ORDINANCE NO. 2782

AN ORDINANCE of the City of Kent, Washington, providing for the construction, improvement and maintenance of certain surface drainage facilities and related purposes; for the purpose of providing for condemnation, appropriation, taking and damaging of land and other properties therefor; all located approximately near Southeast 267th and 106th Avenue Southeast, in Kent, Washington.

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

Section 1. The public convenience, use and necessity demand the condemnation of certain real property for the construction, improvement, and maintenance of certain surface drainage facilities and related purposes for an easement across such properties as described in Exhibit A attached hereto and incorporated herein by this reference.

Section 2. All land, rights, privileges, and other property lying within the limits of the lot, blocks, and tracts of land described in Section 1 herein are hereby condemned, appropriated, taken and damaged for the purposes set forth above and other public use; and lands, rights, privileges and other properties necessary to be taken, used or damaged in the development and construction of such 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. The entire cost of the improvement and acquisition provided for by this ordinance shall be paid from the Drainage Utility Funds, or from such general 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 to prosecute the actions and proceeding in a manner provided by law to condemn, take, damage and appropriate land and other property necessary to carry out the provisions of this ordinance. 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 property interest.

Section 5. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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:

Brenda Jacober, Deputy City Clerk

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the _____ day of _____, 1988.
APPROVED the _____ day of _____, 1988.
PUBLISHED the _____ day of _____, 1988.
I hereby certify that this is a true copy of Ordinance No. 2788, 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
Exhibit A

EASEMENT

Beginning at a point on the North line of the West half of the Southwest quarter of the Northeast quarter of the Southwest quarter in Section 29, Township 22 North, Range 5 East, W.M., King County, WA, which point lies 10.00 feet West from the Northeast corner thereof being the True Point of Beginning; thence West along said North line a distance of 8.60 feet; thence South parallel with the East line of said West half a distance of 60.00 feet; thence in a Northeasterly direction in a straight line to a point which lies 10.00 feet South and 53.40 feet East of the True Point of Beginning; thence West parallel with the North line of said Southwest quarter a distance of 53.40 feet; thence North parallel with said West line a distance of 10.00 feet to the True Point of Beginning.

PARCEL

PARCEL A:


PARCEL B:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 22 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 10 FEET; EXCEPT THE EAST 30 FEET; AND EXCEPT THAT PORTION OF THE PARCELS A AND B DEEDED TO THE CITY OF KENT DESCRIBED AS FOLLOWS:

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, WILLAMETTE MERIDIAN, IN 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 308.49 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.