

ORDINANCE NO. 1488

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the surplus of certain City property commonly referred to as South 208th Street, 17th Avenue South, and 16th Avenue South within the City of Des Moines and previously vacated portions of 16th Avenue South, 17th Avenue South, South 209th Street, and South 208th Street, and amending section 6 of Ordinance No. 1461 (uncodified).

WHEREAS, the City Council previously initiated an eminent domain action under King County Superior Court Cause No. 09-2-09463-2-0KNT to facilitate the construction of a misdemeanor jail facility to be operated by South County Correctional Entity ("SCORE"), a Public Development Authority formed by an Interlocal Agreement between the cities of Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac, and Tukwila, and

WHEREAS, by passage of Ordinance No. 1461, the City Council declared as surplus certain public properties and rights-of-way depicted in Exhibits A and B attached to Ordinance No. 1461, and

WHEREAS, the City Council desires to resolve the real property issues arising out of the settlement of the claims involving the Port of Seattle and the City in the eminent domain proceedings pending under King County Superior Court Cause No. 09-2-096463-2-KNT; now therefore,

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

Sec. 1. Section 6 of Ordinance No. 1461 (uncodified) is amended to read as follows:

Recordation. Upon satisfactory settlement of the claims involving Port of Seattle property set out under King County Superior Cause No. 09-2-09463-2-0KNT, the City Clerk shall cause a certified copy of this Ordinance to be recorded in the records of the King County Recorder.

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.


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Sec. 3. Effective date. This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

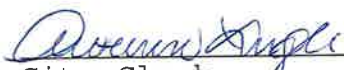
PASSED BY the City Council of the City of Des Moines this 9th day of September, 2010 and signed in authentication thereof this 9th day of September, 2010.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:

ASS. TO 
City Clerk

Published: September 14, 2010

Effective Date: October 9, 2010

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1488, Adopted September 9, 2010.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to the surplus of certain City property commonly referred to as South 208th Street, 17th Avenue South, and 16th Avenue South within the City of Des Moines and previously vacated portions of 16th Avenue South, 17th Avenue South, South 209th Street, and South 208th Street, and amends section 6 of Ordinance No. 1461 (uncodified).

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC
City Clerk

Published: September 14, 2010