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 ORDINANCE NO. 4391

AN ORDINANCE authorizing condemnation of property for 4th Avenue S.W. (S.W. 148th - S.W. 152nd) R/W 2031 and declaring an emergency.

STATEMENT OF FACTS

- 1. The King County Council on November 20, 1978, by Ordinance No. 3969, did adopt the 1979 Annual Budget and Program, which included a Transportation Program.
- 2. The King County Transportation Program provides for the County Road System Development and Improvement Program coordinating the kind of road with other elements of the larger transportation system, abutting land uses and business, industry, government and residential processes.
- 3. The Capital Budget and Program provides for the acquisition and construction of 4th S.W. (S.W. 148th S.W. 152nd).
- 4. In order to acquire the property and property rights required to lay out and construct 4th S.W. (S.W. 148th S.W. 152nd) it is necessary for King County to condemn certain lands and property rights and rights in property for road purposes as hereinafter more particularly set forth.
- 5. The King County Council finds that the public health, safety, necessity and convenience demand that 4th S.W. (S.W. 148th S.W. 152nd) be constructed within King County in accordance with the Capital Budget and Program, and that certain properties, property rights and rights in property be condemned, appropriated, taken and damaged for the construction of said road, as provided in this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County Council has deemed it necessary and in the best interest of the citizens of King County that the lands hereinafter described, and other property rights and/or rights in property be condemned, appropriated, taken and damaged for the purpose of constructing 4th S.W. (S.W. 148th - S.W. 152nd), subject to the making or paying of just compensation to the owners thereof in the manner provided by law.

WARRANTY DEED

Parcel 1 - Westside Federal Savings & Loan Association
That portion of the SE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4
of Sec. 19, Twp 23 N., Rge 4 E., W.M., lying within a 25 ft. strip

of land lying Wly of and adjacent to the following described centerline:

Beginning at the intersection of the centerlines of S.W. 152nd & 4th Avenue S.W. in the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M., according to King County Survey No. 19-23-4-60; thence North 13°14'15" East a distance of 53.70 ft.; thence on a curve to the left through a central angle of 12°00'00" and having a radius of 450 ft., an arc distance of 94.25 ft.; thence North 1°14'15" East a distance of 262.92 ft.; thence on a curve to the right through a central angle of 15°27' 54" and having a radius of 455 ft. an arc distance of 122.81 ft.; thence North 16°42'09" East a distance of 57.06 ft.; thence on a curve to the left through a central angle of 15°28'20" and having a radius of 455 ft. an arc distance of 122.87 ft.; thence North 1°13'49" East a distance of 591.93 ft. to the centerline of S.W. 148th.

AND ALSO that portion of the above described parcel lying SEly of the arc of a circle of 30 ft radius, said circle being tangent to the Nly R/W line of S.W. 152nd and tangent to a line which lies 25 ft. Wly of and parallel to the above described centerline.

Contains - 1,946 Sq. Ft.

Parcel 2 - Hoheim/Property Holding & Development, Inc.

That portion of the East 140 feet of the South 1/2 of that portion of the NE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4, lying South of the North 30 feet, of Section 19, Township 23 North, Range 4 East, W.M., lying within a 25 foot strip of land lying westerly of and adjacent to the following described centerline:

Beginning at the intersection of the centerlines of S.W. 152nd Street and 4th Avenue S.W., as shown on King County Survey No. 19-23-4-60 in the NE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4 of said Section 19, Township 23 North, Range 4 East, W.M., King County, Washington; thence North 13°14'15" East a distance of 53.70 feet; thence on a curve to the left, through a central angle of 12°00'00" and having a radius of 450 feet, an arc distance of 94.25 feet; thence North 1°14'15" East a distance of 262.92 feet; thence on a curve to the right, through a central angle of 15°27'54" and having a radius of 455 feet, an arc distance of 122.81 feet; thence North 16°42'09" East a distance of 57.06 feet; thence on a curve to the left, through a central angle of 15°28'20" and having a radius of 455 feet, an arc distance of 122.87 feet; thence North 1°13'49" East a distance of 591.93 feet to the centerline of S.W. 148th Street.

