CITY OF KENT, WASHINGTON
ORDINANCE NO. 1337

AN ORDINANCE of the City of Kent, Wash­
ington, ordering the construction and installation
of sanitary sewer lines, together with pumping
stations and necessary appurtenances in the
north section of the City, commonly referred to
as the "North Sewer System," in accordance with
Resolution No. 552 of the City Council of the
City of Kent, Washington; establishing Local
Improvement District No. 250; providing the
method of assessment in said District; providing
that payment for said improvement be made by special
assessments upon properties in the District,
payable by the mode of "payment by bonds";
and providing for the issuance and sale of
local improvement warrants and bonds.

WHEREAS, by Resolution No. 552, adopted February 7,
1966, the City Council of the City of Kent declared its intention
to order the construction and installation of sanitary sewer lines and pumping
stations, together with necessary manholes, highway crossings and appur-
tenances, commonly referred to as the "North Sewer System," which
resolution described the routes along which the trunk sewers and
subsewers and laterals are to be constructed, and fixed the 28th day of
February, 1966, at 8 o'clock p.m. (PST) in the Council Chambers in the
City Hall, Kent, Washington, as the time and place for hearing all matters
relating to the proposed improvement and all objections thereto and for
determining the method of payment for that improvement; and

WHEREAS, Glen W. Sherwood, the City Engineer, and Hill &
ingman, consulting engineers to the City, the proper authorities designated
by ordinance to make the preliminary assessment and assessment roll, caused
an estimate to be made of the cost and expense of the proposed improvement
and certified it to the City Council, together with all papers and information
in their possession touching the proposed improvement, a description of
the boundaries of the District, a statement of what portion of the cost and
expense of the improvement should be borne by the property owners, a
statement in detail of the local improvement assessments outstanding and
unpaid against the property in the proposed District and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvements in the proposed District, according to the valuation last placed upon it for the purpose of general taxation; and

WHEREAS, such estimate is accompanied by a diagram of the proposed improvement showing thereon the lots, tracts and parcels of land and other property which would be specially benefited by the proposed improvement and the estimated amount of the cost and expense thereof to be borne by each lot, tract and parcel of land or other property; and

WHEREAS, due notice of the hearing upon said Resolution No. 552 was given in the manner provided by law, both by publication of such resolution and by mailing of notices of the hearing upon such resolution to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement as shown on the rolls of the King County Treasurer directed to the address thereon shown, and said hearing was held by the City Council on February 28, 1966, after convening at 8 o'clock p.m. (PST) in the Council Chambers in the City Hall, and thereafter adjourned to the auditorium of the Kent Junior High School due to the large number of persons in attendance at such hearing; and

WHEREAS, all written protests filed with the City Council up to and through such hearing and to date of passage of this ordinance have been duly considered by the City Council and all persons appearing at said hearing who desired to be heard were heard and said hearing was duly closed and all written protests and other communications filed with the City Council were taken under advisement; and

WHEREAS, the City Council, after giving due consideration to the needs for the improvement, the special benefits to be received by the properties benefited thereby and the method of payment for said improvement, determined it to be in the best interest of the City and of the owners of property within the local improvement district that the entire cost and expense
of the improvement be specially assessed, provided, however, that in the event the City shall receive moneys by way of grant from any agency of the United States Government to aid in the cost of carrying out such improvement, the proportion of the cost and expense of the improvement to be specially assessed shall be reduced by the amount of such federal grant, and that as a result of protests and requests for changes filed with the City Council certain sewer lines should be deleted from the improvement and all other protests and requests for changes be denied and that said improvement as hereinafter described, after giving effect to such deletions, be carried out and that a local improvement district be created in connection therewith, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO ORDAIN as follows:

Section 1. The construction and installation is hereby ordered of the sanitary sewer lines and pumping stations, together with necessary manholes, highway crossings and appurtenances, commonly referred to as the "North Sewer System," after giving effect to certain sewer line deletions as ordered by the City Council, as more particularly described in Exhibit A attached hereto and by this reference made a part hereof and incorporated herein, which exhibit describes the place of commencement and ending of the improvement and the routes along which the improvement is to be constructed and specifies the structures or works necessary thereto or forming a part thereof.

