ORDINANCE NO. 3559

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of a portion of 155th Avenue SE (as shown on "The Edwall A Rask Addition," King County Recording No 4453187 (and generally known as 154th Avenue SE)), a dedicated, opened street lying generally north of its intersection with 274th Street SE (as shown on "The Edwall A Rask Addition" Vol. 53 of Plats, Page 11, King County Recorder No 4453187 (and generally known as 275th Street SE)), in the City of Kent

WHEREAS, a petition was filed with the City of Kent by DFM, LLC, which owns at least two-thirds of the property abutting that portion of 155th Avenue SE that is now being sought to be vacated, an existing public street, in the City of Kent, King County, Washington, and

WHEREAS, the Kent Planning Services Division 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 for a public hearing on the petition and the hearing was held with proper notice on January 16, 2001, at 7 00 p.m. in the City Council Chambers of the Kent City Hall; and

154th-155th-274th Street Vacation
WHEREAS, the Public Works Department and Planning Services Division recommended that the City Council approve the petition upon the petitioner’s fulfillment of certain conditions; and

WHEREAS, after the public hearing on January 16, 2001, 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 portion of 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 a portion of 155th Avenue SE (as shown on "The Edwall A Rask Addition" Vol. 53 of Plats, Page 11, King County Recorder No. 4453187 (and generally known as 154th Avenue SE)), a dedicated, opened street lying generally
north of its intersection with 274th Street SE (as shown on "The Edwall A Rask Addition" Vol. 53 of Plats, Page 11, King County Recorder No 4453187 (and generally known as 275th Avenue SE)) in the City of Kent, King County, Washington, 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. – Severability. If any one or more section, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 5. – 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.

JIM WHITE, MAYOR

ATTEST

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM

ROGER LUBOVICH, CITY ATTORNEY
PASSED.  5 day of June, 2001.

APPROVED  5 day of June, 2001

PUBLISHED  8 day of June, 2001.

I hereby certify that this is a true copy of Ordinance No. 3559 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, CITY CLERK

154th-155th and 274th Street Vacation doc
EXHIBIT "A"

THAT PORTION OF THE DEDICATED STREET, 154TH AVENUE SOUTHEAST OF EDWALL A RASK ADDITION TO KING COUNTY WASHINGTON, RECORDED IN VOLUME 53 OF PLATS AT PAGE 11, RECORDS OF KING COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE CENTERLINE INTERSECTION OF SOUTHEAST 275TH STREET SOUTHEAST AND 154TH AVENUE SOUTHEAST ACCORDING WITH THE HEREIN DESCRIBED SUBDIVISION, THENCE NORTH 00°50'33" EAST ALONG THE CENTERLINE OF SAID 154TH AVENUE SOUTHEAST, A DISTANCE OF 681.93 FEET, THENCE SOUTH 89°09'27" EAST, 10 00 FEET, THENCE NORTH 30°50'33" EAST, 40 00 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 40 00 FEET, THE RADIAL CENTER OF WHICH BEARS SOUTH 30°50'30" WEST AND WHICH POINT IS THE WEST LINE OF SAID LOT 6 AND THE TRUE POINT OF BEGINNING, THENCE ALONG THE WEST LINE OF SAID LOT 6, NORTH 00°50'33" EAST, 27.56 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 40 00 FEET, THE RADIAL CENTER OF WHICH BEARS NORTH 39°59'41" WEST, THENCE CONTINUING ALONG SAID CURVE TO THE LEFT NORTHEASTERLY, NORTHWESTERLY, AND SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 39°36'16" FOR AN ARC DISTANCE OF 167 28 FEET TO THE WEST LINE OF SAID SUBDIVISION; THENCE CONTINUING ALONG SAID WEST LINE SOUTH 00°50'33" WEST, 2 12 FEET TO THE SOUTH LINE OF THE NORTH 170 FEET OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE ALONG SAID SOUTH LINE NORTH 88°43'00" WEST, A DISTANCE OF 3 00 FEET TO THE WEST LINE OF THE EAST 300 FEET IN WIDTH OF SAID SUBDIVISION; THENCE ALONG SAID WEST LINE, SOUTH 00°50'33" WEST, 95.00 FEET TO THE SOUTH LINE OF THE NORTH 95.00 FEET OF THE SOUTH 260 00 FEET OF THE NORTH 430 FEET OF SAID SUBDIVISION, THENCE SOUTH 88°43'00" EAST, 3 00 FEET TO THE WEST LINE OF SAID PLAT OF EDWALL A RASK ADDITION, TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 40 00 FEET, THE RADIAL CENTER OF WHICH BEARS SOUTH 89°09'27" EAST, THENCE ALONG SAID CURVE TO THE RIGHT, NORTHERLY AND EASTERNLY THROUGH A CENTRAL ANGLE OF 120°00'00" FOR AN ARC DISTANCE OF 83 78 FEET TO THE TRUE POINT OF BEGINNING
**WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET**

Document Title: City of Kent Ordinance No. 3559, Relating to Vacation of Street

Reference Number(s): N/A

Grantor(s): City of Kent, a Washington municipal corporation

Grantee(s): DFM, LLC

Legal Description: Edwall A. Rask Addition, Vol. 53 of Plats, Page 11, King County Records; See Exhibit A

Assessor's Property Tax Parcel/Account Number(s): N/A; See Exhibit A