Contains - 483 Sq. Ft.

Parcel 4, 4A & 5 - Pacific Gamble Robinson Co.

<u>Parcel A</u> - That portion of Tract X described herein lying within a 50 ft strip of land being 25 ft in width on each side of the following described centerline:

Beginning at the intersection of the centerlines of S.W. 152nd Street and 4th Avenue S.W. as shown on King County Survey No. 19-23-4-60 in the NE 1/4 of Section 19, Township 23 North, Range 4 East, W.M.; thence North 13°14'15" East a distance of 53.70 ft; thence on a curve to the left, through a central angle of 12°00'00" and having a radius of 450 ft, an arc distance of 94.25 ft; thence North 1°14'15" East a distance of 262.92 ft; thence on a curve to the right through a central angle of 15°27' 54" and having a radius of 455 ft, an arc distance of 122.81 ft; thence North 16°42'09" East a distance of 57.06 ft; thence on a curve to the left, through a central angle of 15°28'20" and having a radius of 455 ft, an arc distance of 122.87 ft; thence North 1°13'49" East a distance of 591.93 ft. to the centerline of S.W. 148th Street, EXCEPT that said Parcel A shall decrease from 25 ft at Engineers Station 2+68 to 24 ft at Engineers Station 4+30

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on the East, as measured at right angles from the centerline and the semi-tangent.

Tract X - The West 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 East, W.M., in King County, Washington, EXCEPT the S 125 feet of the N 155 feet of the E 60 feet of the W 240.09 feet thereof; EXCEPT the S 175 ft of the N 205 ft of portion thereof lying E of a line 240.09 ft E of the W line of said subdivision; EXCEPT the W 60.09 ft of portion thereof lying N of a line 455.58 ft N of the S line of said subdivision; EXCEPT the W 40.09 ft of the N 110 ft of the S 455.58 ft of said subdivision, AND EXCEPT the N and S 30 ft of said subdivision for roads; situate in the County of King, State of Washington.

Parcel B - That portion of Tract X lying Southwesterly of the arc of a circle of 20 ft radius, said circle being tangent to the Nly right of way line of S.W. 152nd and tangent to a line which lies 25 ft Ely of and parallel to the above described centerline.

Parcel C - That portion of Tract X lying Northwesterly of the arc of a circle of 30 ft radius, said circle being tangent to a line which lies 30 ft Sly of and parallel to the North line of said SW 1/4 of the SE 1/4 of the NE 1/4 and tangent to a line which lies 25 ft Easterly of and parallel to the above described centerline.

Contains - 15,589 Sq. Ft.

Parcel 6 - Pay-N-Save Corporation

The West 40.09 feet of the North 110 feet of the South 455.58 feet of the West 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4 of Section 19, Township 23 North, Range 4 East, W.M. Contains - 4,410 Sq. Ft.

Parcel 7 - Redwood Industrials, a Partnership/McLaughlin Center, Inc.

Parcel A

That portion of Tract X described herein lying within a 60 foot strip of land being 30 feet in width on each side of the following described center line:

Beginning at the intersection of the centerlines of S.W. 152nd Street and 4th Avenue S.W. as shown on King County Survey No. 19-23-4-60 in the NE 1/4 of Section 19, Township 23 North, Range 4 East, W.M.; thence North 13°14'15" East a distance of 53.70 ft; thence on a curve to the left, through a central angle of 12°00'00" and having a radius of 450 ft an arc distance of 94.25 ft; thence North 1°14'15" East a distance of 262.92 ft; thence on a curve to the right through a central angle of 15°27'54" and having a radius of 455 ft, an arc distance of 122.81 ft; thence North 16°42'09" East a distance of 57.06 ft; thence on a curve to the left, through a central angle of 15°28'20" and having a radius of 455 ft, an arc distance of 122.87 ft; thence North 1°13'49" East a distance of 591.93 ft to the centerline of S.W. 148th St.

