ORDINANCE NO. 2844

AN ORDINANCE of the City of Kent, Washington, providing for widening, construction and improvements of certain roadways, including drainage, curb and gutter, sidewalks, landscaping, illumination, signal improvements, electrical facilities and utility adjustments and relocations and related purposes; for the purpose of providing for condemnation, appropriation, taking and damaging of land and other properties therefor; all located approximately on Canyon Drive (SR-516), from Hazel Avenue to Welland Street 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 that the condemnation of certain real property for the widening, construction and improvement of certain roadways, including drainage, curb and gutter, sidewalks, landscaping, illumination, signal improvements, electrical facilities and utility adjustments and relocations and related purposes; for the purpose of providing for condemnation, appropriation, taking and damaging of land and other properties therefor; for such property 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 hereof 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 acquisitions provided for by this ordinance shall be paid from the Canyon Drive Improvement Fund, 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 and prosecute the actions and proceeding in the 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 such 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 taking, construction, easement and property interests.

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 JENSEN, CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 18 day of April, 1989.
APPROVED the 19 day of __________, 1989.
PUBLISHED the 21 day of __________, 1989.
I hereby certify that this is a true copy of Ordinance No. 2844, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

MARIE JENSEN, CITY CLERK
EXHIBIT A
CANYON DRIVE CONDEMNATION LEGAL DESCRIPTION 3/24/89

All those portions of the following described properties lying within Section 19 Township 22 No. Range 5 E.W.M. King County, Washington.

Portion of Northwest 1/4 of Southeast 1/4 of Northwest 1/4 West of County Road #469 and North of Smith Street extension less Smith Street less portion lying Easterly of line running Southerly parallel to County Road from point 80 feet West of Northeast corner thereof less West 200 feet; AND

Portion of Government Lot 1 lying South of line 110 feet South of South line of Temperance Street West of line 120 feet West of West line of Hazel Street Northerly of Smith Street and East of line 135 feet East of East line of Alley Ordinance #698; AND ALSO

Portion of West 1/2 of Northwest 1/4 beginning on Northerly margin of Smith Street 120 feet West of Westerly margin of Hazel Street; Thence Easterly along said Northerly margin to said Westerly margin of Hazel Street; Thence North along said Westerly margin 148.5 feet; Thence West parallel with South line of Temperance Street 120 feet; Thence South to Point of Beginning less street; AND ALSO

North 1/2 of Southeast 1/4 of Northwest 1/4 lying East of Secondary State Highway 5A less North 133 feet less portion platted; AND ALSO

Beginning Northeast corner of Southeast 1/4 of Northwest 1/4; Thence South on East line of said tract 430.75 feet; Thence South 88°17'30" West 240 feet; Thence South 31°18'57" West 148.8 feet to True Beginning; Thence Southwesterly on curve left 17.12 feet; Thence North 51°04'00" West 59.88 feet; Thence North 10°26'07" East 141.76 feet; Thence South 61°20'53" East 126.98 feet to True Beginning; AND ALSO

Portion Southeast 1/4 of Northwest 1/4 beginning at intersection of North line of Kent-Kangley Road and East line of County Road #459; Thence North 01°02'53" West 74.29 feet; Thence North 89°30'57" East 90 feet; Thence South 01°02'53" East to Kent-Kangley Road; Thence Northwesterly along road to Beginning; AND ALSO

Portion Southeast 1/4 of Northwest 1/4 Beginning at Northeast corner; Thence South 669.65 feet; Thence South 88°04'20" West 329.18 feet to center line County Road; Thence along center line North 43°30'18" West 117.09 feet; Thence North 51°04'00" West 111.72 feet; Thence North 01°02'53" West 39.15 feet to North line County Road; Thence along North line County Road 51°04'00" West 65.25 feet to Point of Beginning; Thence along North line 51°04'00" West 81.41 feet; Thence North 01°02'53" West 110.01 feet; Thence North 89°30'57" East 62.38 feet; Thence South 01°02'53" East 161.71 feet to Point of Beginning; AND ALSO
Beginning 669.65 feet South of Northeast corner of Southeast 1/4 of Northwest 1/4; Thence South 88°44'20" West 329.18 feet; Thence North 43°30'18" West 117.09 feet; Thence North 51°04'00" West 111.72 feet; Thence North 01°02'53" West 39.15 feet to True Point of Beginning; Thence North 51°04'00" West 65.25 feet; Thence North 01°02'53" West 161.21 feet; Thence North 89°30'57" East 50 feet; Thence South 01°02'53" East 203.14 feet to Beginning; AND ALSO

Beginning 430.75 feet South of Northeast corner of Southeast 1/4 of Northwest 1/4; Thence South 88°17'30" West 240 feet; Thence South 76°48'10" West 63.15 feet; Thence South 31°18'57" West 148.80 feet; Thence on curve to left 17.12 feet; Thence North 51°04'00" West 59.88 feet to True Point of Beginning; Thence North 10°26'07" East 191.76 feet; Thence North 78°22'53" West 100.003 feet; Thence South 01°02'53" East 159.94 feet; Thence South 51°04'00" East 77 feet to Beginning; AND ALSO

Beginning at Southeast corner of Northeast 1/4 of Southeast 1/4 of Northwest 1/4; Thence North 238.90 feet; Thence South 85°32'44" West 275.48 feet; Thence North 18°28'00" East 6.58 feet; Thence South 76°48'10" West 29.57 feet; Thence South 31°18'57" West 148.8 feet to Northeasternly margin of Kent-Kangley County Road; Thence Southeasterly along said margin to South line said subdivision; Thence East to beginning less beginning at Southeast corner; Thence North 208.81 feet; Thence South 85°32'44" West 285.57 feet; Thence South 31°18'57" West to Northeasternly margin of road and True Point of Beginning; Thence Southeasterly along road to South line; Thence East 90 feet; Thence northwesterly to point North 31°18'57" East 90 feet from True Point of Beginning; Thence South 31°18'57" West 90 feet to True Point of Beginning; AND ALSO

Portion Northwest 1/4 of Southeast 1/4 of Northwest 1/4 beginning at intersection of South line of Smith Street and West line of County Road #469 Alvord Street; Thence West 80 feet; Thence Southerly parallel with West line said County Road to Northeasternly line of State Highway 5-A; Thence Southeasterly along said highway to Westerly line of County Road; Thence Northerly along said road to Beginning; AND ALSO

North 133 feet of portion Southeast 1/4 of Southeast 1/4 of Northwest 1/4 lying Easterly of State Highway #5 less East 135.41 feet thereof; AND ALSO

West 135 feet of portion of Government Lot 1 and vacated Calhoun Street lying South of Temperance Street Northerly of Smith Street and East of Alley Ordinance #698 less North 110 feet less street; AND ALSO

Beginning at Southeast corner of Northeast 1/4 of Southeast 1/4 of Northwest 1/4; Thence North 208.81 feet; Thence South 85°32'44" West 285.57 feet; Thence South 31°18'57" West to Northeasternly margin of Kent-Kangley Road and True Point of Beginning; Thence Southeasterly along said margin to South line of said subdivision; Thence East 90 feet; Thence Northwesterly to point North 31°18'57" East 90 feet from True Point of Beginning; Thence South 31°18'57" West 90 feet to True Point of Beginning; AND ALSO

West 200 feet of portion of Northwest 1/4 of Southeast 1/4 of Northwest 1/4 which lies South of Smith Street North of Smith Street extension and West of County Road #469.