AN ORDINANCE of the City of Kent, Washington, annexing to the City certain lands contiguous thereto bounded on the West by 104th Avenue S.E., on the North by S.E. 264th, on the South by S.E. 272nd, and on the East by 108th Avenue S.E., and more particularly described as set out in attached Exhibit A (the Upper Mill Creek Detention Basin).

WHEREAS, in accordance with Chapter 35A.14 RCW, the owners of not less than seventy-five (75) percent in value according to the assessed valuation for general taxation of certain lands situated in King County, Washington, and more particularly described hereinafter in this Ordinance, filed with the City Council of the City of Kent, Washington their written petitions to have annexed to the City the said described land; and

WHEREAS, in accordance with Chapter 35A.14 RCW various proceedings were had; and

WHEREAS, notice of intention to annex was filed with the King County Boundary Review Board; and

WHEREAS, the Boundary Review Board has received no request for jurisdiction and has not itself chosen to invoke jurisdiction and a sixty (60) day period subsequent to filing having elapsed, and the annexation being deemed approved as a matter of law; and

WHEREAS, public hearings were held on said annexation pursuant to proper notice before the Kent City Council; and

WHEREAS, it appears to the City of Kent, that said annexation meets the requirements specified by law; the procedure for the filing with the City of Kent by the requisite number of property owners of their notice of intention to commence annexation proceedings, to and including the consideration of the passage of this ordinance also meet the requirements specified by
law; and the lands sought to be annexed are contiguous to the City of Kent and have not heretofore been incorporated in or as a City or Town; NOW, THEREFORE

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

Section 1. That there shall be annexed to the City of Kent, Washington the land situated in the County of King, State of Washington; as set forth in attached Exhibit A.

Section 2. That the property hereby annexed shall be assessed and taxed at the same rate and on the same basis as other property within the City of Kent is assessed and taxed to pay for any outstanding general indebtedness of the City to which the area was annexed and which was contracted prior to or in existence at the effective date of this annexation.

Section 3. That the annexation of said property will become effective upon the effective date of this Ordinance, and said property shall become a part of the City of Kent, subject to all the laws and ordinances of the City then and thereafter in effect except as otherwise provided by law.

Section 4. Notice is hereby given that as of the effective date of this annexation all franchises or permits heretofore granted to any person, firm or corporation by the State of Washington, or by the governing body of the annexed territory, authorizing or otherwise permitting the operation of any public transportation, garbage collection and/or disposal or other similar public service business or facility within the limits of the annexed territory are cancelled; but the holder of any such franchise or permits herewith cancelled are hereby granted by the City of Kent the franchise to continue such business within the annexed territory for a period of five (5) years from the effective date of the annexation.

Section 5. Within thirty (30) days from the passage, approval and publication of this Ordinance as provided by law, the City Clerk of the City of Kent shall under the direction of the
Mayor of the City of Kent determine the resident population of the annexed territory which population determination shall consist of an actual enumeration of the population which shall be made in accordance with the practices and policies and subject to approval of the Planning and Community Affairs Agency of the State of Washington and which population shall be determined as of the effective date of annexation as specified in this Ordinance.

Section 6. Within thirty (30) days after the effective date of the annexation referred to in this Ordinance, the City Clerk of the City of Kent shall prepare a certificate signed by the mayor and attested by the City Clerk in such form and containing such information as shall be prescribed by the Office of Financial Management of the State of Washington and said the City Clerk shall thereafter submit said certificate in triplicate to the Office of Financial Management of the State of Washington, along with the population determination of the annexed territory.

Section 7. Within ten (10) days after the effective date of the annexation referred to in this ordinance, the City Clerk of the City of Kent shall send to the Office of the Clerk of the County Council seven (7) certified copies of this ordinance together with a copy of a letter from the Executive Secretary of the King County Boundary Review Board which letter contains a copy of the decision of the Boundary Review Board relating to this annexation.

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:

SANDRA DRISCOLE, CITY ATTORNEY

PASSED the 7 day of July, 1982.
APPROVED the 8 day of July, 1982.
PUBLISHED the 10 day of July, 1982.