Tract X - That portion of the South 1/2 of the Northeast 1/4 of Section 19, Township 23 North, Range 4 East of W.M., in King County, Washington, described as follows:

Commencing at the SW corner of the NE 1/4 of the SW 1/4 of the NE 1/4 of said Section 19; thence S 89°37'58" E along the South line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 30.00 ft to the true point of beginning; thence N 1°13'16" E parallel with the West line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 629.63 ft to the Southerly margin of S.W. 148th Street as conveyed to King County by File No. 5194713; thence South 87°44'55" East along said street margin 558.58 feet to the beginning of a curve to the left with a radius of 5,759.65 ft; thence Easterly along said curve through a central angle of 1°24'25"

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an arc distance of 141.43 feet; thence South 1°13'16" West parallel with the West line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 608.34 feet to 2 the South line of the NW 1/4 of the SE 1/4 of the NE 1/4 of said Section 19; thence North 89°37'58" West along said South line 11.11 feet; thence South 1°14'15" West 30.00 feet; thence North 89°37'58" West 60.09 feet to the West line of the SW 1/4 of the SE 1/4 of the NE 1/4 of said Section; thence North 1°14'15" East along said West line 30.00 feet to the Southeast corner of the NE 1/4 of the SW 1/4 of the NE 1/4 of said thence North 89°37'58" West 329.40 feet; thence South 1°13'47" West 30.00 feet; thence North 89°37'58" West 299.39 feet; 8 thence North 1°13'16" East 30.00 feet to the point of beginning, in King County, Washington. Parcel B - The North 15 feet of the East 287 feet of Tract X 10 described herein; ALSO that portion of said Tract X known as vacated S.W. 150th Street lying Easterly of the East line of the East 1/2 of the SW 1/4 of the NE 1/4 of said Section 19, Township 23 North, Range 4 East, W.M. 11 12 Parcel C - That portion of Tract X described herein lying NEly of 13 the arc of a circle of 15 ft radius, said circle being tangent to a line which lies 45 feet Sly of and parallel to the centerline of 14 S.W. 148th and tangent to a line which lies 30 feet Wly of and parallel to the above described centerline of 4th S.W. 15 Parcel D - That portion of Tract X described herein lying SEly of the arc of a circle of 30 foot radius being tangent to a line 16 . which lies 30 feet Nly of and parallel to the centerline of vacated S.W. 150th Street and tangent to a line which lies 30 feet 17 Wly of and parallel to the above described centerline of 4th Avenue S.W. 18 Contains - 26,531 Sq. Ft. 19 Parcel 8 - McLaughlin Center, Inc./Redwood Industrials, a Partnership Parcel A - That portion of Tract X described herein lying within 20 a 60 foot strip of land being 30 feet in width on each side of the following described center line: 21 Beginning at the intersection of the centerlines of S.W. 152nd 22 Street and 4th Avenue S.W. as shown on King County Survey No. 19-23-4-60 in the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M.; 23 thence North 13°14'15" East a distance of 53.70 ft; thence on a curve to the left, through a central angle of 12°00'00" and 24 having a radius of 450 ft, an arc distance of 94.25 ft; thence North 1°14'15" East a distance of 262.92 ft; thence on a curve to the right through a central angle of 15°27'54" and having a 25 radius of 455 ft, an arc distance of 122.81 ft; thence North 26 16°42'09" East a distance of 57.06 ft; thence on a curve to the left, through a central angle of 15°28'20" and having a radius of 455 ft, an arc distance of 122.87 ft; thence North 1°13'49" 27 East a distance of 591.93 ft to the centerline of S.W. 148th St. 28 Tract X - That portion of the South 1/2 of the Northeast 1/4 of Section 19, Township 23 North, Range 4 East of W.M., in King 29 County, Washington, described as follows: 30 Commencing at the Southwest corner of the NE 1/4 of the SW 1/4 of the NE 1/4 of said Section 19; thence South 89°37'58" East 31 along the South line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 30.00 feet to the true point of beginning; 32 thence North 1°13'16" East parallel with the West line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 629.63 feet to 33 the Southerly margin of S.W. 148th Street as conveyed to King