The City Council reserves the right prior to or during the construction of such improvement to make reasonable modifications or changes therein, such as changes in size and location of pipelines and pumping stations, where such modifications or changes do not substantially alter or affect the improvement or the purposes thereof.

All of the foregoing shall be in accordance with the maps, plans and specifications for the improvement to be prepared by Hill & Ingman, consulting engineers to the City, which are hereby adopted.

Section 2. There is hereby created and established a local improvement district to be called Local Improvement District No. 250, which shall include all of the property contained within the boundary
legal description described in Exhibit B attached hereto and by this reference made a part hereof and incorporated herein.

Section 3. The estimated cost and expense of said improvement is hereby declared to be $8,678,800.00. Except as hereinafter set forth, the entire cost and expense of the improvement, including as a part thereof all cost items specified in RCW 35.45.020, shall be borne by and assessed against the properties specially benefited by such improvement to be included in the local improvement district herein created embracing as near as may be all property specially benefited by such improvement and, as to trunk sewers, including as nearly as possible all of the territory which can be drained through the sewers and subsewers connected thereto as provided in RCW 35.43.040. In distributing assessments in the case of trunk sewers, there shall be levied against the property lying between the termini of the improvement and back to the middle of the blocks along the marginal lines of the area improved such amounts as would represent the reasonable cost of a local sewer and its appurtenances suited to the requirements of the property, and the remainder of the cost and expense of the improvement shall be distributed over and assessed against all of the property within the boundaries of the District. With respect to any sewer lines to be constructed in easements across private property as a part of such sewer system improvement, assessments for special benefits conferred by the improvement shall be the same as if such sewers were constructed in a public street. In the event the City shall receive moneys by way of a grant from any agency of the United States Government in aid of the cost and expense of constructing the improvement, the amount of the cost and expense of the improvement to be assessed shall be reduced by the amount of such federal grant.

Section 4. It is hereby found and declared that the nature of the improvement is such that the special benefits conferred upon the property in the local improvement district herein created are not fairly reflected by the use of the termini and zone method of assessment provided by statute therefore and, pursuant to the provisions of RCW 35.43.080, it is, therefore, hereby provided and ordered that the assessments shall be made against the property of the District in accordance with the special benefits it will derive from the
improvement without regard to the zone and termini method provided by statute.

Section 5. Local improvement district warrants shall be issued in payment of the cost and expense of the improvement herein ordered, such warrants to be payable out of the "Local Improvement Fund, District No. 250," hereinafter created, to bear interest from the date thereof at a rate to be hereafter fixed by ordinance not to exceed 6% per annum and to be redeemed in cash, and/or by local improvement district bonds herein authorized to be issued, such interest-bearing warrants to be hereafter referred to as "revenue warrants." Such bonds shall bear interest at a rate to be hereafter fixed by ordinance not to exceed 6% per annum, shall be payable on or before twenty-two (22) years from the date of issuance, the life of the improvement ordered being not less than twenty-two (22) years, and shall be issued in exchange for and in redemption of any and all revenue warrants issued hereunder and not redeemed in cash within a period of not to exceed 60 days after the first publication by the City Treasurer of notice that the assessment roll for "Local Improvement District No. 250" is in his hands for collection. The bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said District, payable in twenty (20) equal annual installments, with interest at a rate to be hereafter fixed by ordinance not exceeding 6% per annum, under the mode of "payment by bonds," as defined by law and the ordinances of the City of Kent. In the case of default in the payment of any assessment when the same shall become due, there shall be added interest at a rate to be hereafter fixed by ordinance not to exceed 6% per annum and a penalty of 5% which shall also be collected. The exact form, amount, date, interest rate, and denominations of such warrants and bonds shall be hereafter fixed by ordinance of the City Council. Such warrants and bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 6. All the work necessary to be done in connection with the making of said improvement shall be done by and made by contract upon
competitive bids and the City shall have and reserves the right to reject any and all bids. The call for bids for work authorized pursuant to this Ordinance shall include a statement that payment for said work will be made in cash warrants drawn upon the "Local Improvement Fund, District No. 250."

