AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, vacating a portion of the unopened alley lying between Smith Street and Harrison Street and Fourth Avenue and Fifth Avenue.

WHEREAS, application was filed with the City of Kent by abutting property owners for the vacation of a portion of a unopened alley lying between Smith Street and Harrison Street and Fourth Avenue and Fifth Avenue, which was dedicated to the City; and

WHEREAS, the Kent City Council, by Resolution 1285 fixed a time when said petition would be heard and the hearing was held with proper notice on August 6, 1991, at the hour of 7 p.m. in the City Council Chambers of the Kent City Hall; 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, a recommendation as to approval or rejection thereof by the Public Works Department; and

WHEREAS, the Public Works Department and Planning Director recommended that the City Council approve the vacation without conditions or cost to the City, since the City has had no expenses associated with this unopened alley, and could therefore be vacated without compensation to the City by the owners as a Class "C" right of way under Ordinance 2333; and
WHEREAS, the City Council finds that the alley sought to be vacated is: (1) an unopened dedicated alley and not presently being used as an alley; (2) not suitable for any of the following purposes: Port, beach or water access, boat moorage, launching sites, park, public view, recreation or education; (3) a Class "C" right of way under Ordinance 2333; and (4) a vacation which is in the public interest; and

WHEREAS, the City Council by resolution directed the preparation of an ordinance vacating the portion of said street; NOW, THEREFORE,

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

Section 1. The alley described as:
That part of the dedicated alley lying between lots 1 and 18, block 16, Yeslers 1st Addition to Kent, as recorded in Volume 5, Page 64, in the records of the King County Auditor, King County, Washington

and as mentioned in the petition for vacation by abutting property owner is hereby vacated.

Section 2. No vested rights shall be affected by this provisions of this ordinance.
Section 3. Effective Date. This ordinance shall be in effect and be in force thirty (30) days from the time of its final passage as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 20 day of August, 1991.
APPROVED the 21 day of August, 1991.
PUBLISHED the 23 day of August, 1991.

I hereby certify that this is a true and correct copy of Ordinance No. 2991, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK

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