Ordinance No. 3789

(Amending or Repealing Ordinances)

CFN=102 – Street Vacation
Passed – 3/7/2006
Street Vacation – 145th Place SE

Recorder’s # 20060417001124

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. 3789

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of portion of 145th Place Southeast, located in the City of Kent, Washington.

RECITALS

A. A petition has been filed to vacate a portion of 145th Place Southeast, in the City of Kent, as legally described in Exhibit “A” and as shown in Exhibit “B,” both of which are 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 June 15, 2004, and continued on July 6, 2004, 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 July 6, 2004, the city council approved the vacation with the conditions recommended by staff. Those conditions have since been satisfied.
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 145th Place Southeast, in the city of Kent, as legally described in Exhibit “A” and as shown in Exhibit “B,” both of which are 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
SUZETTE COOKE, MAYOR

ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 7 day of March, 2006.
APPROVED: 7 day of March, 2006.
PUBLISHED: 11 day of March, 2006.

I hereby certify that this is a true copy of Ordinance No. 3789, 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
145th Place SE
EXHIBIT A

LEGAL DESCRIPTION
THAT PORTION OF 145TH PL. S.E WITHIN THE PLAT OF LOE ESTATES
DIVISION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN
VOLUME 160 OF PLATS, PAGES 26 THROUGH 30, IN KING COUNTY,
WASHINGTON, LYING SOUTHERLY OF THE WESTERLY PROLONGATION OF
LOT 12, SAID PLAT

RESERVING INTO THE GRANTOR A UTILITY EASEMENT INCLUDING
ACCESS TO UTILITIES UNDER, UPON AND OVER THE RIGHT-OF-WAY
PETITIONED TO BE VACATED AND INCLUDING THEREIN THE WESTERLY
20.00 FEET OF THE EASTERLY 30.00 FEET THEREOF FOR PUBLIC ACCESS
FOR BICYCLES, PEDESTRIANS AND EMERGENCY SERVICES AND ALSO FOR
ANY PRIVATE OR QUASI-PRIVATE UTILITY SUCH AS POWER, GAS,
TELEPHONE OR CABLE TV WHICH HAS EXISTING FACILITIES WITHIN
UNDER, UPON AND/OR OVER) THE RIGHT-OF-WAY PETITIONED TO BE
VACATED, THE CITY SHALL RETAIN THE RIGHTS TO GRANT TO SAID
UTILITY OPERATORS AN EASEMENT AND ESTABLISH THE WIDTH THEREOF
AT TIME OF GRANT FOR THE OPERATION AND MAINTENANCE OF SAME.
EXHIBIT "B"
UTILITY / INGRESS and EGRESS EASEMENT

145th PL. S.E.

VACATED RIGHT-OF-WAY
6,655 sq ft

GRAPHIC SCALE
( IN FEET )
1 inch = 20 ft

LOT 12
LOT 2

ETERS DIVISION No. 2
VOL. 160/26-36

TRACT "B" PERMANENT OPEN SPACE

TRACT "C" PUBLIC STORMWATER DETENTION FACILITIES

TRACT "B" OPEN SPACE

MERIDIAN FIRS VOL. 120/70-73 LOT 1

PAUL E. MORROW PIONEER OF WASH. NO. 22062 4/7/2001 EXPIRES 04 APR 05

ACCOUNT PROFESSIONAL LAND
Document Title: City of Kent Ordinance No. 3789, Relating to Vacation of a Street

Reference Number(s): N/A

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of 145th Pl, Plat of Loe Estates Div. 2, as recorded in Vol. 160 of Plats, Pgs 26-30 - City of Kent, W.M., King County

Additional legal description is on Exhibit "A" of document.

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

Project Name: 145th Place SE 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 of same as to its affect upon title.