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Des Moines, WA 98198-6398



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CITY OF DES MO ORD-RER 75.00
PAGE-001 OF 004
08/09/2013 11:24
KING COUNTY, WA

WASHINGTON STATE RECORDER'S COVER SHEET

Document Title(s):	Ordinance No 1569
Reference Number(s) of Documents Assigned or Released: (Add'l. Nbrs. on Page ____)	
Grantor(s): (Last, First, Initials)	City of Des Moines, WA
Grantee(s): (Last, First, Initials)	SeaMar Development Project
Legal Description: (Abbreviated) Additional Legal is on Page 1-3	The Yukon Street right-of-way lying within the North half of the Northeast quarter of Section 21, Township 22 North, Range 4 East, W.M., in King County, Washington.
Assessor's Property Tax Parcel/ Account Number(s): (If Doc. Has Legal Description)	21 22 04 - 1111

ORDINANCE NO. 1569

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the vacation of a portion of City right-of-way identified as Yukon Street on the Interurban Heights Fifth Section Plat, and amending Ordinance No. 1521 (uncodified) due to a scrivener's error in the legal description.

WHEREAS, Ordinance No. 1521 was enacted by the City Council on October 13, 2011, vacating a portion of the City right-or-way for the SeaMar Development Project, and

WHEREAS, a scrivener's error has been identified in the legal description in Ordinance No. 1521, and it is necessary to enact the Ordinance to correct that error; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. Section 2 of Ordinance No. 1521 (uncodified) is amended to read as follows:

Right-of-way vacation. Subject to the requirement set forth in section 3 this Ordinance, the following legally described public right-of-way as depicted on the attached map (incorporated herein by this reference) entitled Exhibit "A" is vacated and the property within the right-of-way so vacated shall belong to the respective abutting property owners to the east side of the vacated right-of-way:

Yukon Street: The Yukon Street right-of-way lying within the North half of the Northeast quarter of Section 21, Township 22 North, Range 4 East, W.M., in King County, Washington more particularly described as follows:

Commencing at the Northwest corner of Lot 1 Block 7 of Interurban Heights Fifth Section filed in volume 17 of Plats, Page 85, Recorded of King County, Washington;

Thence, South 01° 02' 40" West, along the west line of said Lot 1 and the east

I, Bonnie Wilkins, City Clerk, do hereby certify that the foregoing is a true and correct copy of the original instrument on file and of record in my office in Des Moines, Washington 98198 

margin Yukon Street, a distance of 5.00 feet, to the **True Point of Beginning**;

Thence continuing South 01° 02' 40" West along west line of said Lot 1, Lots 2-4 of said Block 7 and the east margin of said Yukon Street, a distance of 115.00 feet to the southwest corner of said lot 4 and a north line of vacated Yukon Street, as vacated by Volume 33 of Commissioners Records, Page 97;

Thence departing said west line of lot 4 and said east margin of Yukon Street North 88° 57' 13" West, along a north line of said vacated Yukon Street a distance of 20 feet to the east margin of said vacated Yukon Street;

Thence departing said north line of vacated Yukon Street North 1° 02' 40" East along the east line of said vacated Yukon Street, a distance of 115.00 feet to a point 5.00 feet south of the south margin of South 242nd Street;

Thence departing said east line of vacated Yukon Street South 88° 57' 13" East parallel with and 5.00 feet distant from the south margin of said south 242nd street, a distance of 20 feet to the **True Point of Beginning**.

Also being described as the following:

That portion of the east half of 28th Avenue South, platted as Yukon Avenue of Interurban Heights, Fifth Section, recorded in volume 17 of plats, page 85, in King County, Washington, described as the east half of 28th Avenue South which adjoins Lots 1 through 4 of Block 7, of said Interurban Heights, Fifth Section;

Except for the northerly five feet thereof;

Containing as area of 2,300 square feet or 0.0528 acres, more or less.

Sec. 2. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

Sec. 3. Effective date. This Ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 25th day of July, 2013 and signed in authentication thereof this 25th day of July, 2013.


MAYOR

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: August 2, 2013