AN ORDINANCE of the City of Kent, Washington, vacating a portion of 74th Avenue South in the area of Willis Street and S. 259th Street in the Southwest Quarter of Section 24 and the Northwest Quarter of Section 25 in Township 22 North, Range 4 East, W.M., King County, Washington and more particularly described herein. [Application of Foster Industrial Park].

WHEREAS, a proper application was filed with the City of Kent for the vacation of a dedicated public street of the City; and

WHEREAS, the Kent City Council did by Resolution 1062 adopted on May 20, 1985 and concurred by the Mayor of the City of Kent on May 23, 1985 fix a time when said application would be heard, and said hearing was held, on proper notice, on June 17, 1985 at the hour of 7 o'clock p.m. in the Council Chambers of the City Hall of the City of Kent, Washington; and

WHEREAS, the Kent Planning Director and Director of the Department of Public Works processed said application and secured technical facts pertinent to the question of said vacation which includes a sketch of the proposed vacation and written reports with respect to water, sewer, and streets of the City; and

WHEREAS, it appeared that granting of the said application would not be a menace or inconvenience to the traveling public or to any other person using the streets or alleys of the City of Kent, Washington; and

WHEREAS, the Council approved the grant of the street vacation on certain conditions, as specified herein, NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:
Section 1. That portion of 74th Ave. S. within the City limits of Kent, Washington and more fully described as follows:

A portion of the Southwest Quarter of Section 24 and the Northwest Quarter of Section 25 in Township 22 North, Range 4 East, W.M., King County, Washington, more particularly described as follows:

Commencing at the Northwest corner of the Samuel W. Russell Donation Land Claim No. 41;

THENCE S 00°43'58" E along the West line of said Russell Donation Land Claim a distance of 1649.19 feet to the TRUE POINT OF BEGINNING:

THENCE continuing S 00°43'58" E along said West line, a distance of 156.57 feet to a point of curvature;

THENCE Southwesterly along said curve to the right having a radius of 1970.00 feet, through a central angle of 6°51'09", an arc length of 235.61 feet to a point of tangency;

THENCE S 06°07'11" W, 263.38 feet to a point of curvature;

THENCE Southerly along said curve to the left having a radius of 2030.00 feet, through a central angle of 6°51'09", an arc length of 242.79 feet to a point of cusp and a point 60.00 feet Westerly of, when measured at right angles, the West line of said Russell Donation Land Claim;

THENCE N 00°43'58" W along a line parallel with and 60.00 feet Westerly of said West line, a distance of 1,800.12 feet to a point of cusp;

THENCE Southeasterly along a curve to the left the center of which bears N 89°16'12" E, 3030.00 feet, through a central angle of 5°36'36", an arc length of 296.68 feet to a point of tangency;

THENCE S 06°20'34" E, 319.78 feet to a point of curvature;

THENCE Southerly along a curve to the right having a radius of 2970.00 feet, through a central angle of 5°36'36", an arc length of 290.81 feet to the TRUE POINT OF BEGINNING.

is hereby vacated; RESERVING, however, any and all easements for drainage, sewage, and other utilities, overhead or underground, in
said portion of 74th Ave. S.; and, provided further, that the following conditions be met:

A. Applicant to deed to the City the respective right-of-way for the new street alignment.

B. The City retains all utility easement rights on the right-of-way that is to be vacated. Included therein shall be the preservation of any rights of privileges the City has granted to other utilities, such as Puget Power, the Telephone Company, etc., whom presently have facilities therein.

C. Applicant to reconstruct the existing street to at least an equal equivalent within the new alignment or put up a performance bond (150% of estimated cost) for same. No removal of that road surface pavement which lies within the vacated street right-of-way shall be allowed nor shall the use of the vacated street for vehicular travel be permitted, until the street is reconstructed to lie within the new right-of-way.

D. 74th Avenue South is classified as a Class B street and according to Ordinance 2333, the vacation requires compensation. However, in this case, compensation is in the form of a right-of-way trade which is acceptable under Kent City Ordinance 2333.

Section 2. Effective Date. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY
PASSED the 4th day of Nov., 1985.
APPROVED the 5th day of Nov., 1985.
PUBLISHED the 8th day of Nov., 1985.

I hereby certify that this is a true copy of Ordinance No. 2588, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK