AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets and alleys, vacating a portion of North Second Avenue, North Third Avenue, and two adjacent alleys within the city limits of the City of Kent.

WHEREAS, proper application was filed by Leo and Norma Brutsche for the vacation of a portion of public streets and alleys of the City of Kent; and

WHEREAS, the Kent City Council, by resolution, fixed a time when said petition would be heard and said hearing was held, on proper notice, on April 19, 1988, at the hour 7 p.m. in the Council Chambers of the City Hall of the City of Kent, Washington; and

WHEREAS, the Kent Planning Director processed said petition and secured technical facts pertinent to the question of said vacation which includes a sketch of the proposed vacation and, also, written approval or rejection thereof by the Public Works Department of the City of Kent; and

WHEREAS, the Public Works Department and Planning Director recommend approving the vacation subject to certain conditions of compensation to the City of 1-1/2 the appraised value of the property as a Class C street; and

WHEREAS, at the hearing the petitioner presented information that the streets and alleys had never been developed and that other portions of the same streets and alleys had been vacated without the requirement of compensation; and

WHEREAS, Kent City Ordinance 2333 provides that compensation may be required by the Council based upon administrative costs to the City; and
WHEREAS, it appears that the granting of the 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, the City Council determined that the streets and alleys should be vacated upon compensation to the City for out of pocket expenses and directed the preparation of an ordinance vacating the portion of said street upon receipt of the required compensation; and

WHEREAS, the City has determined that its out of pocket expenses are $92.00; and

WHEREAS, the applicant has paid $92.00 to the City; NOW, THEREFORE,

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

Section 1. That portion of North Second Avenue, North Third Avenue, and two adjacent alleys within the city limits of the City of Kent, Washington, and more fully described as set forth in Exhibit A, incorporated herein by this reference, is hereby vacated.

Section 2. No vested right shall be affected by the provisions of this ordinance.

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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:

Brenda Jacober, Deputy City Clerk

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the ___ day of June, 1988.
APPROVED the ___ day of June, 1988.
PUBLISHED the ___ day of June, 1988.

I hereby certify that this is a true copy of Ordinance No. 3779, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober, Deputy City Clerk

5730-190
City of Kent, County of King, State of Washington:

That portion of the alley in Block 1, Ramsey's Addition as recorded in Volume 16 of Plats, Page 89, records of King County, Washington, lying northerly of the south line of the CMS&P right of way;

and

That portion of North Third Avenue between Block 1 and Block 2, Ramsey's Addition, as recorded in Volume 16 of Plats, page 89, records of King County, Washington, lying northerly of the southerly line of the CMS&P right of way;

and

That portion of the alley in Block 2, Ramsey's Addition as recorded in Volume 16 of Plats, page 89, records of King County, Washington, lying northerly of the southerly line of the CMS&P right of way;

and

North Second Avenue between Blocks 2 and 3, Ramsey's Addition, as recorded in Volume 16 of Plats, page 89, records of King County, Washington.