AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of streets, vacating that portion of South 218 Street, lying west of East Valley Highway in the City of Kent, King County, Washington.

WHEREAS, application was filed with the City of Kent by Gary Volchok, the representative of at least two-thirds of the owners of property abutting South 218th Street in the City of Kent (see Exhibit A); and

WHEREAS, the Kent Planning Director processed this petition and secured technical facts pertinent to the question of this vacation along with the recommendation as to approval or rejection by the Public Works Department; and

WHEREAS, the Kent City Council by Resolution No. 1450 fixed a time when said petition would be heard and the hearing was held with proper notice on March 19, 1996, at 7:00 p.m. in the City Council Chambers of the Kent City Hall; and
WHEREAS, the Public Works Department and the Planning Director recommended that the City Council approve the application subject to certain conditions; and

WHEREAS, after the public hearing on March 19, 1996, the City Council approved the vacation provided the applicant fulfill all the conditions recommended by staff; and

WHEREAS, the conditions imposed on this vacation are (1) that the owners authorize an easement right over, upon, under, and through the right of way for utility purposes; and (2) that the easterly eight feet of South 218th Street be excluded from this vacation (so that the westerly half street right of way width for East Valley Highway will be 50 feet for future widening of East Valley Highway).

WHEREAS, the applicant has now fulfilled all the conditions imposed by Council; and

WHEREAS, the City Council finds that the street sought to be vacated is: (1) an unopened, dedicated street not presently being used as a street; (2) not abutting on a body of water and therefore not suitable for acquisition for port purposes, boat moorage, or launching sites, park, viewpoint, recreational or educational purposes, or other public use; and (3) a vacation which is in the public interest; and
WHEREAS, the City Council has 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. Pursuant to the street vacation application of Gary Volchok, which is attached as Exhibit A and incorporated by this reference, that portion of South 218th Street, which is more particularly described in Exhibit B, which exhibit is incorporated herein by this reference, is hereby vacated.

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

Section 4. 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.

[Signature]
JIM WHITE, MAYOR 12/1/07
I hereby certify that this is a true copy of Ordinance No. 3293, passed by the City Council of the City of Kent, Washington, approved by the Mayor of the City of Kent as hereon indicated.
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 S 218th hereby be vacated. (General Location)

Legal description

That portion of South 218th lying west of East Valley Highway as dedicated within the Plat of Kent Five Acre Tracts. Vol. 9 pg 76 Except the east 80.00 ft thereof

REFER TO EXHIBIT B FOR CORRECTED LEGAL DESCRIPTION

BRIEF STATEMENT WHY VACATION IS BEING SOUGHT

No public use needed to service adjacent properties.

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. (NOTE) Map must correspond with legal description.

ABUTTING PROPERTY OWNERS SIGNATURES AND ADDRESSES

See Attached Sheet

TAX LOT #
LOT, BLOCK & PLAT/SEC. TWN. RG

See Attached Sheet

$150.00 Fee Paid
Appraisal Fee Paid
Land Value Paid
Deed Accepted
Trade Accepted

Treasurer's Receipt No. #17683
Treasurer's Receipt No.
Treasurer's Receipt No.
Date
Date
Abutting Property Owners

Port of Seattle
P.O. Box 1209
Seattle, WA 98111
Attn:

Tax Lot .......................... 303000-0006
Plat .......................... Kent Five-acre Tracts
Lots .......................... 1-2-5-7-9...
Sec. 12 Township 22N Range 4E

Mads Mauritsen
21703 84th S
Kent, WA 98031
Attn:

Tax Lot .......................... 38000-0014
Plat .......................... Kent Five-acre Tracts
Lot .......................... Lot 3 - E 170' of S 100' less E 12' for street
Sec. 12 Township 22N Range 4E

Trillium Corporation
1313 Commercial St
Bellingham, WA 98225
Attn: FARUK TAYSI

Tax Lot .......................... 38000-0015
Plat .......................... Kent Five-acre Tracts
Lots .......................... 3-8-10
Sec. 12 Township 22N Range 4E

Hytek Finishes Co.
8127 S 215th St
Kent, WA 98032
Attn: Doug Evans

Tax Lot .......................... 38000-0035
Plat .......................... Kent Five-acre Tracts
Lot .......................... 6
Sec. 12 Township 22N Range 4E
Legal Description

That portion of 56 218th Street lying within the plat of Kent Five Acre Tracts in Volume 7, Page 26, and that portion conveyed to the City of Kent for street purposes recorded under King County Auditor's File No. 7908130086. Except any portion thereof lying east of a line that lies 50.00 feet west of the east line of the NE4 of the SE4 in Sec. 12, Tl. 22N, R. 4E, W. 4th.
Return Address:

City of Kent
Property Management
220 4th Avenue So.
Kent, WA 98032-5885
Attn: ________________________

(Document Type)
ORDINANCE-RE-RECORD

Reference numbers of related documents: 9608086/43
additional reference numbers on page N/A of document

Grantor(s):
1. City of Kent
2. 
3. 
4. 
etc. additional names on page ______ of document

Grantee(s):
1. The Public
2. 
3. 
4. 
etc. additional names on page N/A of document

Legal Description:
1. Abbreviated form: South 49th St. within plat of Kent five acre tracts Vol 100 p
2. Additional legal description is on page 8 of document

Assessor's Property Tax Parcel Account Number(s): None assigned.

Said document(s) were filed for record by Pacific Northwest Title as accommodation only. It has not been examined as to proper execution or as to its effect upon title.