ORDINANCE NO. 2858

AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, amending Ordinance 2851 vacating certain property generally located at 63rd Avenue South adjacent to the south side of South 212th Street, removing the condition of retaining easement rights for utility purposes.

WHEREAS, the City Council adopted Ordinance 2851 vacating certain property generally located at 63rd Avenue South adjacent to the south side of South 212th Street, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference; and

WHEREAS, Ordinance 2851 conditioned the vacation upon retention of easement rights for utility purposes; and

WHEREAS, the City of Kent does not need such easement rights; NOW, THEREFORE,

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

Section 1. Ordinance 2851 is amended to delete the condition of the street vacation reserving 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 thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK
BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 5 day of July, 1989.
APPROVED the 6 day of July, 1989.
PUBLISHED the 7 day of July, 1989.

I hereby certify that this is a true copy of Ordinance No. 2858, 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
BRENDA JACOBER, DEPUTY CITY CLERK
A parcel of land being all that certain parcel of land as conveyed by Norman W. Clein, Jr. and Marlene Clein to the City of Kent by Statutory Warranty Deed, recorded December 7, 1966, Records of King County, Washington, and described in said Deed as follows:

That portion of the Southwest Quarter of the Northeast Quarter (SW\(\frac{1}{4}\)NE\(\frac{1}{4}\)) of Section 11, Township 22 North, Range 4 East of the Willamette Meridian, in King County, Washington, lying within a strip of land 60.00 feet in width, the centerline of which being described as follows:

Beginning at the intersection of the easterly margin of Russell Road with the centerline of South 212th Street;
thence South 08 degrees 01 minutes 56 seconds East along the centerline of South 212th Street, 1100.29 feet;
and continuing along said centerline, South 05 degrees 26 minutes 51 seconds East, 879.64 feet to the TRUE POINT OF BEGINNING;
and thence South 0 degrees 00 minutes 24 seconds East, 250.00 feet;
thence Southeasterly along a 10 degree curve to the left having a radius of 572.96 feet to an intersection with the North line of the South 995.28 feet of said Subdivision and the terminus of said centerline;
and EXCEPT that portion thereof lying North of a line parallel with and 60.00 feet South, measured at right angles, of the centerline of right-of-way of said South 212th Street.