Ordinance No. 3764

(Amending or Repealing Ordinances)

CFN=102 – Street Vacation
Passed – 10/18/2005
Street Vacation – Municipal Lot Block Alley

Recorder’s # 20051101001577

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012
ORDINANCE NO. 3764

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of an alley, approximately 6,753 square feet that runs east and west through the property known as the "Municipal Lot Block," which is bounded by 4th Avenue North to the west, West Smith Street to the north, 2nd Avenue North to the east, and West Harrison Street to the south, located in the City of Kent, Washington.

RECITALS

A. In accordance with Ordinance No. 1934, the city of Kent sought to vacate the alley that runs east and west through the Municipal Lot Block, which allowed the city council to initiate by resolution the vacation procedure.

B. The city council fixed a time for a public hearing on the petition and the hearing was held with proper notice on August 2, 2005, in the city council chambers of the Kent City Hall.

C. The city's Planning Services Office, after consulting with all appropriate city departments, secured technical facts regarding the proposed vacation and recommended that the city council approve vacation of the Municipal Lot Block alley, with conditions.
D. After the public hearing on August 2, 2005, the city council approved the vacation with the conditions recommended by staff. Those conditions have since been met.

E. The city council finds that the portion of the alley sought to be vacated is: (1) a dedicated alley 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.

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

ORDINANCE

SECTION 1. – Recitals. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. – Vacation. 6,753 square feet of the Municipal Lot Block alley in the city of Kent, as legally described in Exhibit “A,” which is attached and incorporated, is hereby vacated.

SECTION 3. – Vested Right. 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 as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
PASSED: 18th day of October, 2005.
APPROVED: 18th day of October, 2005.
PUBLISHED: 22nd day of October, 2005.

I hereby certify that this is a true copy of Ordinance No. 3764 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 (SEAL)
BRENDA JACOBER, CITY CLERK

Street Vacation-
Municipal Lot Block Alley
EXHIBIT A

ALLEY IN BLOCK 7 YESLERS 1st ADDITION TO KENT IN VOLUME 5 OF PLATS PAGE 64 KING COUNTY, WASHINGTON.
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3764, Relating to Vacation of Street

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description:

Ptn of Alley Lying Within Blk 7 Yeslers 1st Add to Town of Kent, Vol. 5 of Plats Page 64

Additional legal description is on Exhibit “A” of document.

Assessor’s Property Tax Parcel/Account Number(s): 982570-0445

Project Name: Municipal Lot Block Street Vacation