Ordinance No. 3571

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Repeals in its entirety Ord. 3394
ORDINANCE NO. 3571

AN ORDINANCE of the City Council of the City of Kent, Washington, repealing Ordinance 3394 which provided for the acquisition of certain property and/or property rights for parks, recreation and any other public purpose; and which provided for the condemnation, appropriation, taking and damaging of such property rights as are necessary for those purposes.

WHEREAS, Ordinance No. 3394 was adopted in 1998 and provided for the acquisition of property and/or property rights described in Exhibit A for parks, recreation, and any other public purpose; and which provided for the condemnation, appropriation, taking and damaging of such property and/or property rights as was necessary for those purposes; and

WHEREAS, the City has determined that the acquisition of the property is not currently necessary for a public purpose, including parks and recreation. NOW THEREFORE,

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

SECTION 1. Ordinance No. 3394 is hereby repealed in its entirety.
SECTION 2. - 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 3. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after passage as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER LUBOVICH, CITY ATTORNEY


I hereby certify that this is a true copy of Ordinance No. 3571 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

(Seal)
DESCRIPTION

ORDER NO. 349925-3

THE LAND REFERRED TO HEREIN IS DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;

EXCEPT DRAINAGE DISTRICT NO. 2 RIGHT OF WAY, AS CONDEMNED IN PROCEEDINGS IN KING COUNTY SUPERIOR COURT CASE NO. 47302 ON OCTOBER 9, 1905;

ALSO EXCEPT THAT PORTION THEREOF LYING WITHIN 42ND AVENUE SOUTH, 60 FEET IN WIDTH, FORMERLY KNOWN AS WILLIAM A. JOHNSON COUNTY ROAD NO. 1423;

AND EXCEPT THAT PORTION THEREOF LYING WITHIN SOUTH 212TH STREET 84 FEET IN WIDTH, ALSO KNOWN AS ORILLIA ROAD, AS DESCRIBED IN DEED RECORDED UNDER RECORDING NO. 5954743;

TOGETHER WITH THOSE PORTIONS OF SECTIONS 2, 3, 10 AND 11 OF TOWNSHIP 22 NORTH, SAID RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING ON THE SECTION LINE BETWEEN SAID SECTIONS 2 AND 3 AT A POINT WHICH IS NORTH 2°02'29" WEST 216 FEET FROM THE CORNER COMMON TO SAID SECTIONS 2, 3, 10 AND 11;

THENCE SOUTH 89°02'13" WEST 826.85 FEET TO AN OLD FENCE;

THENCE NORTH ALONG SAID FENCE LINE 320 FEET, MORE OR LESS, TO THE SOUTH LINE OF A TRACT OF LAND CONVEYED BY MORGAN O'BRIEN AND WIFE TO RICHARD O'CONNELL BY DEED RECORDED IN VOLUME 13 OF DEEDS, PAGE 654, RECORDS OF SAID COUNTY;

THENCE WEST ALONG THE SOUTH LINE OF SAID O'CONNELL TRACT 500 FEET, MORE OR LESS, TO THE WEST LINE OF SOUTHEAST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 3;

THENCE SOUTH 1°42'36" EAST 537.90 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION;

THENCE SOUTH 0°12'04" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF NORTHEAST QUARTER OF NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 290.72 FEET;

THENCE SOUTH 89°56'07" EAST 2187.98 FEET;

THENCE SOUTH 40°56' EAST 147.30 FEET;

THENCE SOUTH 82°58' EAST 342 FEET, MORE OR LESS, TO THE WEST BANK OF WHITE RIVER;

THENCE NORTHERLY ALONG SAID WEST BANK TO A POINT NORTH 89°02'13" EAST OF THE POINT OF BEGINNING;

THENCE SOUTH 89°02'13" WEST TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONTAINED WITHIN THE FOLLOWING TRACT:

(CONTINUED)
BEGINNING AT A POINT NORTH 77°58' EAST 311.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 2;
THENCE NORTH 88°55' EAST 365.59 FEET;
THENCE NORTH 39°50' WEST 88.30 FEET;
THENCE NORTH 29°55' WEST 65.10 FEET;
THENCE NORTH 70°27' WEST 40.80 FEET;
THENCE SOUTH 89°20' WEST 229.70 FEET;
THENCE SOUTH 3°13' WEST 143.90 FEET TO THE POINT OF BEGINNING;

AND EXCEPT PORTIONS THEREOF LYING WITHIN FRAGER ROAD SOUTH (COUNTY ROAD NO. 76).

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

THE DESCRIPTION CAN BE ABBREVIATED AS SUGGESTED BELOW IF NECESSARY TO MEET STANDARDIZATION REQUIREMENTS. THE FULL TEXT OF THE DESCRIPTION MUST APPEAR IN THE DOCUMENT(S) TO BE INSURED.

SECTION 10 TOWNSHIP 22 RANGE 4 NORTH HALF OF THE NE QUARTER.

AND

SECTION 11 TOWNSHIP 22 RANGE 4 NW QUARTER NW QUARTER.

AND

SECTION 3 TOWNSHIP 22 RANGE 4 SE QUARTER SE QUARTER.

AND

SECTION 2 TOWNSHIP 22 RANGE 4 SW QUARTER SW QUARTER.