ORDINANCE NO. 3316

AN ORDINANCE of the City of Kent, Washington, relating to the vacation of streets, vacating a portion of Russell Road, an existing public street, lying generally south of the southerly right of way line of South 228th Street in the City of Kent.

WHEREAS, a petition was filed with the City of Kent by various owners of property abutting the applicable portion of Russell Road, an existing public street, lying generally south of the southerly right of way line of South 228th Street in the City of Kent, King County, Washington; and

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

WHEREAS, the Kent City Council fixed a time when said petition would be heard and the hearing was held with proper notice on May 7, 1996, at 7:00 p.m. in the City Council Chambers of the Kent City Hall; and

WHEREAS, the Public Works Department and Planning Director recommended that the City Council approve the petition upon the petitioner's fulfillment of certain conditions; and
WHEREAS, after the public hearing on May 7, 1996, the City Council approved the vacation so long as the petitioner first fulfilled all the conditions recommended by staff and approved by Council; and

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

WHEREAS, the City Council finds that the street sought to be vacated is: (1) an open, dedicated street and 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 education 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. That portion of Russell Road lying generally south of the southerly right of way line of South 228th Street in the City of Kent as described in Exhibit A, which is attached 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 take effect and be in force thirty (30) days from the time of its final passage as provided by law.

ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 1st day of October, 1996.
APPROVED the 1st day of October, 1996.
PUBLISHED the 4th day of October, 1996.

I hereby certify that this is a true and correct copy of Ordinance No. 3316 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 southwest quarter of Section 14, Township 22 North, Range 4 East, W.M., and the David A. Neely Donation Land Claim No. 37, all in King County, Washington, described as follows:

Commencing at the northwest corner of Tract L-3, City of Kent Short Plat No. 86-21, as recorded under King County Recording No. 8706041575, also being a point on the east line of Tract L-1, The Lakes at Kent, Division No. 1, according to the plat thereof recorded in Volume 136 of Plats, pages 41 through 45, inclusive, records of said county; thence along the north line of said Tract L-1 the following courses and distances; thence N07°47'54"W 62.92 feet; thence S83°54'33"W 70.67 feet; thence S77°14'39"W 103.28 feet; thence S88°18'50"W 106.75 feet; thence S79°24'00"W 70.95 feet; thence S58°09'11"W 102.94 feet; thence leaving said north line, N22°37'30"W 108.22 feet; thence N67°22'00"E 40.93 feet; thence N20°43'00"W 105.45 feet; thence N15°00'00"W 161.85 feet; thence S39°23'00"W 103.00 feet; thence N50°25'00"W 149.72 feet; thence N87°59'44"W 388.32 feet to the east right of way margin of 53rd Place South (Russell Road): thence N02°03'30"E, along said east margin, 108.00 feet to the POINT OF BEGINNING of the herein described tract; thence continuing N02°03'30"E, along said east margin, 682.84 feet to the south right of way margin of south 228th Street; thence N88°27'57"W, along said south margin, 60.00 feet to the west right of way margin of said 53rd Place South; thence S02°03'30"W, along said west margin, 682.29 feet; thence S87°56'30"E 60.00 feet to the POINT OF BEGINNING.

Contains 40,954± square feet (0.9402± Acres)