ORDINANCE NO. 4216

AN ORDINANCE of the City Council of the city of Kent, Washington, amending section 3.12.030 of the Kent City Code entitled “Exempt properties and property interests,” to add an exemption to real property surplus procedures when transferring property to another public entity.

RECITALS

A. On May 17, 2016, the city council adopted Ordinance No. 4203, that enacted a new chapter 3.12 to the Kent City Code entitled “Surplus of Real Property,” to establish a public participation process before deciding to sell, transfer, or exchange city-owned real property.

B. Since enacting Ordinance No. 4203, Kent has determined there is a need to amend the code to provide for an exemption for the sale, transfer, or exchange of real property to another public agency.

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

ORDINANCE

SECTION 1. - Amendment. Section 3.12.030 of the Kent City Code, entitled “Exempt properties and property interests,” is hereby amended as follows:

Amend Section 3.12.030 KCC-
Re: Surplus of Real Property
3.12.030 Exempt properties and property interests. Because of their size, configuration, or character, these properties are exempt from this process:

A. Property owned by any of the city's utilities, to any statutory street or alley vacation, or to other surplus process when state law provides a separate process to surplus those properties; or

B. Partial or remnant properties, such as strips purchased for road widening purposes, areas conveyed as a result of lot line adjustments or boundary disputes, or partial or full lots remaining and unused after project completion; or

C. Easements, licenses, and other subordinate interests in real property; or

D. Properties sold, transferred or exchanged to a local, state, or federal agency.

SECTION 2. - Severability. If any one or more section, subsection, or sentence of this ordinance is 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 3. - Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.
SECTION 4. – Effective Date. This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

SUSAN COOKE, MAYOR

ATTEST:

KIMBERLEY A. KOMOTO, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 18th day of October, 2016.

APPROVED: 18th day of October, 2016.

PUBLISHED: 21st day of October, 2016.

I hereby certify that this is a true copy of Ordinance No. 4216 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

KIMBERLEY A. KOMOTO, CITY CLERK

Amend Section 3.12.030 KCC- Re: Surplus of Real Property