ORDINANCE No. 2964

AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, vacating a portion of South Central Place, a street located on the northeast corner of S. 266th and South Central Avenue, within the Kent City limits.

WHEREAS, a petition for the vacation of a portion of South Central Place was signed by the owners of more than two-thirds of the property abutting upon the street and was properly filed with the City of Kent; and

WHEREAS, the Kent City Council, by Resolution 1260, fixed a time when said petition would be heard and said hearing was held on proper notice, on November 6, 1990, at the hour of 7 o'clock 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 included a sketch of the proposed vacation; and

WHEREAS, the Kent Public Works Director recommended approval of the vacation subject to certain conditions such as the retention of 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
WHEREAS, the Planning Department recommended denial of the vacation, but in the event of approval by the Council, recommended that conditions be imposed upon such approval which would decrease the size of the vacation from the areas noted in the petition; reserve certain easement rights in the City for both utilities and for placement of historic signage and markers on the vacated property; and finally, require that the petitioners reimburse the City for the vacated property in accordance with Kent City Code 4.08 (Ordinance 1934); and

WHEREAS, the City Council finds that the granting of the 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 certain conditions; and

WHEREAS, the applicant has met all conditions required for approval of said vacation including payment to the City for the vacated portion; NOW, THEREFORE,

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

Section 1. That portion of South Central Place, a street located on the northeast corner of S. 266th and South Central Avenue, as more fully described in Exhibit A attached hereto, is hereby vacated.

Section 2. The City shall retain utility easements over, upon and under the vacated property, and the right to grant
easements in respect to the vacated land for the construction, repair and maintenance of public utilities and services; and also reserving an easement for the purpose of placing, installing, constructing, operating and maintaining a monument denoting a historic site and/or City entry way signage and related landscaping and appurtenances thereto.

Section 3. No vested rights shall be affected by the provisions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its final passage as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED the 19 day of February, 1991.
APPROVED the 20 day of February, 1991.
PUBLISHED the 22 day of February, 1991.

I hereby certify that this is a true copy of Ordinance No. 2964, 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]
BRENDA JACOBER, DEPUTY CITY CLERK
EXHIBIT A

JOHN R. EWING & ASSOC.
JOB NO. 1491.01
DEC. 11 1990

LEGAL DESCRIPTION

CITY OF KENT
JAN 07 1991

THAT PORTION OF SOUTH CENTRAL PLACE (ALSO KNOWN AS 84TH PLACE SOUTH AND KENT-THOMAS ROAD) DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 30, HORSESHOE ACRE TRACTS TO KENT, ACCORDING TO THE PLAT RECORDED IN VOLUME 15 OF PLATS ON PAGE 10, RECORDS OF KING COUNTY, WASHINGTON;

THENCE N 88° 34' 00" E ALONG THE NORTH LINE OF SOUTH 266TH STREET FOR A DISTANCE OF 91.735 FEET TO A POINT ON THE EASTERLY LINE OF SAID SOUTH CENTRAL PLACE;

THENCE N 33° 09' 49" W ALONG SAID EASTERLY LINE FOR A DISTANCE OF 5.88 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING AT N 33° 09' 49" W ALONG SAID EASTERLY LINE FOR A DISTANCE OF 30.72 FEET TO A POINT ON THE SOUTH LINE OF THAT PORTION OF SOUTH CENTRAL PLACE VACATED BY THE CITY OF KENT, THROUGH ORDINANCE NO. 2015, APPROVED ON FEBRUARY 23, 1977;

THENCE S 88° 34' 00" W ALONG SAID SOUTH LINE FOR A DISTANCE OF 65.06 FEET TO A POINT ON A CURVE, CONCAVE TO THE NORTHEAST WITH A RADIUS OF 35.00 FEET;

THENCE SOUTH EASTERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 46.01 FEET THROUGH A CENTRAL ANGLE OF 75° 19' 10" TO A POINT OF TANGENCY WITH A LINE LYING 30.00 FEET NORTHERLY OF AND PARALLEL TO THE CENTERLINE OF SOUTH 266TH STREET;

THENCE N 88° 34' 00" E ALONG SAID PARALLEL LINE FOR A DISTANCE OF 47.36 FEET TO THE TRUE POINT OF BEGINNING.