AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, vacating a portion of the east side of West Valley Highway north of South 238th Street and south of South 234th Street, a street within the city limits of the City of Kent.

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

WHEREAS, Kent City Council, by Resolution 1228 fixed a time when said petition would be heard and said hearing was held, on proper notice, on March 20, 1990, at the hour of 7 p.m. in the City 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, 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 over, upon and under the property described in this vacation, including the right to grant similar utility rights to other public or private utility companies which have existing facilities therein, and compensation to the City of one-half the appraised value of the area proposed for vacation; 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 the portion of said street upon compliance with all conditions; 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 the east side of the West Valley Highway north of South 238th Street and south of South 234th Street, and more fully described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby vacated, reserving, however, easement rights for utility purposes over, upon and under the property described in this vacation, including the right to grant similar utility rights to other public or private utility companies which have existing facilities therein.

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 the time of its final passage as provided by law.

DAN KELLEHER, MAYOR

MARIE JENSEN, CITY CLERK

SÁNDRA DRISCOLL, CITY ATTORNEY
PASSED the ___ day of _____, 1990.
APPROVED the ___ day of _____, 1990.
PUBLISHED the ___ day of _____, 1990.

I hereby certify that this is a true copy of Ordinance No. ___, 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
EXHIBIT A

That portion of Tract 3, of Supplemental Plat of Meeker's First Addition to the Town of Kent, according to plat thereof recorded in volume 5 of plats, page 96, records of King County, Washington, described as follows:

Commencing at the Southwest Corner of Section 13, Township 22 North, Range 4 East, W.M.; thence South 88°22'29" East along the centerline of James Street 463.05 feet to a concrete monument in case at the intersection of the centerline of said James Street with the centerline of Washington Street; thence North 0°42'40" East along the centerline of said Washington Street 53.37 feet to a point on a curve from which the radial center bears North 89°17'20" West 955.22 feet; thence Northerly along the arc of said curve, concave to the Southwest, 530.66 feet; thence North 31°07'08" West 112.69 feet (to a point designated as Point "R" on the deed recorded under Auditor's File No. 881100517, records of King County, Washington); thence North 58°52'52" East 37.5 feet; thence North 31°07'08" West 134.56 feet to a point on a curve from which the radial center bears North 58°52'52" East 1162.50 feet; thence Northwesterly along the arc of said curve, concave to the Northeast, 380 feet more or less to its intersection with the Easterly line of County Road No. 332 as conveyed to King County for road purposes by quit claim deed recorded in volume 7 of books of roads, pages 604 through 606 inclusive, records of King County, Washington, and the POINT OF BEGINNING; thence continuing along the Northerly extension of said curve 190 feet more or less to its intersection with the North line of said Tract 3; thence South 88°35'14" East along said North line 30 feet more or less to its intersection with the said Easterly line of County Road No. 332; thence Southerly along said Easterly line 190 feet more or less to the POINT OF BEGINNING; Containing 3100 square feet (0.071 acres), more or less.