

RESOLUTION R-5331

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RECOGNIZING THE VACATION OF AND 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 SAMION PACIFIC, LLC.

1           WHEREAS, the City has received a request to recognize that  
2 any rights to the lands originally dedicated in 1890 as right-of-way  
3 within a portion of the Town of Kirkland plat 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 that remains unopened for five years after  
8 authority is granted for opening the same is vacated by operation of  
9 law at that time; and

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11           WHEREAS, the area that is the subject of this request was part  
12 of the original incorporation of the City of Kirkland in 1905, with the  
13 referenced right-of-way having 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  
19 City of Kirkland as follows:

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21           Section 1. As requested by the property owner Samion Pacific,  
22 LLC, 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, except for a utility easement,  
25 in the portion of the vacated right-of-way described as follows:

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27           The north 8 feet of the unopened alley, or whatever  
28 portion remains for recognition of possible vacation by this  
29 Resolution, abutting the south boundary of the following  
30 described property: the west 10 feet of Lot 21 and all of  
31 Lots 22 and 23, Block 169, Town of Kirkland, according to  
32 the plat thereof recorded in Volume 6 of Plats, page 53,  
33 records of King County, Washington.

34  
35           Section 2. This resolution does not affect any third party rights  
36 in the property, if any.

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38           Passed by majority vote of the Kirkland City Council in open  
39 meeting this 4<sup>th</sup> day of September, 2018.

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41

Signed in authentication thereof this 4<sup>th</sup> day of September,  
2018.

  
Amy Walen, Mayor

Attest:

  
Kathi Anderson, City Clerk