

RESOLUTION R-4827

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY Eric Drivdahl, FILE NUMBER VAC10-00001.

WHEREAS, the City has received an application filed by Eric Drivdahl to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number 4824, the City Council of the City of Kirkland established a date for a public hearing on the proposed vacation; and

WHEREAS, proper notice for the public hearing on the proposed vacation was given and the hearing was held in accordance with the law; and

WHEREAS, it is appropriate for the City to receive compensation for vacating the right-of-way as allowed under state law; and

WHEREAS, no property owner will be denied direct access as a result of this vacation; and

WHEREAS, it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said street to be vacated;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings and Conclusions as set forth in the Recommendation of the Department of Planning and Community Development contained in File Number VAC10-00001 are hereby adopted as though fully set forth herein.

Section 2. Except as stated in Section 3 of this resolution, the City will, by appropriate ordinance, vacate the portion of the right-of-way described in Section 4 of this resolution if within 90 days of the date of passage of this resolution the applicant or other person meets the following conditions:

(a) Pays to the City \$330,770 as compensation for vacating this portion of the right-of-way.

(b) Within seven (7) calendar days after the final public hearing, the applicant shall remove all public notice signs.

(c) Submit to the City either: a letter from Comcast Cable Company that states no need for a utility easement, or grant Comcast Cable Company a utility easement if it is requested.

Section 3. If the portion of the right-of-way described in Section 4 of this resolution is vacated, the City will retain and reserve an easement, together with the right to exercise and grant easements along, over, under and across the vacated right-of-way for the installation, construction, repair and maintenance of public utilities and services.

Section 4. The right-of-way to be vacated is situated in Kirkland, King County, Washington and is described as follows:

THAT PORTION OF WAVERLY WAY MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 11, BLOCK 13, TOWN OF KIRKLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 53, IN KING COUNTY, WASHINGTON;

THENCE SOUTH 74°44'41" WEST, 10 FEET;

THENCE SOUTH 15°15'19" EAST, PARALLEL WITH THE CENTERLINE OF WAVERLY WAY, A DISTANCE 205.15 FEET;

THENCE SOUTH 46°23'53" EAST, ALONG THE PROLONGATION OF THE NORTHEASTERLY MARGIN OF 7TH AVENUE W, 19.34 FEET, TO A POINT WHICH IS 23.35 FEET, MORE OR LESS, FROM THE MOST WESTERLY CORNER OF LOT 13, BLOCK 13, OF SAID PLAT;

THENCE NORTH 15°15'19" WEST, ALONG THE WEST BOUNDARY OF LOTS 11 TO 13, BLOCK 13, OF SAID PLAT, 221.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,134 SQUARE FEET ±.

Passed by majority vote of the Kirkland City Council in open meeting on the 3rd day of August, 2010.

SIGNED IN AUTHENTICATION THEREOF this 3rd day of August, 2010.

  
Mayor

ATTEST:

  
City Clerk