Section 7. There is hereby created and established in the office of the City Treasurer of the City of Kent, for Local Improvement District No. 250, a special fund to be known and designated as "Local Improvement Fund, District No. 250," into which fund shall be deposited (a) any moneys received by way of a grant from any agency of the United States Government in aid of the cost and expense of construction of the improvement, (b) the proceeds from the sale of revenue warrants drawn against said fund which may be issued and sold by the City, and (c) collections pertaining to assessments, and against which fund shall be issued cash warrants to the contractor or contractors in payment for the work to be done by them in connection with said improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with said improvement.

UNANIMOUSLY PASSED by the City Council and APPROVED by the Mayor of the City of Kent, Washington, at a regular meeting thereof, this 7th day of March, 1966.

Mayor

ATTEST:

City Clerk

FORM APPROVED:

City Attorney
**SECTION A - SEWERS**

<table>
<thead>
<tr>
<th>Pipe Size</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>8&quot;</td>
<td>Easement 350' + West of 76th Ave. South</td>
<td>Novak Lane (Ext. Wyl)</td>
</tr>
<tr>
<td>10&quot;</td>
<td>Easement (Novak Lane Extended) 350' + West of 76th Ave. South</td>
<td>400' + East of 76th Ave. South</td>
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<tr>
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<td>Easement 650' + South of S. 228th St. 250' + East of 76th Ave. S. (Ext'd.)</td>
<td>800' + Easterly</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Easement 750' + East of 76th Ave. South</td>
<td>Novak Lane Extended Northeasterly 100'</td>
</tr>
<tr>
<td>10&quot;</td>
<td>South 228th St. 800' + Ely of N.P. R.R. R/W</td>
<td>76th Ave. So. Ext'd.</td>
</tr>
<tr>
<td>10&quot;</td>
<td>Easement adj. to E. Valley Road-West Side 1100' + North of James St.</td>
<td>Novak Lane</td>
</tr>
<tr>
<td>8&quot;</td>
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<td>Novak Lane</td>
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<td>Novak Lane</td>
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<td>Easement adj. to E. Valley Rd.—West Side</td>
<td>Novak Lane</td>
</tr>
<tr>
<td>21&quot;</td>
<td>Novak Lane &amp; Wyl extension on Easement East Valley Road</td>
<td>400' + Ely of 76th Ave. South</td>
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<tr>
<td>21&quot;</td>
<td>Easement 400' + East of 76th Ave. South</td>
<td>Novak Lane (Ext'd.) 800' + South of South 228th St.</td>
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<td>North line of Sec. 13-22-4</td>
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<td>South 222nd St. Ext'd.</td>
</tr>
<tr>
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<td>South 228th St. 400' + North of South 222nd St.</td>
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<tr>
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<td>76th Ave. South</td>
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<tr>
<td>12&quot;</td>
<td>76th Ave. South South 212th St.</td>
<td>South 222nd St.</td>
</tr>
<tr>
<td>10&quot;</td>
<td>Easement adj. to E. Valley Road 850' + South of S. 222nd St.</td>
<td>South 222nd St.</td>
</tr>
<tr>
<td>12&quot;</td>
<td>Easement adj. to E. Valley Road 800' + North of S. 222nd St.</td>
<td>South 222nd St.</td>
</tr>
<tr>
<td>15&quot;</td>
<td>S. 222nd St. &amp; Easmt. --S. 222nd St. Ext'd. East Valley Road</td>
<td>76th Ave. South</td>
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<tr>
<td>30&quot;</td>
<td>Easement — S. 222nd St. Extended</td>
<td>76th Ave. South C.M. St. P. Ry.</td>
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</table>
Pipe Size  On  From  To
36" Easement on P.S.P. & L. Co. right of way  C.M. St. P. Ry.  W. Valley Road
42" Easement on P.S.P. & L. Co. right of way  W. Valley Road  1400° Westerly of West Valley Road
8" Easement adj. to W. Valley Rd.,-East Side  South 238th St.  1300° South of South 238th St.
18" Easement adj. to W. Valley Rd.- W. Side  Cole St.  South 228th St.