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County by File No. 5194713; thence South 87°44'55" East along said street margin 558.58 feet to the beginning of a curve to the left with a radius of 5,759.65 feet; thence Easterly along said curve through a central angle of 1°24'25" an arc distance of 141.43 feet; thence South 1°13'16" West parallel with the West line of said NE 1/4 of the SW 1/4 of the NE 1/4 a distance of 608.34 feet to the South line of the NW 1/4 of the SE 1/4 of the NE 1/4 of said Section 19; thence North 89°37'58" West along said South line 11.11 feet; thence South 1°14'15" West 30.00 feet; thence North 89°37'58" West 60.09 feet to the West line of the SW 1/4 of the SE 1/4 of the NE 1/4 of said Section; thence North 1°14'15" East along said West line 30.00 feet to the SE corner of the NE 1/4 of the SW 1/4 of the NE 1/4 of said section; thence North 89°37'58" West 329.40 feet; thence South 1°13'47" West 30.00 feet; thence North 89°37'58" West 299.39 feet; thence North 1°13'16" East 30.00 feet to the point of beginning. Situate in the County of King, State of Washington.

Parcel B - The North 15 feet of the East 287 feet of Tract X described herein; ALSO that portion of said Tract X known as vacated S.W. 150th Street lying Easterly of the East line of the East 1/2 of the SW 1/4 of the NE 1/4 of said Section 19, Township 23 North, Range 4 East, W.M.

Parcel C - That portion of Tract X described herein lying NEIy of the arc of a circle of 15 ft radius, said circle being tangent to a line which lies 45 ft Sly of and parallel to the centerline of S.W. 148th and tangent to a line which lies 30 ft Wly of and parallel to the above described centerline of 4th S.W.

Parcel D - That portion of Tract X described herein lying SEly of the arc of a circle of 30 foot radius being tangent to a line which lies 30 feet Nly of and parallel to the centerline of vacated S.W. 150th Street and tangent to a line which lies 30 feet Wly of and parallel to the above described centerline of 4th Avenue S.W.

Contains - 26,531 Sq. Ft.

Parcel 10 - Metropolitan Seattle

A portion of the following described parcel of land:

A portion of the NW 1/4 of the SE 1/4 of the NE 1/4 of Section 19, Township 23 North, Range 4 East, W.M., defined as follows: Beginning at the intersection of the West margin of 2nd Avenue S.W. and the North margin of S.W. 150th Street; thence West along said North margin of vacated S.W. 150th Street a distance of 240 feet to the true point of beginning; thence continuing West along said North margin 289.8 feet; thence North parallel with the centerline of 2nd Avenue S.W. a distance of 400 feet; thence East parallel with said North margin a distance of 289.8 feet; thence North parallel with said centerline a distance of 40 feet; thence East parallel with said North margin a distance of 270 feet to an intersection with the Northerly extension of said centerline; thence South along said Northerly extension a distance of 140 feet more or less to an intersection with the North margin of 2nd Avenue S.W. as now dedicated; thence West along said North margin a distance of 30 feet to the West margin of 2nd Avenue S.W.; thence South along said West margin a distance of 139.2 feet to the intersection with the North line of the South 190 feet of said subdivision; thence West along said North line a distance of 240 feet; thence South a distance of 160 feet more or less to the true point of beginning; together with that portion of vacated S.W. 150th Street lying North of the following described line: Beginning at the Southwest corner of the NE 1/4 of

