Ordinance No. 3766

(Amending or Repealing Ordinances)

CFN=102 – Street Vacation
Passed – 11/1/2005
Street Vacation – 108th Avenue

Recorder’s # 20060110000426

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. 3766

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of portion of 108th Avenue Southeast, located in the City of Kent, Washington.

RECATALS

A. A petition has been filed to vacate a portion of 108th Avenue Southeast, in the City of Kent, as legally described in Exhibit “A,” attached and incorporated by this reference.

B. The city’s Planning Services Office processed this petition and, after consulting with all appropriate city departments, secured technical facts regarding the proposed vacation.

C. The city council fixed a time for a public hearing on the petition and the hearing was held with proper notice on October 18, 2005, in the city council chambers of Kent City Hall.

D. The city’s Planning Services Office recommended that the city council approve the petition, with conditions.
E. After the public hearing on October 18, 2005, the city council approved the vacation.

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

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 A portion of 108th Avenue Southeast, 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.  __ day of November, 2005.

APPROVED:  __ day of November, 2005.

PUBLISHED.  ___ day of November, 2005.

I hereby certify that this is a true copy of Ordinance No. 3766 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-
108th Avenue
EXHIBIT "A"

18,888 square feet of 108th Avenue S.E. The east 30.00 feet of the southeast quarter of the southeast quarter of the northwest quarter of Section 20, Township 22 North Range 5 East of the W. M. in King County, Washington EXCEPT that portion lying within S.E. 248th Street.
WASHINGTON STATE COUNTY AUDITOR/RECORDER’S COVER SHEET

Document Title: City of Kent Ordinance No. 3766, 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 SE ¼ S ¼ NW ¼ STR 20-22-05 - City of Kent

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

Assessor’s Property Tax Parcel/Account Number(s): 202205-9911, 202205-9186, and 783080-0410

Project Name: 108th Avenue Street Vacation

Said document(s) were filed for record by Pacific Northwest Title as accommodation only. It has not been examined as to proper execution or as to its affect upon title.