24" Easement 700° W. of C.L. Sec. 14-22-4  Russell Road  Easmt. on P.S.P. & L. Co. right-of-way
24" Easement adj. to W. Valley Rd.- W. Side  South 238th St.  Easmt. on P.S.P. & L. right-of-way
42" City of Kent Property  Easement on P.S.P. & L. Co. right-of-way  Lift Station on City of Kent Property
30" Easement (P.S.P.&L. Co. right-of-way)  700° West of C.L. Sec. 14-22-4  1400° West of West Valley Road
12" Easement 700° W. of C.L. of Sec. 14-22-4  Easement on P.S.P. & L. Co. right-of-way  600° Northerly thereof
10" 72nd Ave. South  700° North of So. 206th St.  1200° Northerly thereof
9" South 202nd St.  Northern Pac. Ry.  80th Ave. South
10" 80th Ave. South  South 200th St.  South 206th St.
18" South 206th St.  East Valley Road  500° West of East Valley Road
18" Easement - S. 206th St. Extended  500° W. of East Valley Road  80th Ave. South
21" South 206th St.  80th Ave. South  76th Ave. South
27" South 206th St.  76th Ave. South  72nd Ave. South
27" 72nd Ave. South  South 206th St.  700° North of South 206th St.
27" Easement - 1300° North of So. Line Sec. 1-22-4  72nd Ave. South  West Valley Road
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<th>Pipe Size</th>
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<th>From</th>
<th>To</th>
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<tr>
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<td>South 212th St.</td>
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<td>Easement parallel to South 212th St.-N.Side</td>
<td>West Valley Road</td>
<td>64th Ave. South</td>
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<td>64th Ave. South</td>
<td>1600' + Westerly</td>
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<tr>
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<td>Easement adj. to South 212th St.</td>
<td>1600' + Nly of 64th Ave. South</td>
<td>Russell Road</td>
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<td>48&quot;</td>
<td>64th Ave. South</td>
<td>South 212th St.</td>
<td>Lift Station on City of Kent Property</td>
</tr>
<tr>
<td>18&quot;</td>
<td>Easement-80th Ave., So.</td>
<td>South 188th St.</td>
<td>South 190th St.</td>
</tr>
<tr>
<td>21&quot;</td>
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<td>South 190th St.</td>
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<td>Easement-South 190th St.</td>
<td>W.P. Ry.</td>
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<td>10&quot;</td>
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<td>91st Ave. South</td>
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<td>80th Ave. South</td>
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<tr>
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<td>Easement adj. to E., Valley Rd.-W. Side</td>
<td>1200' + South of S., 200th St.</td>
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<tr>
<td>15&quot;</td>
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<tr>
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<td>South 200th St.</td>
<td>South 196th St.</td>
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<tr>
<td>15&quot;</td>
<td>Easement-So., 196th St.</td>
<td>81st Ave. South</td>
<td>80th Ave. South</td>
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<tr>
<td>18&quot;</td>
<td>Easement-80th Ave., So.</td>
<td>South 195th St.</td>
<td>South 192nd St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Easement adj. to E., Valley Rd.-E. Side</td>
<td>1000' + South of S., 192nd St.</td>
<td>South 192nd St.</td>
</tr>
<tr>
<td>18&quot;</td>
<td>Easement-So., 192nd St.</td>
<td>East Valley Road</td>
<td>80th Ave. South</td>
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<tr>
<td>27&quot;</td>
<td>Easement-S., 192nd St.</td>
<td>80th Ave., South</td>
<td>C.M., St. P., Ry.</td>
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<td>30&quot;</td>
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<td>C.M. St. P., Ry.</td>
<td>West Valley Road</td>
</tr>
<tr>
<td>36&quot;</td>
<td>Easement adj. to W., Valley Road W. Side</td>
<td>South 192nd St.</td>
<td>South 192nd St.</td>
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42" Easement adj. to W., Valley Rd.-W. Side | South 196th St. | 2100' + South of So. 196th St. |

