AN ORDINANCE of the City of Kent, Washington, providing for the James Street sanitary sewer replacement located generally in the Burlington Northern Pacific Railroad right of way at James Street crossing and between N. First Avenue and Railroad Avenue; providing for condemnation, appropriation, taking and damaging of land and other property therefor; all as a part of the replacement for the James Street sanitary sewer.

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

Section 1. The public convenience, use and necessity demand the replacement of the James Street sanitary sewer for citizens and others on real property in the City of Kent, King County, Washington in the area generally located in James Street from approximately 65 feet east of Burlington Northern Pacific Railroad right-of-way centerline to approximately 225 feet west of Burlington Northern Pacific Railroad right-of-way centerline, and more particularly described as follows:

That portion of the Southeast quarter of the Southeast quarter of Section 13 Township 22 North Range 4 E., W.M., King County, Washington lying within the Burlington Northern Pacific Railroad right-of-way described as follows:

Beginning at the Southwest corner of said subdivision; thence North 88°36'09" E along the South line of said subdivision to the West right-of-way line of the Burlington Northern Pacific Railroad; thence North along said West right-of-way a distance of 18.8 feet to the True Point of Beginning; thence continuing North along said West right-of-way line a distance of 15 feet; thence North 88°54'09" E to the East right-of-way line of the Burlington Northern Pacific Railroad; thence South along said East right-of-way line a distance of 15 feet; thence South 88°54'09" W to the True Point of Beginning.
Section 2. All lands, rights and privileges and other property lying within the limits of the lots, blocks, tracts and rights-of-ways of land described in Section 1 are hereby condemned, appropriated, taken and damaged for the purpose of the James Street sanitary sewer replacement; and lands, rights, privileges and other property necessary to be taken, used or damaged in the replacement of the James Street sanitary sewer as set forth in Section 1 above 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 a manner provided by law.

Section 3. 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 be and she 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. 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 JENSON, CITY CLERK
APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 21st day of April, 1987.
APPROVED the 23rd day of April, 1987.
PUBLISHED the 24th day of April, 1987.

I hereby certify that this is a true copy of Ordinance No. 2730, 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