ORDINANCE NO. 2186

AN ORDINANCE of the City of Kent, Washington providing for the widening of Smith Street between Railroad Avenue and Jason Avenue; providing for the condemnation, appropriation, taking of and damaging of all lands and other property therefor, including property and property rights necessary for cut and fill slopes on abutting property; all a part of the Smith Street Project.

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

Section 1. The public convenience, use and necessity demand the development and construction of additional traffic lanes, together with sidewalks, curbs, gutters and storm drains on Smith Street between Railroad Avenue and Jason Avenue for motorists and others on real property in the City of Kent, King County, Washington in an area more particularly described in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. All lands, rights, privileges and other property lying within the limits of the lots, blocks, and tracts of land described in Section 1, and Exhibit A thereto, are hereby condemned, appropriated, taken and damaged for the purpose of adding traffic lanes to Smith Street, together with sidewalks, curbs, gutters and storm drains; and lands, rights, privileges and other property necessary to be taken, used or damaged in the development and construction of the Smith Street Project, as herein described, and in the construction of necessary slopes for cuts and fills on the real property abutting upon said Smith Street project, as set forth in Section 1, and Exhibit A thereto, 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 the court for the owners thereof in the manner provided by law.

Section 3. That the entire cost of the acquisitions provided for by this ordinance shall be paid by the General Fund of the City of Kent, or such other funds of the City of Kent as may be provided by law.
Section 4. The City Attorney is hereby authorized and directed to begin and prosecute the actions and proceedings in a 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 5. In conducting said condemnation proceedings, the City Attorney is hereby authorized to enter into stipulations for the purpose of minimizing damages; such stipulations to include, but not limited to, size and dimensions of the taking, construction easements and other property interests.

Section 6. 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:

BILL H. WILLIAMSON, ACTING CITY ATTORNEY

PASSED the 15 day of Dec, 1986.
APPROVED the 16 day of Dec, 1986.
PUBLISHED the 19 day of Dec, 1986.

I hereby certify that this is a true copy of Ordinance No. 2686, 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)
EXHIBIT A

CONDEMNATION DESCRIPTION

That portion of Lots 10 and 11, Block 14, Washington Central Improvement Co.'s first addition to the City of Kent, according to the plat thereof recorded in Volume 3 of Plats, Page 97, in King County, Washington, more particularly described as follows:

Commencing at the northeast corner of said Lot 11; thence southerly along the east line thereof a distance of 23.03 feet to a point of cusp with a curve concave to the southwest having a radius of 18.00 feet and to which point a radial line bears north 61°32'27" east; thence northwesterly and westerly a distance of 18.94 feet along said curve through a central angle of 60°17'16" to the beginning of a reverse curve concave to the north having a radius of 1236.00 feet; thence westerly, a distance of 54.43 feet along said curve through a central angle of 02°31'23" to the west line of said Lot 10; thence northerly along said west line, a distance of 9.09 feet to the north line of said Lot 10; thence easterly along said north line and the north line of said Lot 11 to the point of beginning and containing 881 square feet, more or less.

SLOPE EASEMENT DESCRIPTION

Those portions of Lots 10 and 11, Block 14, Washington Central Improvement Co.'s first addition to the City of Kent, according to the plat thereof recorded in Volume 3 of Plats, Page 97, in King County, Washington, more particularly described as follows:

Commencing at the northeast corner of said Lot 11; thence southerly along the east line thereof a distance of 23.03 feet to the true point of beginning; thence south 61°32'27" west, a distance of 2.00 feet to the beginning of a nontangent curve concave to the southwest having a radius of 16.00 feet; thence northwesterly and westerly a distance of 16.84 feet along said curve through a central angle of 60°17'16" to the beginning of reverse curve concave to the north having a radius of 1238.00 feet; thence westerly, a distance of 54.43 feet along said curve through a central angle of 02°31'09" to the west line of said Lot 10; thence northerly along said west line a distance of 2.00 feet to the beginning of a nontangent curve concave to the north having a radius of 1236.00 feet; thence easterly, a distance of 54.43 feet through a central angle of 02°31'23" to the beginning of a reverse curve concave to the southwest having a radius of 18.00 feet; thence easterly and southeasterly, a distance of 18.94 feet through a central angle of 60°17'16" to the true point of beginning and containing 145 square feet, more or less.
TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

Those portions of Lots 10 and 11, Block 14, Washington Central Improvement Co.'s first addition to the City of Kent, according to the plat thereof recorded in Volume 3 of Plats, Page 97, in King County, Washington, more particularly described as follows:

Commencing at the northeast corner of said Lot 11; thence southerly along the east line thereof a distance of 23.03 feet; thence south 61°32'27" west, a distance of 2.00 feet to the true point of beginning; thence south 61°32'27" west, at distance of 5.00 feet to the beginning of a nontangent curve concave to the southwest having a radius of 11.00 feet; thence northwesterly and westerly a distance of 11.57 feet along said curve through a central angle of 60°17'16" to the beginning of a reverse curve concave to the north having a radius of 1243.00 feet; thence westerly, a distance of 54.43 feet along said curve through a central angle of 02°30'32" to the west line of said Lot 10; thence northerly along said west line a distance of 5.02 feet to the beginning of a nontangent curve concave to the north having a radius of 1238.00 feet; thence easterly, a distance of 54.43 feet through a central angle of 02°31'09" to the beginning of a reverse curve concave to the southwest having a radius 16.00 feet; thence easterly and southeasterly, a distance of 16.84 feet through a central angle of 60°17'16" to the true point of beginning and containing 343 square feet, more or less.