42" Easement parallel to W., Valley Rd.-W. Side | South 212th St. |

8" Easement adj. to W., Valley Rd.-E. Side | 1700' + South of South 196th St. |

8" Easement adj. to W., Valley Rd.-E. Side | 1300' + North of S., line Sec. 1-22-4 |

10" Easement adj. to South 212th St.-S. Side | West Valley Rd. | 64th Ave. South |

The above described Sewer System shall also include manholes, highway crossings and appurtenances.
SECTION B - PUMPING STATIONS

Raw sewage pumping stations, piping and appurtenances shall be located on the following sites:

1. West Valley Highway at a point approximately 2100 feet South of South 196th Street.

2. On City of Kent property used for a sewage treatment plant and described as follows:

   The Northwest Quarter of the Southeast Quarter of Section 11, Township 22 North, Range 4 East W.M., LESS right of way for drainage ditch; AND the Southwest Quarter of the Southeast Quarter of said Section 11, LESS right of way for drainage ditch; and LESS that portion thereof lying southerly of a line running from a point on the East line of said subdivision 500 feet North of the Southwest corner thereof to a point on the West line thereof 280 feet North of the Southwest corner thereof.
BOUNDARY LEGAL DESCRIPTION

CITY OF KENT

NORTH SEWER SYSTEM, L.I.D. 250

1/20/66

EXHIBIT "B"

Beginning at the Southeast corner of the N\2 of the N\2 of the NW\2 of Section 18, Township 22 North, Range 5 East W.M., in King County, Washington, being also a point on the North-South centerline of said Section 18;

Thence Southerly along the North-South centerline of said Sec. 18 to the Southeast corner of the N\2 of the SW\2 of said Sec. 18;

Thence Westerly along the South line of the N\2 of the SW\2 of said Sec. 18 to an intersection with the Northerly extension of the West margin of Prospect Avenue;

Thence Southerly along said Northerly extension of the West margin of Prospect Avenue to the Northeast corner of Little's Addition to the City of Kent, according to plat thereof recorded in Volume 53 of Plats, Page 86, Records of King County, Washington;

Thence Westerly along the North line of said plat to the Northwest corner thereof, being also a point on the Westerly margin of Clark Avenue;

Thence Southerly along said Westerly margin of Clark Avenue to an intersection with a line which is 330 feet Northerly from and parallel with the South line of said Section 18;

Thence Westerly along said parallel line to an intersection with the Westerly line of said Section 18, being also the Easterly line of Section 13, Twp. 22 North, Range 4 East W.M.;

Thence Northerly along the Easterly line of said Sec. 13 a distance of 648.47 feet;

Thence Westerly parallel with the South line of said Sec. 13 to the Westerly margin of Central Avenue (Also known as East Valley Road);

Thence North 1°42'56" East along said Westerly margin of Central Avenue to a point which is 1045.89 ft. North of the South line of said Sec. 13, as measured along said Westerly margin; thence North 88°16'50" West to the East margin of the Northern Pacific Railroad Right-of-Way;

