ORDINANCE NO. 3139

AN ORDINANCE of the City of Kent, Washington, providing for the acquisition of an easement for street purposes over certain properties in order to extend, improve, alter and widen South 196th Street in the City of Kent; providing for the payment thereof out of the 196th Street--West Valley to East Valley Project Fund; and providing for the condemnation of such property rights as necessary therefor; all of said properties located within the City of Kent, 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 all or a part of certain real property located in King County, Washington, which is legally described in Exhibit A attached hereto and incorporated herein by this reference (hereinafter, the "Property").

Section 2. The public convenience, use and necessity demand that the City condemn the Property in order to acquire an easement for street purposes, which purposes shall include all acts necessary to complete the extension, improvement, alteration and widening of South 196th Street, including improvements for drainage, curbs and gutters, sidewalks, landscaping, illumination,
signal improvements, electrical facilities, utility adjustments and relocations and any other street or municipal purposes that may become necessary from time to time on the Property.

Section 3. The City shall condemn the Property 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 "196th Street--West Valley to East Valley Project 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 Property. In commencing these condemnation procedures, the City authorizes the City Attorney to enter into stipulations or agreements in order to minimize damages, which stipulations or agreements may include, but not be limited to, size and dimensions of the Property condemned, 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. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.
Section 8. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

Judy Woods
DAN KELLEHER, MAYOR PROTEM

ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 19 day of October, 1973.
APPROVED the 20 day of October, 1973.
PUBLISHED the 22 day of October, 1973.

I hereby certify that this is a true and correct copy of Ordinance No. 3139, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.

Brenda Jacober
BRENDA JACOBER, CITY CLERK
A strip of land 100 feet in width 50 feet of each side of the following described centerline. Beginning at the northeast corner of the southeast quarter of the northeast quarter of Section 1 Township 22 North Range 4 E, W.M.; thence South 1°08'30" West a distance of 149.07 feet; thence North 88°22'45" West parallel with the north line of said southeast quarter a distance of 802.57 feet; thence South 1°48'24" West a distance of 4.14 feet to the True Point of Beginning; thence North 86°04'33" West a distance of 506.39 feet; thence North 88°08'39" West a distance of 1153.94 feet; thence along a tangent curve to the right having a radius of 1200.00 feet an arc distance of 138.27 feet to the westerly boundary of a tract of land recorded under Auditors File No. 6239441 and terminus of said centerline which termini also bears South 15°45'34" East a distance of 125.31 feet from the northwest corner of the southwest quarter of the northeast quarter of said Section 1.