ORDINANCE NO. 3337

AN ORDINANCE of the City of Kent, Washington, providing for the acquisition of right-of-way easements for any and all street purposes along, across, over and under certain properties in order to construct, extend, improve, alter and widen Southeast 277th Street between East Valley Highway (Auburn Way North) and the Green River; providing for the payment thereof out of the 272nd Corridor Project Fund (Fund R-87); providing for the condemnation, appropriation, taking and damaging of such property rights as are necessary for that purpose; and directing the City Attorney to prosecute the appropriate legal proceedings and to enter into settlements, stipulations or other agreements; all of said properties located within King County, Washington.

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

SECTION 1. The public convenience, use and necessity demand that the City of Kent ("City") condemn, appropriate, take and damage portions of certain real property parcels located in King County, Washington, in order to acquire right-of-way, slope and other necessary easements for any and all street and other related purposes. These parcels are legally described in Exhibits A and B, attached and incorporated by this reference (the "Properties"). The purposes for which this condemnation is authorized shall include, without limitation, all acts necessary to complete the construction, extension, improvement, alteration and widening of Southeast 277th Street, including improvements for drainage, curbs and gutters, sidewalks and bicycle paths, landscaping, illumination, signal improvements, electrical facilities, utilities, utility adjustments and relocations, and any other street or
municipal purposes that may become necessary from time to time on the Properties.

SECTION 2. The City authorizes the acquisition by condemnation of all or a part of the Properties for the construction, extension, improvement, alteration and widening of Southeast 277th Street between East Valley Highway (Auburn Way North) and the Green River.

SECTION 3. The City shall condemn the Properties 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 "272nd Street Corridor Project Fund," (Fund R-87) 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 Properties. In commencing these condemnation procedures, the City authorizes the City Attorney to enter into settlements, stipulations or agreements in order to minimize damages, which settlements, stipulations or agreements may include, but not be limited to, the amount of just compensation to be paid, the size and dimensions of the Properties condemned, requiring temporary 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.

ATTEST:

[Brenda Jaconer]
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

[Roger A. Lubovich, City Attorney]

PASSED the 18 day of Febr, 1997.

APPROVED the 18 day of Febr, 1997.

PUBLISHED the 21 day of Febr, 1997.

I hereby certify that this is a true and correct copy of Ordinance No. 3337 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.

[Brenda Jaconer]
BRENDA JACOBER, CITY CLERK
The land referred to in this commitment is situated in the county of King, state of Washington, and described as follows:

That portion of Sections 30 and 31, Township 22 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the West quarter corner of said Section 30, Township 22 North, Range 5 East W.M., in King County, Washington; thence along the East-West centerline of said Section 30, south 89°01'26" east 1,224.49 feet distant to a point on the line of ordinary highwater of the Green River; thence continuing along said centerline of Section 30, south 89°01'26" east 773.52 feet distant to a point on a line concentric with and 150 feet westerly of the top of the left bank of the Green River, said point lying west 89°01'26" west 488.61 feet from the existing King County Survey Monument at the center of said Section 30; thence Southerly along said line the following courses:

south 20°43'19" west 101.57 feet, south 38°39'10" west 478.32 feet, south 08°32'59" west 301.18 feet, south 25°18'26" east 426.94 feet, south 47°15'03" east 241.75 feet, south 43°24'22" east 386.06 feet to the TRUE POINT OF BEGINNING; thence south 43°24'22" east 126.31 feet, south 28°05'37" east 264.54 feet, south 11°05'28" east 349.22 feet, south 24°36'53" east 137.00 feet, south 48°51'53" east 163.00 feet, south 58°26'53" east 323.00 feet, south 69°30'30" east 382.78 feet, south 51°31'53" east 157.00 feet, south 03°31'53" east 247.00 feet, south 14°01'53" east 311.00 feet, south 30°01'53" east 292.00 feet, south 42°27'34" east 172.51 feet, south 46°26'33" east 789.44 feet, to a point on the easterly extension of the south line of the R.H. Beatty D.L.C. Numbers 37 and 44; thence north 39°00'01" west along said line a distance of 2,255.93 feet to the northeast corner of the Cox D.L.C., which point is also the southeast corner of said R.H. Beatty D.L.C. Numbers 37 and 44 and northwest corner of the G.E. King D.L.C. Number 40; thence along the east line of said Beatty D.L.C. north 00°35'06" east 2,638.59 feet to the northeast corner of the Beatty D.L.C.; thence south 38°56'30" east 112.35 feet to the TRUE POINT OF BEGINNING.

END OF SCHEDULE A

EXHIBIT A
The land referred to in this commitment is situated in the county of King, state of Washington, and described as follows:

PARCEL A:

Government Lot 10 in Section 25, Township 22 North, Range 4 East, W.M., in King County, Washington;
EXCEPT for county road;
AND EXCEPT that portion conveyed to the State of Washington for highway purposes by Deed recorded September 21, 1964 under Recording Number 5788897;

PARCEL B:

That portion of Government Lot 4, Section 30, Township 22 North, Range 5 East, W.M., in King County, Washington, lying westerly of a line described as follows:

Beginning at the northeast corner of the R. H. Beatty Donation Claim No. 37;
thence along the north line north 98°56'33" west 1,735.30 feet to the centerline of existing drainage channel and to the point of beginning;
thence north 68°12'46" west 15.79 feet;
thence north 32°16'09" west 99.45 feet;
thence north 71°38'46" west 61.36 feet;
thence north 11°35'23" east 59.25 feet;
thence north 10°18'05" west 42.81 feet to a point on a line of ordinary high water of the Green River;
EXCEPT that portion for 86th Avenue South established December 13, 1933 by court Commissioner's Records in Volume 33, Page 237;

PARCEL C:

All of Robert H. Beatty Donation Claim No. 37 being a portion of Sections 25, 30, 31 and 36, Township 22 North, Ranges 4 and 5 East, W.M., in King County Washington;
EXCEPT the south 49.5 feet thereof;
AND EXCEPT that portion conveyed to State of Washington for highway purposes by Deed recorded September 21, 1964 under Recording Number 5788897;
AND ALSO EXCEPT that portion conveyed to King County by Recording Number 8806090822.

END OF SCHEDULE A
Brenda Jacober, City Clerk  
CITY OF KENT  
220 - 4th Avenue South  
Kent WA 98032-5894  
(206) 859-3300

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ORDINANCE NO. 3337

Grantor(s):
1. Michael Carpinito  
2. Daniel Carpinito  
3. Carol Carpinito  
4. The Trustees of the Geoffrey Raffell Monk Trust

Grantee(s):
1. City of Kent
2. 
3. 

Legal Description:
1. Abbreviated form: Portion of Sections 30 and 31, TWP 22N, R5E, W.M. in King County

Assessor's Property Tax Parcel Account Number(s): 312205-9019-02; 000040-0001-01

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TOTAL NUMBER OF PAGES: Six (6)  
(INCLUDING THIS COVER SHEET AND ALL EXHIBITS AND ATTACHMENTS)