ORDINANCE NO. 3599

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of a portion of South 206th Street, in the City of Kent

WHEREAS, a petition to vacate a portion of South 206th Street was filed with the City of Kent by Specialty Metals, the owner of real property located on South 206th Street and 84th Avenue S in the City of Kent, King County, Washington, and

WHEREAS, the Kent Planning Services Office processed this petition and secured technical facts pertinent to the question of this vacation, 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 November 20, 2001, in the City Council Chambers of the Kent City Hall, and

WHEREAS, the Kent Planning Service Office recommended that the City Council approve the petition with the following conditions (1) the City is compensated in US currency for the value of the right of way as prescribed by State law and City code, (2) the City retains an easement over, under and upon said property to be vacated for its public utilities (storm drainage, sewer, and water) that either presently exist or may exist in the

Street Vacation-South 206th Street
future; (3) the City retains the right to assign its easement rights to any private or quasi private company such as power, gas, cable, or telephone that has existing utilities/facilities over, under and upon said property to be vacated, and (4) the petitioner grants ingress, egress, and utilities easement rights over under and upon said property to be vacated for the benefit of the real property (tax lot #70 of SE 1-22-4), which lies immediately westerly of the petitioner's property, and also for the benefit of the real property (tax lot #45 of SE 1-22-4); which lies immediately southerly of the petitioner's property; and

WHEREAS, after the public hearing on November 20, 2001, the City Council approved the vacation with the conditions recommended by staff and approved by Council; and

WHEREAS, the City Council finds that the portion of street sought to be vacated is: (1) a dedicated street that is presently unused, (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 South 206th 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. As a condition of obtaining this vacation the following have been completed: (1) the Petitioner has compensated the City in US currency for the value of the right of way as prescribed by State law and City code; (2) the City has retained an easement over, under and upon said property to be vacated for its public utilities (storm drainage, sewer, and water) that either presently exist or may exist in the future; (3) the City has retained the right to assign its easement rights to any private or quasi private company such as power, gas, cable, or telephone that has existing utilities/facilities over, under and upon said property to be vacated, and (4) the Petitioner has granted ingress, egress, and utilities easement rights over, under and upon the vacated property for the benefit of the real property (tax lot #70 of SE 1-22-4) which lies immediately westerly of the petitioner’s property, and also for the benefit of the property (tax lot #45 of SE 1-22-4) which lies immediately southerly of the petitioner’s property.

SECTION 4. No vested rights shall be affected by the provisions of this ordinance.

SECTION 5. – 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 6. 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

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM

TOM BRUBAKER, CITY ATTORNEY

PASSED 7 day of May, 2002

APPROVED 7 day of May, 2002

PUBLISHED 11 day of May, 2002

I hereby certify that this is a true copy of Ordinance No. 3579 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

Street Vacation- South 206th Street
STREET AND/OR ALLEY VACATION APPLICATION AND PETITION

Dear Mayor and Kent City Council,

We, the undersigned abutting property owners, hereby respectfully request that certain
portion
of S. 206th Street
hereby be vacated.

Legal Description of Street/Alley Sought to be Vacated
(Must Contain Total Square Feet of Area Sought To Be Vacated)

REFER TO ATTACHED EXHIBIT A

BRIEF STATEMENT WHY VACATION IS BEING SOUGHT

A "CURRENT" title report must be submitted with this application
that covers all the abutting properties contiguous to alley or street
sought to be vacated. When Corporations, Partnerships, etc. are
being signed for, and then proof of individual's authority to sign
for same shall also be submitted.

Attach a color-coded map of a scale of not less than 1" = 200'
of the area sought for vacation.

(NOTE) Map must correspond with legal description.

ABUTTING PROPERTY OWNERS
SIGNATURES AND ADDRESSES

TAX LOT #
LOT, BLOCK & PLA TOWN RG

EXHIBIT "A"
STREET VACATION
LEGAL DESCRIPTION

THAT PORTION OF SOUTH 206TH STREET IN THE
SOUTHEAST QUARTER OF THE SOUTHEAST
QUARTER OF SECTION 1, TOWNSHIP 22 NORTH,
RANGE 4 E., W.M., KING COUNTY, STATE OF
WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF
SAID SUBDIVISION; THENCE NO'55'22"E
ALONG THE EAST LINE OF SAID SUBDIVISION 712.57
FEET; THENCE N88'59'23"W 30.00 FEET TO THE
TRUE POINT OF BEGINNING;
THENCE S90'55'22"W PARALLEL TO THE EAST
LINE OF SAID SUBDIVISION 30 FEET;
THENCE N88'59'23"W A DISTANCE OF 300 FEET;
THENCE N00'00'00"E A DISTANCE OF 30 FEET;
THENCE S88'59'23"E A DISTANCE OF 300 FEET TO
THE TRUE POINT OF BEGINNING, EXC EAST 7.5Ft
8775
CONTAINING 13,850 SQ. FT. (13,850)

1" = 100'
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3599, Relating to Vacation of Street

Reference Number(s): N/A

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

Grantee(s): Specialty Metals

Legal Description: Portion of S. 206th St in the SE ¼ of the SE ¼ of Sec. 1, Twn. 22N, Range 4E, W.M.
King County, State of Washington;
See Exhibit A

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