Ordinance No. 3780

(Amending or Repealing Ordinances)

CFN=102 – Street Vacation
Passed – 1/3/2006
Street Vacation – 36th Avenue South

Recorder’s # 20060213000996

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. 3180

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of portion of 36th Avenue South, between Reith Road and South 260th Street, located in the City of Kent, Washington.

RECATALS

A. A petition has been filed to vacate a portion of 36th Avenue South, between Reith Road and South 260th Street, 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 August 16, 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 August 16, 2005, the city council approved the vacation with the conditions recommended by staff. Those conditions have since been satisfied.

Street Vacation-
36th Avenue South
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 36th Avenue South, between Reith Road and South 260th Street, 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.

Suzette Cooke, Mayor

ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED:  3  day of January, 2006.
APPROVED:  3  day of January, 2006.

I hereby certify that this is a true copy of Ordinance No. 3780 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-
36th Avenue South
EXHIBIT "A"

That portion of 36th Avenue South between Reith Road and South 260th Street lying within the southeast quarter of the northwest quarter of the northwest quarter and the southwest quarter of the northeast quarter of the northwest quarter in Section 27, Township 22, Range 4 EWM, Except the north 20.00 feet thereof.
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3780, 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 SE¼ of NW¼ of NW¼ and SW¼ of NE¼ of NW¼ STR 27-22-04 - City of Kent
Additional legal description is on Exhibit “A” of document.
Assessor’s Property Tax Parcel/Account Number(s): 272204-9006 and 272204-9132
Project Name: 36th Avenue South 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.