ORDINANCE No. 1489

An Ordinance of the City of Kent, Washington, providing for the condemnation of certain land for construction of and use as a water reservoir at South 208th Street, together with permanent and temporary construction easements in, over and upon certain land necessary in connection with construction and installation of the South 208th Street Water Supply Main, and providing further for the payment for said land and property rights.

The City Council of the City of Kent, Washington, do ordain as follows:

SECTION I: That the City Attorney for the City of Kent be and he is hereby authorized and directed to purchase and/or institute and prosecute to determination in the Superior Court of the State of Washington, in the County of King, an action in the name of the City of Kent for condemnation and acquisition of certain land, together with permanent and temporary construction easements in, over and upon the following described lands, situated in the County of King, State of Washington, for the purpose of obtaining the necessary area for construction of a water reservoir at South 208th Street and installation of a water main designated "South 208th Street Supply Main", to-wit:

Parcel 1 (reservoir site)

That portion of the West 400 feet of the NE 1/4 of the NW 1/4 of Section 7, Township 22 North, Range 5 East W.M., in King County, Washington, which lies Southerly of S.E. 208th Street;

ALSO the North 200 ft. of the West 400 ft. of the SE 1/4 of the NW 1/4 of said Section 7;

ALSO that portion of the NW 1/4 of the NW 1/4 of the NE 1/4 of said Section 7 which lies within a strip of land 40 ft. in width, being 20 ft. in width on each side of the following described centerline: Beginning at a point on the East line of said Subdivision which is South 0°58'52" West 198.00 feet from the Northeast corner thereof; thence North 59°12'59" West 236.52 ft.; thence Northwesterly along a curve to the right having a radius of 179.05 ft., an arc distance of 42 ft., more or less, to the Southerly margin of S.E. 208th St., and the terminus of said centerline.

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Parcel 2-7-1 (easements)

An easement through a portion of Section 7, Township 22 North, Range 5 East, W.M. described as follows:

The NW 1/4 of the NE 1/4 of Section 7, Township 22 North, Range 5 East, W.M., in King County, Washington, EXCEPT the West 30 feet for county road and EXCEPT that portion thereof conveyed to King County for road purposes (Southeast 208th Street) by deed recorded under auditor's file No. 4596032.

This easement consists of a 20 foot permanent strip, the centerline of which is described as follows:

Beginning at a point on the South line of the North 200 feet of the SE 1/4 of the NW 1/4 of the NE 1/4 of said section 7 which is South 89°55'26" East 40 feet from the SW corner of said North 200 feet; thence South 29°38'30" West 527.52 feet to a point on the South line of the NW 1/4 of the NE 1/4 of said Section 7 which is South 89°57'19" East 445 feet from the SW corner of said subdivision and the terminus of said centerline.

TOGETHER WITH a 40 foot temporary construction easement, the centerline of which is the same as that described above.

Extending or shortening the exterior margins of the easements to terminate at the property lines.

Parcel 3-7-2 (easements)

An easement through a portion of Section 7, Township 22 North, Range 5 East W.M., described as follows:

The NW 1/4 of the SW 1/4 of the NE 1/4 of Section 7, Township 22 North, Range 5 East W.M., in King County, Washington.

This easement consists of a 20 foot permanent strip, the centerline of which is described as follows: Beginning at a point on the North line of said subdivision which is South 89°57'19" East 445 feet from the Northwest corner thereof; thence South 6°02'51" West 161.22 feet; thence South 29°13'48" East 431.91 feet to the West line of the East 10 feet of said subdivision; thence South 0°58'52" West along said West line 82 feet to the North line of the South 40 feet of said subdivision and the terminus of said centerline.

TOGETHER WITH a 40 foot temporary construction easement, the centerline of which is the same as that described above; EXCEPT that portion of said centerline which bears South 0°58'52" West, wherein said portion of centerline will have 10 ft. in width of said 40 foot temporary construction easement on the East side and 30 feet in width on the West side of said centerline.

Extending or shortening the exterior margins of the easements to terminate at the property line.
SECTION 2: That the acquiring of said land and easements for the purposes herein mentioned is for a public use and necessity as set forth in Ordinance No. 1408.

SECTION 3: Payment for the land and easements herein described to be acquired shall be made partially from proceeds of the sale of Water Revenue Bonds to be issued by the City of Kent, and partially from proceeds of a grant from the Economic Development Administration of the U.S. Department of Commerce, project No. 07-1-000-99; and pending such sale and the disbursement of the proceeds of such grant, interest bearing warrants shall be issued by the City of Kent to facilitate payment for the required easements and land.

SECTION 4: Nothing in this Ordinance shall be construed as a waiver by the City of Kent of its right to decline, to take and pay for said land and easements after the amount of damages has been ascertained and within the time allowed by law.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Attest:

Marie Jensen, City Clerk

Approved as to form:

Jen B. Bereiter, City Attorney

Passed the 6 day of November, 1967.
Approved the 7 day of November, 1967.
Published the 15 day of November, 1967.