Ordinance No. 3828

(Amending or Repealing Ordinances)

CFN=102 – Street Vacation
Passed – 1/16/2007
Alley Vacation – Intersecting Dean Street

Recorder’s # 20070222000383

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. 3828

AN ORDINANCE of the City Council of the City of Kent, Washington, relating to the vacation of portion of an unnamed alley north of Dean Street, located in the City of Kent, Washington.

RECITALS

A. A petition has been filed to vacate a portion of Block 3 of Washington Central Improvement Company Knob Hill Addition, 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 December 12, 2006, 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 December 12, 2006, 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 alley 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 said alley, 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.

ATTEST:

Brenda Jacob
BRENDA JACOBER, CITY CLERK

Suzette Cooke
SUZETTE COOKE, MAYOR

Alley Vacation-
Intersecting Dean Street
APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY


I hereby certify that this is a true copy of Ordinance No. 3828 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
EXHIBIT "A"

LEGAL DESCRIPTION FOR VACATED ALLEYWAY

THAT PORTION OF ALLEYWAY IN BLOCK 3 OF WASHINGTON CENTRAL IMPROVEMENT COMPANY KNOB HILL ADDITION TO KENT, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 97, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 9, SAID BLOCK 3, THENCE N00°01'54"E ALONG THE WEST MARGIN OF SAID ALLEYWAY 119.94 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE N89°57'56"E 16.00 FEET TO THE EAST MARGIN OF SAID ALLEYWAY AND NORTHWEST CORNER OF SAID LOT 5; THENCE S00°01'54"W ALONG SAID EAST MARGIN 119.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE N89°59'38"W ALONG SAID NORTH MARGIN 16.00 FEET TO THE POINT OF BEGINNING.

(ALSO KNOWN AS THAT PORTION OF ALLEYWAY LYING BETWEEN AND ADJACENT TO LOTS 5 THROUGH 8 AND LOTS 9 THROUGH 12 INCLUSIVE, BLOCK 3 OF WASHINGTON CENTRAL IMPROVEMENT COMPANY KNOB HILL ADDITION TO KENT ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5 OF PLATS, PAGE 97, RECORDS OF KING COUNTY, WASHINGTON.)
WASHINGTON STATE COUNTY AUDITOR/RECORDER'S COVER SHEET

Document Title: City of Kent Ordinance No. 3828, Relating to Vacation of an Alley

Reference Number(s): N/A Ptn of NW 1/4 of 19-32-05

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

Grantee(s): The Public

Abbreviated Legal Description: Ptn. of Blk 3 Washington Central Improvement Company Knob Hill Addition 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: Alley Vacation North of Dean Street

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 effect upon title.