ORDINANCE NO. 3194

AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, vacating an unopened alley that directly abuts Saar Street along the north margin and between Second and Third Avenues in the City of Kent.

WHEREAS, application was filed with the City of Kent by the Corporation of the Archbishop of Seattle for St. Anthony's Church in Kent to vacate a portion of an alley extending northward from Saar Street at St. Anthony's Church; and

WHEREAS, the Kent City Council, by Resolution 1385 fixed a time when said petition would be heard and the hearing was held with proper notice on April 5, 1994, 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 and also secured 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 on the condition that the applicant grant the City a utility easement but without additional cost to the applicant, since the City has had no expenses associated with this 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 street sought to be vacated is: (1) an alley 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 foregoing recitals are incorporated as if fully set forth herein.

Section 2. The alley described in the petition for vacation by the Corporation of the Catholic Archbishop of Seattle for St. Anthony's Church in Kent, which is attached hereto as Exhibit "A" and incorporated herein by this reference, is hereby vacated.

Section 3. No vested rights shall be affected by the provisions of this ordinance.

Section 4. This ordinance shall be in effect and be in force thirty (30) days from the time of its final passage as provided by law.

JIM WHITE, MAYOR
ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 18 day of Oct, 1994.
APPROVED the 19 day of Oct, 1994.
PUBLISHED the 21 day of Oct, 1994.

I hereby certify that this is a true and correct copy of Ordinance No. 3194, 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

STVACN#5.ord
MAIL TO: Gerald D. McCaughan  
CITY OF KENT  
220 So. 4th Ave. 
Kent, WA 98032

APPLICANT: Corporation of the Catholic Archbishop of Seattle  
Name: 910 Marion Str. Seattle, Wa. 98104  
Address:  
Phone: 382-4370

CITY OF KENT  
STREET AND/OR ALLEY VACATION APPLICATION AND PETITION

Dear Mayor and Kent City Council:

We, the undersigned abutting property owners, hereby respectfully request that certain 8'x60' strip hereby be vacated. (General Location)

Legal Description

The East eight feet of lot 12, block 9 of Yesler's First Addition to the town of Kent, as recorded in Volume 5 of Plats, page 64v, King County.

Note: See attached copy of Deed.

BRIEF STATEMENT WHY VACATION IS BEING SOUGHT

In order to complete King County recording showing removal of lot lines in block 9 of Yesler's First Addition to the city of Kent, in connection with proposed new church building, the Corporation of the Catholic Archbishop of Seattle petitions the City of Kent to vacate the strip of land described above and in return the corporation will put on record the formal conveyance of a ten foot wide easement for sanitary sewer as outlined in the attached site plan (survey).

Sufficient proof, copy of deed contract etc. supported by King County Tax Rolls shall be submitted for verification of signatures. Without these a "CURRENT" title report shall be required. When Corporations, Partnerships etc. are being signed for, then proof of individual's authority to sign for same shall also be submitted.

Attach a color coded map of a scale of not less than 1" = 200' of the area sought for vacation. (HOTF) Map must correspond with legal description.

ST. ANTHONY CHURCH,  
310 Third Avenue South,  
Kent, Wa. 98032  
TEL. 859-0444

by:  
Rev. Peter Duggan, Pastor

EXHIBIT A