AN ORDINANCE of the City of Kent, Washington, vacating South 209th Street, west of 72nd Avenue South, all within the City of Kent, Washington. [Application of E & H Properties].

WHEREAS, 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 1096, fix a time when said petition would be heard, and said hearing was held on proper notice on May 19, 1986 at the hour of 7:00 p.m. in the Council Chambers of the City Hall of the City of Kent, Washington; and

WHEREAS, the petition was processed by the Kent Planning Director and the Department of Public Works, and necessary technical facts pertinent to the question of said vacation were provided by affected departments; and

WHEREAS, it appears that the granting of said petition 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, following the above-referenced public hearing, the City Council directed the preparation of an ordinance vacating said street on certain conditions as set forth herein; and

WHEREAS, the Public Works Department has advised that said conditions have been satisfied; NOW THEREFORE

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

Section 1. That South 209th Street, west of 72nd Avenue South, and more particularly described as follows:
All of South 209th Street, as shown on the plat of Daon Addition, recorded in Volume 116 of Plats, Pages 57-59, records of King County, Washington, is hereby vacated.

Section 2. The vacation provided for in Section 1 above is conditioned on the following:

2.1 Lots 5 and 6 of Daon Addition recorded in Volume 116 of Plats, Pages 57-59, records of King County, Washington, shall be combined so that Lot 5 has access to a public street as required by City law.

2.2 The City of Kent hereby retains an easement for utility purposes in that portion of South 209th Street vacated hereby; and easements shall be maintained by the City and such other utilities which may have existed prior to this vacation.

2.3 The City shall be compensated for one-half the appraised value of that portion of South 209th Street vacated hereby.

Section 3. No vested rights shall be affected by the provisions of this ordinance.

Section 4. 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 21 day of July, 1986.
APPROVED the 23 day of July, 1986.
PUBLISHED the 25 day of July, 1986.

I hereby certify that this is a true copy of Ordinance No. 03750-140, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

M. JENSEN (SEAL)
MARIE JENSEN, CITY CLERK