Thence Northerly along said East margin of the Northern Pacific Railroad Right-of-Way to an intersection with the Easterly extension of the centerline of Bowen Avenue (Also known as South 234th St.);

Thence Westerly along said Easterly extension and the centerline of Bowen Avenue, (Also known as South 234th St.), to an intersection with the centerline of Primary State Highway No. 5, S.R. 167;
Thence Southwesterly along said centerline of Primary State Highway No. 5, SR 167, to the South line of the NW\textsuperscript{1} of the SW\textsuperscript{1} of said Section 13;

Thence Westerly along said South line of the NW\textsuperscript{1} of the SW\textsuperscript{1} of Sec. 13 to the centerline of Washington Avenue; thence Southerly along said centerline of Washington Ave. to the centerline of Morton St., as located in Supplemental Plat of Meeker's First Addition to the Town of Kent, according to plat thereof recorded in Vol. 5 of Plats, Page 96, Records of King County, Washington;

Thence Westerly along said centerline of Morton St. to the centerline of Orilla-Kent Road #1851, (Also Known as West Valley Road);

Thence Northwesterly along said centerline of Orilla-Kent Road #1851 and the Northwesterly extension thereof to the West line of said Section 13;

Thence Northerly along said West line of Sec. 13 to the Southwest corner of the NW\textsuperscript{1} of the SW\textsuperscript{1} of said Sec. 13, being also the Northeast corner of the SE\textsuperscript{1} of the SE\textsuperscript{1} of Section 14, Twp. 22 North, Range 4 East W.M.;

Thence Westerly along the North line of the SE\textsuperscript{1} of the SE\textsuperscript{1} of said Sec. 14 to the Northwest corner thereof;

Thence Southerly along the West line of the SE\textsuperscript{1} of the SE\textsuperscript{1} of said Sec. 14 to the South line of said Section 14;

Thence Westerly along said South line of Section 14 to an intersection with the centerline of the Green River;

Thence Westerly and Northerly along said centerline of the Green River through Sections 14, 15 and 10, in Twp. 22 North, Range 4 East W.M., to the West line of Section 11, Twp. 22 North, Range 4 East W.M.;

Thence Southerly along said West line of Section 11 to the East margin of Russell Road (Also known as County Road No. 6);

Thence Northerly along said East margin of Russell Road through Sections 11 and 2, in Twp. 22 North, Range 4 East W.M., to the South margin of South 196th St.;

Thence Easterly along the South margin of said South 196th St. to the East line of said Section 2;

Thence Northerly along said East line to the Northeast corner of said Section 2, being also the Southwest corner of Section 36, Twp. 23 North, Range 4 East W.M.;

Thence Easterly along said Southerly line of said Sec. 36 to the centerline of Secondary State Highway No. 5M, (Also known as W. Valley Road);

Thence Northeastly along said centerline of Secondary State Highway No. 5M to an intersection with the Westerly extension of the South margin of South 180th St.;
Thence Easterly along said Westerly extension and the South margin of South 180th St. to the Westerly margin of 80th Place South, (Also known as Kent-Renton County Road and as Springbrook County Road No. 373);

Thence Southeasterly along said Westerly margin of 80th Place South to the Westerly margin of East Valley Road, (Also known as 84th Avenue South);

Thence Southeasterly to the intersection of the Easterly margin of said East Valley Road with the Southerly margin of South 192nd St., (Also known as P. Hayes Road);

Thence Easterly along said Southerly margin of South 192nd St. to the centerline of Primary State Highway No. 5;

Thence Southerly along said centerline of Primary State Highway No. 5 through Sections 6, 7 and 18, Twp. 22 North, Range 5 East W.M. to the South line of the N\textdegree_\textdegree N\textdegree N\textdegree of said Section 18;

Thence Easterly along said South line of the N\textdegree_\textdegree N\textdegree N\textdegree to the Southeast corner thereof and the Point of Beginning.