ORDINANCE NO. 3003

AN ORDINANCE of the City of Kent, Washington, providing for the acquisition of a permanent easement for storm drainage purposes over certain property in order to improve, alter, install, operate and maintain a storm drainage system mainly located in the area of the Cambridge East Subdivision; providing for the payment thereof from the City's Miscellaneous Storm Drainage Improvement Fund; and providing for the condemnation of such property rights as necessary therefor; all of said properties located within King County, Washington.

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

Section 1. The City of Kent ("City") authorizes the acquisition by condemnation of two parcels of real property, Parcel Nos. 145701 and 147231, all located in King County, Washington and legally described in Exhibits A through B, which are attached hereto and incorporated herein by this reference (hereinafter, the "Properties").

Section 2. The public convenience, use and necessity demand that the City condemn the Properties in order to acquire an easement for storm drainage purposes, which purposes shall include all acts necessary or that may, from time to time, become necessary to complete the improvement, alteration, installation, operation and maintenance of said storm drainage system.
Section 3. The City shall condemn the Properties only after just compensation has first been made or paid into court for the owner or owners in the manner prescribed by law.

Section 4. The City shall pay for the entire cost of the acquisition by condemnation provided for in this Ordinance through the City's Miscellaneous Storm Drainage Improvement Fund, or from any of the City's general funds, if necessary, as may be provided by law.

Section 5. The City authorizes and directs the City Attorney to commence those proceedings provided by law that are necessary to condemn the Properties. In conducting the condemnation proceedings, the City authorizes the City Attorney to enter into stipulations in order to minimize damages, which stipulations may include, but not be limited to, size and dimensions of the Property condemned, construction easements and other property interests.

Section 6. 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:

BRENDA JACOBER, DEPUTY CITY CLERK
APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 1st day of October, 1991.
APPROVED the 2nd day of October, 1991.
PUBLISHED the 4th day of October, 1991.

I hereby certify that this is a true copy of Ordinance No. 9103, 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 (SEAL)
BRENDA JACOBER, DEPUTY CITY CLERK
EXHIBIT A TO ORDINANCE NO. 3003

Parcel No 145701.

That portion of Lot 33 Cambridge East Division #1 as recorded in Volume 100 of plats, page 90 in King County, Washington described as follows:

A strip of land 10.00 feet in width in which the centerline of said strip begins on the southerly line of said lot at a point 1.97 feet westerly of said lot's easterly corner being the True Point of Beginning of centerline herein described; thence North 09°04'11" West a distance of 107.38 feet to a point on the northerly line of said lot being the terminus of said 10.00 foot strip.

Containing 1009.80 square feet.

That portion of Lot 33 Cambridge East Division #1 as recorded in Volume 100 of plats, page 90 in King County, Washington described as follows:

A strip of land 5.00 feet in width in which the easterly line of said strip begins on the southerly line of said lot at a point 5.04 feet westerly of said lot's easterly corner being the True Point of Beginning of said strip easterly line; thence North 09°04'11" West a distance of 110.00 feet to a point on the northerly line of said lot being the terminus of said easterly line.

EXCEPT any portions thereof lying within the foundation footing and/or the existing structure located on said lot.

Containing 525 square feet.
EXHIBIT B TO ORDINANCE NO. 3003

Parcel No. 147231.

That portion of Lot 26 Cambridge East Division #3 as recorded in Volume 109 of plats, pages 74 and 75 in King County, Washington. A strip of land 10.00 feet in width in which the centerline of said strip begins at a point on the northeasterly line of said lot which point lies a distance of 62.58 feet southeasterly from the most northerly corner of said lot being the True Point of Beginning of said strip; thence South 9°04'11" East a distance of 63.25 feet to a point on the southerly line of said lot and the terminus of said centerline. Containing 632.54 square feet.

That portion of Lot 26 Cambridge East Division #3 as recorded in Volume 109 of plats, pages 74 and 75 in King County, Washington. A strip of land 5.00 feet in width in which the easterly line of said strip begins at a point on the northeasterly line of said lot which point lies a distance of 55.98 feet southeasterly from the most northerly corner of said lot being the True Point of Beginning of said strip; thence South 9°04'11" East to a point on the southerly line of said lot and the terminus of said easterly line. EXCEPT any portions thereof lying within the foundation footings and/or the existing structure located in said lot. Containing 360 square feet.