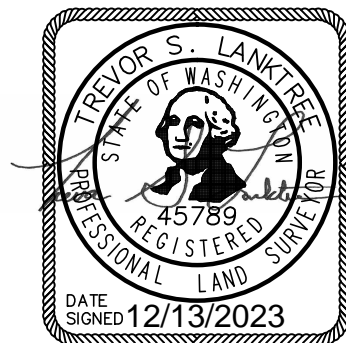
EXHIBIT "A"

LEGAL DESCRIPTION

VACATION AREA

That portion of the Northeast quarter of the Northeast quarter of Section 20, Township 20 North, Range o4 East, Willamette Meridian, Pierce County, Washington, being more particularly described as follows;

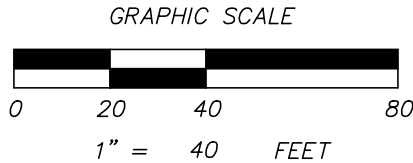
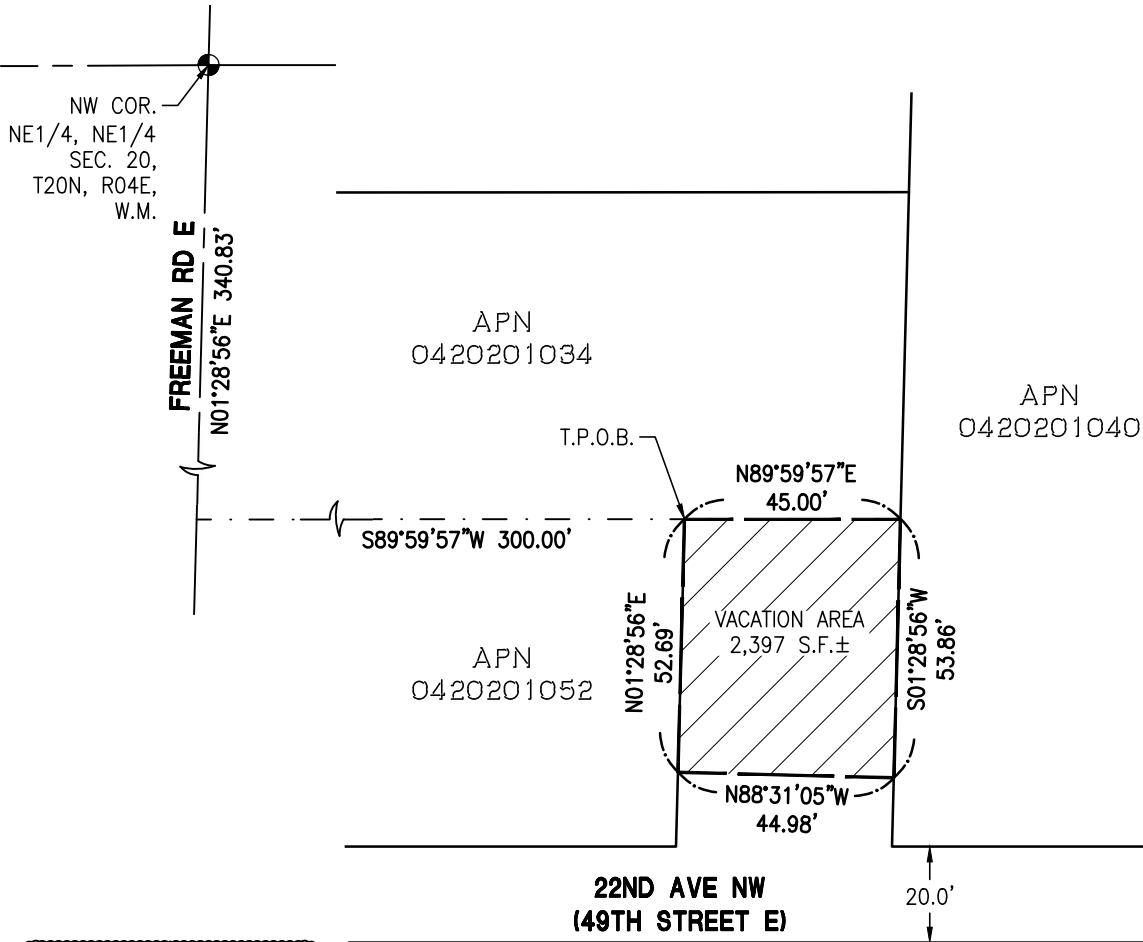
COMMENCING at the Northwest corner of said subdivision;
THENCE South 01°28'56" West, 340.83 feet along the West line of said subdivision;
THENCE North 89°59'57" East, 300.00 feet parallel with the South line of said subdivision to the TRUE POINT OF BEGINNING;
THENCE CONTINUING North 89°59'57" East, 45.00 feet parallel with said South line;
THENCE South 01°28'56" West, 53.86 feet;
THENCE North 88°31'05" West, 44.98 feet;
THENCE North 01°28'56" East, 52.69 feet to the TRUE POINT OF BEGINNING.

