ORDINANCE NO. 3/34

AN ORDINANCE, of the City of Kent, Washington, providing for the acquisition of properties for parks and recreational purposes; providing for the payment thereof out of the City's Lake Fenwick Trail Fund; and providing for the condemnation of such properties as are necessary therefor; said properties located within the City of Kent in King County, Washington.

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

Section 1. The City of Kent ("City") authorizes the acquisition by condemnation of a portion of real property located in King County, Washington and legally described in Exhibits A and B and 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 the property for parks and recreation purposes, including improvements for drainage, trails or pathways, sidewalks, landscaping illumination, plumbing or electrical facilities, utility adjustments and relocations, and any other municipal, park or recreational purposes that may become necessary from time to time on the Properties.

Section 3. The City shall condemn the Properties only after just compensation has first been made or paid into the 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 from the City's Lake Fenwick Trail Fund or, if necessary, any of the City's general funds, 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, settlements and other appropriate agreements in order to minimize damages, which stipulations, settlements and agreements may include, but not be limited to, size and dimensions of the Properties, construction easements and other property interests.

Section 6. Any acts consistent with the authority and prior to the effective date of this ordinance are ratified and confirmed.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

ATTEST:

Brenda Jacober
Brenda Jacober, City Clerk

Judy Woods
DAN KELLEHER, MAYOR PRO TEM

Judy Woods
APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 21 day of September, 1993.
APPROVED the 22 day of September, 1993.
PUBLISHED the 24 day of September, 1993.

I hereby certify that this is a true copy of Ordinance No. 3134, 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, CITY CLERK
That portion of the South 40 feet of the North 1,520 feet of the Northeast quarter of Section 27, Township 22 North, Range 4 East, W.M., lying between the East boundary line of said Section and a line 40 feet West of and parallel to the East shore of Lake Fenwick.

END OF EXHIBIT "A"
EXHIBIT "A"

That portion of the South 40 feet of the North 1560 feet of the Northeast quarter of Section 27, Township 22 North, Range 4 East, W.M., lying between the East boundary line of said Section and a line 40 feet West of and parallel to the East shore of Lake Fenwick.

SITUATE in the County of King, State of Washington.

END OF EXHIBIT "A"