AN ORDINANCE of the City of Kent, Washington, relating to the vacation of street, vacating certain property generally located at 80th Place South, and more particularly described in Exhibit A attached hereto and incorporated herein by this reference, a street within the city limits of the City of Kent.

WHEREAS, a proper application was filed by the City of Kent for the vacation of a portion of certain property of the City of Kent; and

WHEREAS, the Kent City Council fixed a time when said petition would be heard, and said hearing was held on proper notice on February 7, 1989, in the City Council Chambers of the City Hall 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, approval or rejection thereof by the Public Works Department of the City of Kent; and

WHEREAS, the Public Works Department and Planning Director recommended approving the vacation subject to certain conditions of retaining easement rights for utility purposes including, but not limited to, drainage channel and storm water storage purposes, retaining the right to grant such easement rights to other public or private utility providers, and the right to construct, repair and maintain public utilities and service in compensation to the City of one-half of the appraised value of that portion of the street to be vacated; and

WHEREAS, it appears the granting of said 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 by Resolution directed the preparation of an Ordinance vacating a portion of said street upon compliance with all conditions at its meeting held February 21, 1989; and

WHEREAS, the applicant has met all conditions required for approval of said vacation; NOW, THEREFORE,

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

Section 1. That portion of certain property generally located at 80th Place South and more fully described in attached Exhibit A, incorporated herein by this reference, is hereby vacated, reserving, however, easement rights for utility purposes including, but not limited to, drainage channel and storm water storage purposes, retaining the right to grant such easement rights to other public and private utility providers, and the right to construct, repair and maintain public utilities and service.

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

Section 3. 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.

ATTEST:

DAN KELLEHER, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY
PASSED the 6 day of June, 1989.
APPROVED the 7 day of June, 1989.
PUBLISHED the 9 day of June, 1989.

I hereby certify that this is a true copy of Ordinance No. 2847, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARIE JENSEN, CITY CLERK

7320-260
EXHIBIT "A"

That portion of 80th Place S. in the N\SE\NE\ of Section 36, T23N, R4E of the W.M., King County, Washington, described as follows, to-wit:

Commencing at the Northeast corner of said subdivision; thence S02°05'41"W, along the East line of said subdivision a distance of 30.0 feet to the Southerly margin of S.W. 43rd Street (S. 180th Street); thence N87°56'40"W, along said margin a distance of 301.17 feet; thence N88°36'37"W, along said margin a distance of 908.15 feet; thence S22°11'16"W a distance of 6.31 feet to the Southwest corner of Lot 1 of the Tally Short Plat No. SP-85-11 as recorded under Auditor's File No. 8603130958, Records of King County, Washington; thence S40°27'55"W a distance of 60.0 feet to a point lying on the Southwesterly margin of 80th Place S. with said point being the True Point of Beginning of the parcel to be described; thence N40°27'55"E a distance of 45.0 feet; thence S49°32'05"E along a line drawn parallel with and distant 45.0 feet Northeasterly of, as measured at right angles to, said Southwesterly margin of 80th Place S. a distance of 463.58 feet to the Northerly line of that portion of 80th Place S. deeded to the City of Kent under Auditor's File No. 8602120324; thence N88°10'32"W, along said Northerly line to the intersection with said Southwesterly margin of 80th Place S.; thence N49°32'05"W, along said Southwesterly margin of 80th Place S. to the True Point of Beginning.