ORDINANCE NO. 3038

AN ORDINANCE of the City of Kent, Washington, providing for the condemnation, acquisition, appropriation, taking and damaging of land necessary for the installation, construction, repair, maintenance, alteration, and improvement of the Kent Springs Water Transmission Main, under, over, along and across certain private property located in King County, Washington; providing for the payment thereof from the City's Kent Springs Transmission Main funds.

THE CITY COUNCIL OF THE CITY OF KENT HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council hereby finds and declares that the public convenience, use and necessity demand the condemnation of certain real property for the construction, improvement and maintenance of certain City water main facilities and related purposes for land, rights and privileges across such properties as described in Exhibit A, attached hereto and incorporated herein by this reference (hereinafter the "Properties"): 

Section 2. The City Council hereby authorizes the condemnation of all land, rights, privileges and other property lying within the limits of the lot, blocks and tracts of land described in Exhibit A, for the purposes set forth above and other public use, and which lands, rights, privileges and other properties are to be taken, damaged and appropriated only after
just compensation has been made or paid into the court for the owners thereof in the manner provided by law.

Section 3. The City Council authorizes the payment by the City of the entire cost of the acquisition by condemnation provided for in this Ordinance from the Kent Springs Water Transmission Main funds, or the City's general funds, as may be provided by law.

Section 4. The City Council authorizes and directs the City Attorney to commence those proceedings provided by law that are necessary to condemn, take, damage and appropriate the Properties as necessary to carry out the provisions of this ordinance. In conducting the condemnation proceedings, the City Council 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 taking, construction easements and other property interests.

Section 5. Any acts consistent with the authority and prior to the effective date of this Ordinance are ratified and confirmed.

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, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 21st day of April, 1992.
APPROVED the 22nd day of April, 1992.
PUBLISHED the 24th day of April, 1992.

I hereby certify that this is a true and correct copy of Ordinance No. 3038, 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, CITY CLERK

(SEAL)
EXHIBIT "A"

The south half of the northeast quarter of the southeast quarter of Section 32, Township 22 North, Range 5 East, W.M., in King County, Washington;
EXCEPT that portion for 112th Avenue Southeast;
EXCEPT that portion described as follows:

Beginning at a point on the north line of said subdivision 80.85 feet east from the northwest corner thereof;
thence south 2°18'32" west along the east right of way line of said 112th Avenue Southeast, 120 feet;
thence south 89°3'26" east, 200 feet;
thence north 2°18'32" east, 120 feet, more or less, to the north line of said subdivision;
thence north 89°3'26" west along said north line 200 feet, more or less to the point of beginning;
AND EXCEPT the south 240 feet of the west 200 feet of that portion lying east of said 112th Avenue Southeast;
AND EXCEPT the east 30 feet thereof.

The northwest quarter of the northeast quarter of the southeast quarter of Section 32, Township 22 North, Range 5 East, W.M., in King County, Washington;
EXCEPT county roads;

AND the east 30 feet of the north quarter of the northwest quarter of the southeast quarter of Section 32, Township 22 North, Range 55 East, W.M., in King County, Washington.

Lot

Parcel

#4

#15

#16

#17

4 of Short Plat Number 276034, recorded under
Recording Number 7704060489, being a portion of the following described property:

The west half of the southeast quarter of the northeast quarter of Section 32, Township 22 North, Range 5 East, W.M., in King County, Washington; TOGETHER WITH

An easement for road and utility purposes over Tracts "X" and "Y" as designated on said Short Plat;

ALSO an easement for ingress, egress and utilities over the south 30 feet of the northwest quarter of the northeast quarter of the southeast quarter of the northeast quarter and over the westerly 30 feet of the east half of the southeast quarter of the northeast quarter, all in said Section 32.