

RESOLUTION R-5341

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS NATHAN AND JANA SCHWARZ

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 Town of Kirkland have been vacated by operation of law;  
4 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 law  
9 at that time; and

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11           WHEREAS, the area that is the subject of this request was part  
12 of the incorporation of the City of Kirkland in 1905, with the relevant  
13 right-of-way having been unopened; and

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15           WHEREAS, in consideration for reimbursing the administrative  
16 costs for doing so and granting the City a utility easement in the vacated  
17 area, the City is willing to recognize the vacation may have occurred,

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

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22           Section 1. As requested by the property owners Nathan and Jana  
23 Schwarz, the City Council of the City of Kirkland hereby recognizes that  
24 the following described right-of-way may have been vacated by  
25 operation of law and relinquishes all interest it may have, except for a  
26 utility easement, in that portions of right-of-way described as follows:

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28           The north 8 feet of the unopened alley, or whatever portion remains  
29 for recognition of possible vacation by this Resolution, abutting the  
30 south boundary of the following described property: Lots 11 and 12,  
31 Block 172, Town of Kirkland, according to the plat thereof, recorded in  
32 Volume 6 of Plats, page 53, in King County, Washington.

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

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37           Passed by majority vote of the Kirkland City Council in open  
38 meeting this 7th day of November, 2018

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Signed in authentication thereof this 7th day of November, 2018.

  
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Amy Walen, Mayor

Attest:

  
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Anja Mullin, Deputy City Clerk