of the SW 1/4 of the NE 1/4 of said Section 19; thence East 730 feet to the true point of beginning of said described line; thence continuing East a distance of 108.89 feet; thence South 01°14'15" West a distance of 30 feet; thence South 89°37'58" East a distance of 149.31 feet; thence North 1°14'45" East a distance of 30 feet; thence South 89°37'58" East a distance of 65 feet; thence South 01°14'45" West a distance of 30 feet; thence South 89°37'58" East a distance of 64.39 feet to the terminus of said described line. Said portion being more particularly described as follows: Beginning at the intersection of the North right of way line of vacated S.W. 150th Street and the Southerly projection of the Easterly right of way line of 4th Avenue S.W. as surveyed and established by King County Survey No. 19-23-1-60; thence North 89°37'58" West a distance of 0.62 feet; thence North 1°15'15" East a distance of 400 feet; thence South 89°37'58" East a distance of 0.45 feet to said Easterly right of way line; thence South 1°13'49" West along said Easterly right of way line a distance of 400 feet to the point of beginning.

Contains - 214 Sq. Ft., more or less

AND ALSO that portion of the above described parcel of land lying Southerly and Westerly of the following described line:

Beginning at a point on the Easterly right of way line of the above said 4th Avenue S.W., said point lying North 1°13'49" East a distance of 29.55 feet from the North right of way line of vacated S.W. 150th Street; thence Southeasterly along the arc of a circle of 30 foot radius, said circle being tangent to said Easterly right of way line and tangent to said Northerly right of way line, an arc distance of 46.67 feet; thence South 0°22'02" East a distance of 30 feet to a terminus on the centerline of said vacated S.W. 150th Street.

Contains - 1,913 Sq. Ft., more or less TOTAL AREA: 2,127 Sq. Ft., more or less

PLANTING EASEMENT

Parcel 1A - Westside Federal Savings & Loan Association

Four parcels of land lying Wly of and adjacent to the Wly R/W line of 4th S.W. in the SE 1/4 of the SW 1/4 of the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M., as surveyed by K. C. Survey No. 19-23-4-60, said parcels being more particularly described as follows:

Parcel ''A'' - Beginning 27 ft Wly from a point on said R/W line which lies at right angles from Engr's Sta. 0+48 and extending Nly to a point which lies 33 ft Wly from a point on said R/W line which lies at right angles from Sta. 0+82, said Wly bearings being parallel to the centerline of S.W. 152nd. Contains - 1,007 Sq. Ft.

Parcel "B" - Beginning at a point on said Wly R/W line which lies at right angles from Engr's Sta. 1+01; thence continuing Wly at right angles to said R/W line a distance of 5 ft; thence on a curve to the right of 10 ft radius and through a central angle of 84° to a point which lies 39 ft Wly and at right angles from Sta. 1+12; thence Nly and parallel to said R/W line to a point which lies a distance of 39 ft at right angles from Sta. 1+24; thence SEly to a point which lies on said R/W line at right angles from Sta. 1+17. Contains - 210 Sq. Ft.

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Parcel "C" - Beginning at a point on said R/W line at right angles from Engr's Sta. 1+56; thence NWly to a point which lies at right angles a distance of 39 ft from Sta. 1+64; thence Ely and at right angles to said Sta. 1+64 a distance of 11 ft; thence Nly and parallel to said R/W line a distance of 19 ft; thence Ely to a point on said R/W line which lies at right angles to Sta. 1+82. Contains - 113 Sq. Ft.

Parcel "D" - Beginning at a point on said R/W line at right angles to Engr's Sta. 2+97; thence running NWly to a point which lies 44 ft at right angles from Sta. 3+08; thence Nly and parallel to said R/W line a distance of 4 ft; thence on a curve to the right of 10 ft radius and through a central angle of 90° to a point which lies a distance of 34 ft Wly at right angles from Sta. 3+22; thence Ely a distance of 9 ft, more or less, to a point on said R/W line which lies at 90° from Sta. 3+22. Contains - 359 Sq. Ft.

Parcel 2A - Property Holding & Development, Inc./Hoheim

The Easterly 12 feet, as measured from the subdivision line of the East 140 feet of the South 1/2 of that portion of the NE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4, lying South of the North 30 feet of Section 19, Township 23 North, Range 4 East, W.M., in King County, Washington.

Contains - 1,129 Sq. Ft.