I hereby certify that this is a true copy of Ordinance No. 2728, 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)

04910-160
EXHIBIT "A"

Legal Description

That portion of the North 114 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington EXCEPT the East 18.6 feet described as follows:

Beginning at the Southeast corner of the above described property; thence West along the South line of said tract 100.02 feet; thence North 01°30'50" W 26 feet; thence North 18°57'13" E 93.13 feet to the North line of said tract; thence North 89°52'32" E along said North line to the Northeast corner thereof; thence South 01°30'50" E along the East line of said tract 114 feet to Point of Beginning,

AND ALSO

The West 65 feet of the East 83.6 feet of the South 120 feet of the North 234 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington,

AND ALSO

Beginning at the Southeast corner of the following: South 138 feet of the North 372 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington, EXCEPT the East 18.6 feet less County road; thence West along the South line thereof 59 feet; thence North 02°45'28" W 138.15 feet to the North line thereof; thence East along said North line 62 feet to the East line to the Northeast corner thereof; thence South along the East line 138 feet to Point of Beginning,

AND ALSO

The West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. in King County, Washington, EXCEPT the East 18.6 feet less the North 372 feet less County road, AND ALSO

Beginning at the Southwest corner of the East 18.6 feet of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. King County, Washington being the True Point of Beginning of property herein described; thence Northerly along the West line thereof a distance of 238.84 feet; thence Southeasterly a distance of 308.48 feet to a point on the South line of the Southwest quarter of the Northeast quarter of the Southwest quarter in said section; which is 188.82 feet Easterly of the point of beginning; thence West along said South line a distance of 188.82 feet to the True Point of Beginning.
AND ALSO
The North half of the Northwest quarter of the Southeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. King County, Washington, EXCEPT the East 150 feet of the North 100 feet AND EXCEPT County road, AND ALSO
That portion of the North half of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. King County, Washington, described as follows:
Beginning at the Southwest corner of said subdivision; thence North along the West line 142.96 feet;
thence South 44°59'13" E 201.08 feet to a point on the South line of said subdivision; thence West along said South line 137.88 feet to beginning EXCEPT coal mineral rights,
AND ALSO
That portion of the South half of the Northwest quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. King County, Washington described as follows:
Beginning at the Southeast corner of said subdivision; thence North 89°46'51" W 497.90 feet to the Northeast corner of said subdivision;
thence South 89°51'57" E along said North line 331.96 feet to point of beginning,
AND ALSO
That portion of the South half of the Northeast quarter of the Southwest quarter of Section 29, Township 22 North, Range 5 East, W.M. King County, Washington, EXCEPT the South 120 feet described as follows:
Beginning at the Southwest corner thereof; thence North along the West line 211.89 feet; thence East along the North line 137.88 feet;
thence South 44°59'13" East 300.06 feet to the South line thereof;
thence West along said South line 344.19 feet to beginning.
AND ALSO
That portion of the South 120 feet of the Northeast quarter of the Southwest quarter of Section 29 Township 22 North, Range 5 East, W.M., King County, Washington lying Westerly of the following described line:
Beginning at a point 30 feet West and 173 feet North of the Southeast corner of the North half of the Southeast quarter of the Southwest quarter; thence North 44°59'13" W 397.37 feet to the North line of said South 120 feet and the terminus of said described line.
AND ALSO
That portion of the West 396 feet of the East half of the South half of
the Southeast quarter of the Southwest quarter of Section 29,
Township 22 North, Range 5 East, W.M., King County, Washington
described as follows:
Beginning at the Northeast corner thereof; thence West along the
North line 326.23 feet;
thence South 54°57'31" East 407 feet;
thence North along the East line thereof 232.54 feet to the Point
of Beginning EXCEPT coal and mineral rights,
AND ALSO
That portion of the North half of the Southeast quarter of the South­
east quarter of the Southwest quarter of Section 29, Township 22
North, Range 5 East, W.M., King County, Washington, EXCEPT the West
396 feet AND EXCEPT County road lying Southwesterly of the following
described line:
Beginning at a point on the East line thereof 173 feet North of the
Southeast corner; thence North 44°59'13" W to a point on the North
line thereof and terminus of said described line,
AND ALSO
That portion of the South half of the Southeast quarter of the South­
east quarter of the Southwest quarter of Section 29, Township 22 North
Range 5 East, W.M. King County, Washington EXCEPT County road described
as follows:
Beginning at the Northeast corner thereof; thence West along the North
line of said South half 100 feet;
thence South 55°31'06" E 124.49 feet to the East line thereof;
thence North along said East line 70 feet to beginning; less coal and
mineral rights.