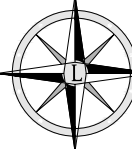


Project Name: Freeman Logistics
December 13, 2023

BY: TSL
Ref. DWG: 5377EXH03.dwg

EXHIBIT "B"



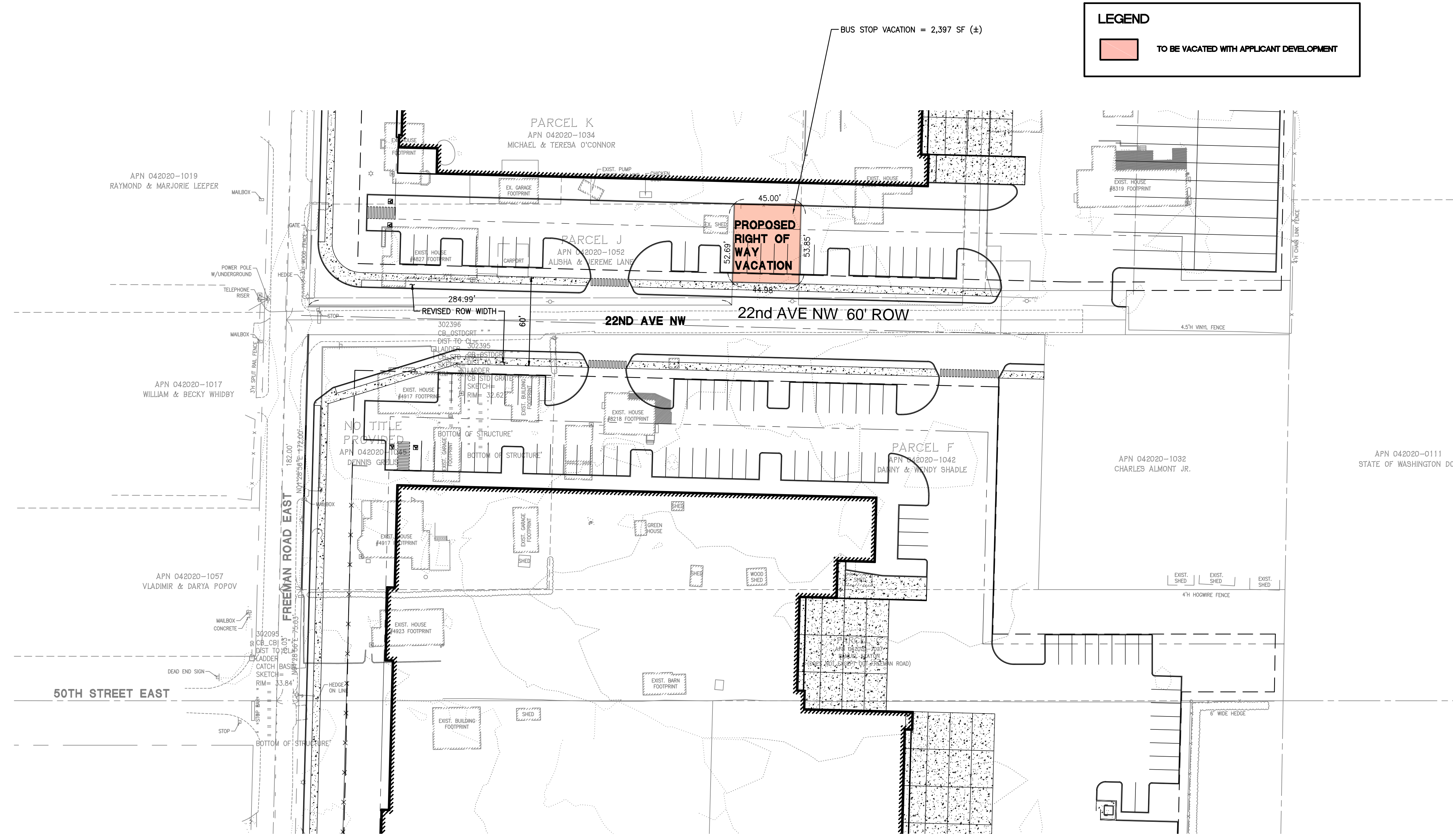
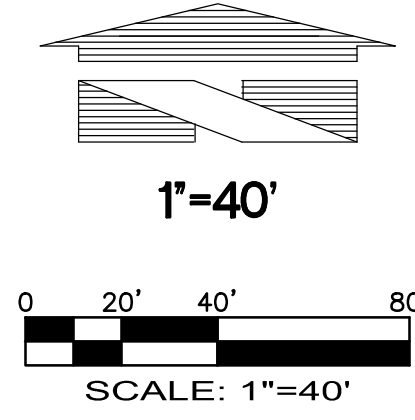
SCALE: HORIZONTAL 1"=40' VERTICAL N/A	For: FREEMAN LOGISTICS	JOB NUMBER 5377 5377L.010.DOC
 LANKTREE LAND SURVEYING, INC. 25510 74TH AVENUE SOUTH KENT, WA 98032 PHONE: (253) 653-6423 FAX: (253) 793-1616 WWW.LANKTREETELANDSURVEYING.COM	Title: RIGHT-OF-WAY VACATION AREA	SHEET 1 of 1
DESIGNED <u>XXX</u> DRAWN <u>XXX</u> CHECKED <u>XXX</u> APPROVED <u>TSL</u> DATE <u>12/13/23</u>		

BUS STOP VACATION EXHIBIT

FOR

FREEMAN LOGISTICS

PTNS. OF THE SE1/4, OF SEC. 17, TWP. 20 N., RGE 4 EAST, W. M.
AND PTNS. OF THE NE1/4, OF SEC. 20, TWP. 20 N., RGE 4 EAST, W. M.
PIERCE COUNTY, WASHINGTON



LEGEND

TO BE VACATED WITH APPLICANT DEVELOPMENT

No.	Date	By	Clk.	Appr.	Revision

Title: **BUS STOP VACATION EXHIBIT**
FOR
FREEMAN LOGISTICS

For: **VECTOR DEVELOPMENT COMPANY**
11411 NE 124TH STREET
SUITE 190
KIRKLAND, WA 98034

Designed	JSM
Drawn	JSM
Checked	BHE
Approved	
Date	8/10/22

Scale:
Horizontal 1" = 40'
Vertical -

Barghausen Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com

P:\21000A\21585\exhibit\21585-D-EXH-BUS STOP-2021-11-23.dwg 11/23/2021 3:01 PM JMCARDEL