Parcel 4A - Pacific Gamble Robinson Co.

Three parcels of land lying Ely of and adjacent to the Ely R/W line of 4th S.W. in the SW 1/4 of the SE 1/4 of the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M., as surveyed by K. C. Survey No. 19-23-4-60, said parcels being more particularly described as follows:

Parcel "A" - Beginning t a point on the North R/W line of S.W. 152nd, said point lying 71 ft Ely of the centerline of said 4th S.W.; thence running Nly a distance of 31 ft; thence on a curve to the left, through a central angle of 90° and having a radius of 20 ft, an arc distance of 31.4 ft; thence Wly and parallel to said S.W. 152nd a distance of 16.5 ft, more or less, to the Ely R/W line of said 4th S.W. Contains - 1,842 Sq. Ft.

<u>Parcel ''B''</u> - Beginning at 16 ft width at Engr's Sta. 1+04 and decreasing to 14 ft width at Engr's Sta. 2+38. Contains - 1,935 Sq. Ft.

Parcel "C" - Beginning at zero width at Engr's Sta. 4+55; thence increasing to 35 ft width at Sta. 4+59; thence decreasing to 9 ft width at Sta. 4+71; thence decreasing to 3 ft width at Sta. 5+60; thence increasing to 22 ft width at Sta. 5+53; thence decreasing to zero width at Sta. 6+21. Contains - 1,680 Sq. Ft.

Parcel 9A - Rainier Bank

The Ely 12 ft of the North 1/2 of that protion of the NE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M., lying South of the North 30 ft of said subdivision; together with that portion of the above described parcel lying NEly of the arc of a circle of 30 ft radius, said circle being tangent to a line which lies 12 ft Wly of and parallel to the Ely line of the above described parcel and tangent to the Sly R/W line of S.W. 150th (vacated). Contains - 1,631 Sq. Ft.

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SIDEWALK EASEMENT

Parcel 1B - Westside Federal Savings & Loan Association

Two parcels of land lying Wly of and adjacent to the Wly R/W line of 4th S.W. in the SE 1/4 of the SW 1/4 of the NE 1/4 of Sec. 19, Twp 23 N., Rge 4 E., W.M., as surveyed by K. C. Survey No. 19-23-4-60, said parcels being more particularly described as follows: A 33 ft wide parcel estending from Engr's Sta. 0+82 to Sta. 1+17 and also a 20 ft wide parcel extending from Engr's Sta 3+11 to Sta. 3+32

DRAINAGE EASEMENT

Parcel 7A - McLaughlin Center, Inc./Redwood Industrials, a Partnership

A strip of land 5 ft in width lying adjacent to and Wly of the Wly R/W line of 4th S.W. as surveyed by K. C. Survey No. 19-23-4-60 in the NE 1/4 of Sec. 19, Twp 23 N., Rge E., W.M., described as follows:

Beginning at Engr's Sta. 9+17 and extending to Sta. 9+22. Contains - 25 Sq. Ft.

SECTION 2. The King County Council determines that condemnation proceedings are hereby authorized to acquire property and property rights and/or rights in property, together with the right to construct and maintain slopes for cuts and fills on certain abutting property described herein, for the purposes of the subject road improvement.

SECTION 3. The attorneys for King County are hereby authorized and directed to begin and prosecute the proceedings provided by law to condemn, take and appropriate the land and other property and property rights necessary to carry out the provisions of this ordinance.

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1	SECTION 4. The king county council finds as a fact and
2	declares that an emergency exists and that this ordinance is
3	necessary for the immediate preservation of public peace, health
4	or safety or for the support of county government and its existing
5	public institutions.
6	INTRODUCED AND READ for the first time this 16 day of
7	July, 19 79.
8	PASSED this 23rd day of July, 19 19.
9	KING COUNTY COUNCIL
10	KING COUNTY, WASHINGTON
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12	Chairman / Chairman
13	ATTEST:
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15	Slerk of the Council
16	APPROVED this 26 hday of, 19 79.
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18	King Gunty Executive
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