AN ORDINANCE of the City of Kent, Washington, providing for the laying off, opening, widening, and improvement of portions of 72nd Avenue South, and providing for the acquisition of property and property rights for said improvements and culverts, drains, and ditches on the east side of 72nd Avenue South between South 206th Street and South 207th Street, in the City of Kent. [In Re 72nd Avenue South Improvements.]

THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS

FOLLOWS:

Section 1. The public convenience, use and necessity demand that 72nd Avenue South be and the same is hereby laid off, opened, widened, established, and improved over and across the following described real property in King County, Washington, to wit:

Tract 5, O'Brien Station Garden Tracts, according to the plat thereof recorded in Volume 12 of Plats, page 54, records of King County, Washington, except portion lying within King County Drainage District No. 1.

Section 2. That in the laying off, opening, widening, and improvement of 72nd Avenue South, and related culvert, drain, and ditch improvements, the City shall acquire the following described property interest in King County, Washington, to wit:

2.1 PERMANENT EASEMENT: The east 65 feet of the west 75 feet of the south 100 feet of the north 257.39 feet of Tract 5, O'Brien Station Garden Tracts, according to the plat thereof recorded in Volume 12 of Plats, page 54, records of King County, Washington; except that portion lying within King County Drainage District No. 1.

2.2 TEMPORARY CONSTRUCTION EASEMENT: The east 10.00 feet of the west 20.00 feet of the north 157.39 feet of Tract 5, O'Brien Station Garden Tracts, according to the plat thereof recorded in Volume 12 of Plats, page 54, records of King County, Washington; and also the east 10.00 feet of the west 20.00 feet of the south 137.18 feet of the north 394.57 feet of Tract 5, O'Brien Station Garden Tracts, according to the plat thereof recorded in Volume 12 of Plats, page 54, records of King County, Washington.
2.3 **FEE SIMPLE:** The west 10.00 feet of Tract 5, O'Brien Station Garden Tracts, according to the plat thereof recorded in Volume 12 of Plats, page 54, records of King County, Washington, except portion lying within King County Drainage District No. 1.

Section 3. 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 improvement of 72nd Avenue South and in the construction of necessary slopes for cuts and fills on the real property abutting upon said street and appurtenant culverts, drains, and ditches, 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 4. The cost of the acquisitions provided for by this ordinance shall be paid from L.I.D. 310, or from the General Fund, or such other funds of the City of Kent as may be provided by law.

Section 5. 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 6. In conducting said condemnation proceedings, the City Attorney is hereby authorized to enter into stipulations for the purpose of minimizing damages.
Section 7. 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. 2620, 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)

3410-130
TO

City Clerk

SUBJECT

Ordinance # 2620

DATE

4-14-86

MESSAGE

Dear Brian,

Regarding subject matter and our previous telecon on same place "do not" record this. I checked with the City Attorney and she sees no problem with this.

Thank you.

Signed

REPLY

TO

DATE

Signed

CITY OF KENT
220 4th Avenue South
Kent, Washington 98032
(206) 872-3300