ORDINANCE NO. 2601

AN ORDINANCE of the City of Kent, Washington, providing for the laying off, opening and widening of portions of 76th Avenue South from South 212th Street southerly for a distance of 1600.00 feet, more or less, in the City of Kent. [76th Avenue South Improvements.]

THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The public convenience, use and necessity demand that 76th Avenue South be and the same is hereby laid off, opened, widened and established over and across the following described real property in King County, Washington, to wit:

The north half of the northeast quarter of the southwest quarter of Section 12, Township 22 North, Range 4 East, W.M., in King County, Washington, lying east of the Chicago, Milwaukee and St. Paul Railway Company right of way as conveyed under Recording No. 453930, except the east 15 feet conveyed to King County for road purposes under Recording No. 2295214, all records of King County, Washington.

Section 2. That in the laying off, opening and widening of 76th Avenue South, the City shall acquire the fee interest in the following described property in King County, Washington, to-wit:

The east 15.00 feet of the following described property:

The north half of the northeast quarter of the southwest quarter of Section 12, Township 22 North, Range 4 East, W.M., in King County, Washington, lying east of the Chicago, Milwaukee and St. Paul Railway Company right of way as conveyed under Recording No. 453930, except the east 15 feet conveyed to King County for road purposes under Recording No. 2295214, all records of King County, Washington.

Section 3. That in the laying off, opening and widening of 76th Avenue South, the City shall acquire necessary construction easements over the property described in Section 1, above.
Section 4. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Sections 1 and 2 hereof are hereby condemned, appropriated, taken and damaged for the purpose of a public street, public utilities, and appurtenances thereto; and lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of 76th Avenue South and in the construction of necessary slopes for cuts and fills on the real property abutting upon said street, as set forth in Sections 1 and 2 hereof, are hereby condemned, appropriated, taken and damaged for the public use of such purpose, and all lands, rights, privileges and other properties are to be taken, damaged and appropriated only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 5. The cost of the acquisitions provided for by this ordinance shall be paid from the General Fund, or such other funds of the City of Kent as may be provided by law.

Section 6. The City Attorney be and he is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance.

Section 7. In conducting said condemnation proceedings, the City Attorney is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 8. 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.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK
APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the ___ day of ___, 1986.
APPROVED the ___ day of ___, 1986.
PUBLISHED the ___ day of ___, 1986.

I hereby certify that this is a true copy of Ordinance No. 2601, 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 (SEAL)