

ORDINANCE NO. 2283

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON VACATING A PORTION OF 6TH AVENUE SOUTH EASTERLY FROM ITS INTERSECTION WITH 5TH STREET SOUTH WITHIN THE CITY OF KIRKLAND, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, Resolution No. R-2275 heretofore adopted by the City Council of the City of Kirkland set a date for public hearing on a proposed vacation of a certain portion of 6th Avenue South extending easterly from its intersection with 5th Street South all as more fully hereinafter described, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181, concerning environmental policy and the State Environmental Policy Act an environmental assessment has been submitted to the City, reviewed by the responsible official of the City of Kirkland, and a negative declaration reached and said environmental assessment and negative declaration have been available and accompanied the proposed street vacation through its entire review process, and

WHEREAS, following said public hearing held December 16, 1974, the City Council did approve the requested street vacation subject to certain conditions hereinafter set forth, and

WHEREAS, it appears desirable and to the best interests of the City, its residents and property owners abutting upon the vacated street that said portion of said street be subject to said conditions vacated,

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Subject to the conditions set forth in Section 2 of this Ordinance, the following specifically described portion of street is hereby vacated:

"That portion of the street commonly known as 6th Avenue South lying easterly of the intersection of 6th Avenue South and 5th Street South being that portion of Tract 11, Kirkland South Acreage, heretofore deeded to King County for road purposes (date of deed, January 5, 1910) less the easterly 40 feet thereof."

Section 2. The street vacation set forth in Section 1 above is subject to the following conditions:

(1) The area of vacated street contains 9,175 square feet and has been appraised by Donald A. Wilcox, MAI, to have a value of ninety cents per square foot.

(2) The City hereby finds that it is in the public interest and benefit to vacate the afore-mentioned right-of-way, conditional upon the following:

a. The owners of the property abutting upon the vacated portion of street shall convey, by Statutory Warranty Deed to the City for street and other municipal purposes, the south 40 feet of Tract 11, South Kirkland Acreage (consisting of approximately 2,640 square feet);

b. Said property owners abutting upon the vacated portion of street shall convey, by Statutory Warranty Deed to the City for street, and other municipal purposes, the westerly 10 feet of the easterly 40 feet of Tract 11, South Kirkland Acreage;

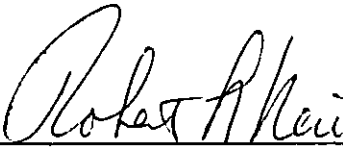
c. Said property owners shall grant to the City by appropriate conveyance, an easement 15 feet in width for utility purposes over, under and across said Tract 11. Said easement to have as its centerline a line commencing at a point on the easterly right-of-way of 5th Street South being 7.5 feet south of the north right-of-way line of the vacated portion of 6th Avenue South as described in Section 1 above, and extending easterly parallel to and 7.5 feet wouth of said north right-of-way line to a point 40 feet west of the east line of Tract 11, Kirkland South Acreage.

d. The street vacation fee shall be paid at the rate of forty-five cents per square foot computed on the total square foot area of the vacated street as described in Section 1 above, less the total square foot area of the South 40 feet of Tract 11 South Kirkland Acreage conveyed to the City pursuant to condition "a" above.

Section 3. This ordinance shall be in force and take effect five days from and after its passage by the Kirkland City Council and publication as required by law, provided, however that it shall not be published until such time as all of the conditions to which the street vacation is subject have been met.

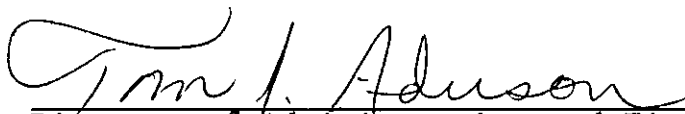
PASSED by the Kirkland City Council in regular meeting on the
16th day of December, 1974.

SIGNED in authentication thereof on the 16th day of
December, 1974.



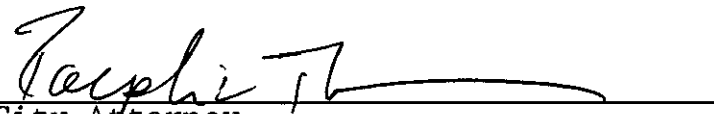
Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:



City Attorney

Recorded:

Records & Elections
King County, Wash.
January 10, 1975
No. 7501100420