ORDINANCE NO. 3423

AN ORDINANCE of the City of Kent, Washington, providing for the acquisition of a certain property and/or property rights in order to construct, extend, widen, improve, alter, maintain and reconstruct the City's Southeast 277th Street Corridor between the Corridor's eastern terminus (at the intersection of 116th Avenue Southeast and the Kent Kangley Road (SR 516)) and the Green River; providing for the condemnation, appropriation, taking and damaging of such property rights as are necessary for that purpose; providing for the payment thereof out of the 272nd Corridor Project Fund (Fund R-87); and directing the City Attorney to prosecute the appropriate legal proceedings, together with the authority to enter into settlements, stipulations or other agreements; all of said property located within King County, Washington.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, ORDAINS AS FOLLOWS:

SECTION 1. After hearing the report of City staff, and after reviewing the planned improvements for the Southeast 277th Street Corridor Project (the "Project"), the City Council finds and declares that the public convenience, use, health, safety and necessity demand that the City of Kent condemn, appropriate, take and damage all or portions of certain real property located in King County, Washington, in order to acquire the necessary property and/or property rights for the construction of the Project, including all necessary appurtenances. This property is legally described in Exhibit A, attached and incorporated by this reference (the "Property"). The purposes for which this condemnation
is authorized shall include, without limitation, all acts necessary to complete the
c construcción, extension, improvement, widening, alteration, maintenance and reconstruction
of the Project, including improvements for drainage, curbs and gutters, sidewalks, 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 Property.

SECTION 2. The City authorizes the acquisition by condemnation of all
or a part of the Property for the construction, extension, improvement, widening, alteration,
maintenance and reconstruction of the Project, including acquisition of property and/or
property rights, together with all necessary appurtenances and related work to make a
complete improvement according to City standards.

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 "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 Property.
In commencing this condemnation procedure, the City Council 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 property.
condemned, and the acquisition of 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, being the exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect and be in force five (5) days after publication as approved by law.

JIM WHITE, MAYOR

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
PASSED the 17\textsuperscript{th} day of Nov, 1998.

APPROVED the 17\textsuperscript{th} day of Nov, 1998.

PUBLISHED the 20\textsuperscript{th} day of Nov, 1998.

I hereby certify that this is a true and correct copy of Ordinance No. 3423 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

\[Signature\]
BRENDA JACOBER, CITY CLERK
The east 30 feet of the north 140 feet of the south 419 feet of the east 150 feet of the southeast quarter of the northeast quarter of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington;
EXCEPT east 25 feet thereof as conveyed to King County by Deed recorded December 23, 1991 under King County Recording Number 9112231852.
ORDINANCE NO. 3423

GRANTOR(S): N/A

GRANTEE(S): City of Kent, Washington

LEGAL DESCRIPTION:
Short form: SE1/4, NE1/4, SEC29, TWP22N, R5E

Additional legal description is on page 5, Exhibit A of document.

ASSESSOR’S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):
N/A

NOTE: This is an eminent domain ordinance passed by the City of Kent that affects one property parcel.
Acquisition of certain property and/or property rights in order to construct, extend, widen, improve, alter, maintain & reconstruct SE 277th St. Corridor between eastern terminus (at intersection of 116th Ave SE & Kent-Kangley Rd (SR 516)) & Green River; providing for condemnation, appropriation, taking & damaging of property rights as necessary for that purpose

(one parcel of property)