

RESOLUTION R-5261

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER A. LEONARD SMITH.

1 WHEREAS, the City has received a request to recognize that any
2 rights to the land originally dedicated in 1890 as right-of-way abutting
3 a portion of Waterfront Addition to Kirkland has been vacated by
4 operation of law; and

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6 WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide
7 that any county road which remains unopened for five years after
8 authority is granted for opening the same is vacated by operation of law
9 at that time; and

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11 WHEREAS, the area which is the subject of this request was
12 annexed to the City of Kirkland, with the relevant right-of-way having
13 been unopened; and

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15 WHEREAS, in this context it is in the public interest to resolve
16 this matter by agreement.

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18 NOW, THEREFORE, be it resolved by the City Council of the City
19 of Kirkland as follows:

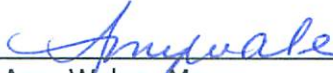
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21 Section 1. As requested by the property owner A. Leonard
22 Smith, the City Council of the City of Kirkland hereby recognizes that the
23 following described right-of-way has been vacated by operation of law
24 and relinquishes all interest it may have, if any, except for a utility
25 easement, in the portion of right-of-way described as follows:

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27 The east 30 feet of unopened 90th Ave NE (Latona Street),
28 together with the south 30 feet of unopened NE 121st St (Third
29 Street), together with the west 30 feet of unopened 91st Ave NE
30 (Canal Street), or whatever portions remain for recognition of
31 possible vacation by this Resolution; all abutting the boundaries
32 of the following described property: Lots 1 through 11, and Lots
33 19 through 30, Block 27, Waterfront Addition to Kirkland,
34 according to the plat thereof recorded in Volume 6 of Plats, page
35 92, records of King County, Washington.

36
37 Section 2. This resolution does not affect any third party rights
38 in the property, if any.

39
40 Passed by majority vote of the Kirkland City Council in open
41 meeting this 2nd day of August, 2017.

Signed in authentication thereof this 2nd day of August, 2017.



Amy Walen, Mayor

Attest:



Kathi Anderson, City Clerk