

ORDINANCE NO. 2584

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, VACATING A PORTION OF N.E. 84TH STREET (4TH AVENUE), EAST OF 6TH STREET, FILED BY BRIAN LURIE, FILE NO.VC-81-13

WHEREAS, by Resolution No. R-2797 heretofore adopted by the City Council of the City of Kirkland, date was set for public hearing upon the proposed vacation of a portion of N.E. 84th Street (4th Avenue), east of 6th Street as more fully hereinafter described, and

WHEREAS, due and proper notice of said hearing was held in accordance with law, and

WHEREAS, following said public hearing, held March 16, 1981, a vote of the Council was taken favoring said vacation, and

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

WHEREAS, no property will be denied direct access as a result of the Vacation.

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

Section 1. A portion of a street situated in Kirkland, King County, Washington and described as follows:

The South 5 feet of the North 22 feet of the following:

The North half of the following described tract, EXCEPT the South 100 feet thereof;

Beginning at a point which bears from the South quarter corner of Section 5, Township 25 North, Range 5 East, W.M., in King County, Washington, North 4°28'36" West 532.74 feet and running thence South 87°02'20" West 92.85 feet more or less to the East line of 108th Avenue Northeast; thence along said line North 3°13'45" West 456.68 feet; thence North 86°49'26" East 166.88 feet; thence South 4°28'36" East 457.58 feet to the North line of Northeast 82nd Street; thence South 87°02'20" West 84.01 feet to the point of beginning.

(Being known as the North half of Lots 32 and 32A, EXCEPT the South 100 feet thereof, BURKE & FARRAR'S KIRKLAND GARDENS, DIVISION NO. 15, according to unrecorded plat thereof).

Situate in the County of King, State of Washington.

be and the same hereby is vacated, except that the City shall retain and reserve an easement, together with the right to exercise and grant easements along, over and across said vacated street for the installation, construction, repair and maintenance of public utilities and services.

Section 2. Subsequent to the passage of this Ordinance, the City Clerk shall receive a recorded copy of a legal easement for public pedestrian access across the below described property. The City Clerk must receive this easement document before the Director of Administration and Finance signs this Ordinance for recording with the King County Department of Elections and Records. The property to be subject to said easement is described as follows: The westerly four feet of the following:

The North half of the following described tract, EXCEPT the South 100 feet thereof; and EXCEPT tthe North 17 feet thereof;

Beginning at a point which bears from the South quarter corner of Section 5, Township 25 North, Range 5 East, W.M., in King County, Washington, North 4°28'36" West 532.74 feet and running thence South 87°02'20" West 92.85 feet more or less to the East line of 108th Avenue Northeast; thence along said line North 3°13'45" West 456.68 feet; thence North 86°49'26" East 166.88 feet; thence South 4°28'36" East 457.58 feet to the North line of Northeast 82nd Street; thence south 87°02'20" West 84.01 feet to the point of beginning;

(Being known as the North half of Lots 32 and 32A, EXCEPT the South 100 feet thereof, Burke and Farrar's Kirkland Gardens, Division No. 15, according to unrecorded plat thereof).

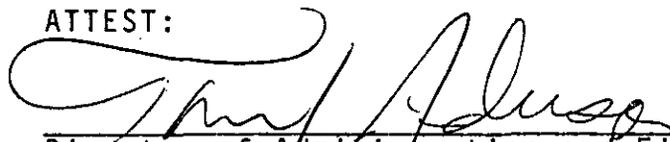
Section 3. This ordinance shall be in force and take effect five days from and after its passage by the Council and publication as required by law and upon compliance with all conditions imposed.

PASSED by the City Council in regular meeting on the 16th day of March, 1981.

SIGNED in authentication thereof on the 16th day of March, 1981

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

EASEMENT FOR PUBLIC PEDESTRIAN  
RIGHT-OF-WAY

PIONEER NATIONAL TITLE INSURANCE CO.  
719 SECOND AVE SEATTLE WASH.  
ESCROW NO. MISC.

GOKE  
W50468

8106160292

FOR VALUABLE CONSIDERATION receipt of which is hereby acknowledged, the Grantor, Brian Lurie hereby grants and conveys to the CITY OF KIRKLAND, a municipal corporation, its successors and assigns, an easement four feet in width for public pedestrian right-of-way, across, over and upon the following described real property, situate in Kirkland, King County, Washington, to-wit:

The West four feet of the following Property;

The North half of the following described tract, EXCEPT the South 100 feet thereof; and EXCEPT the North 17 feet thereof;

Beginning at a point which bears from the South quarter corner of Section 5, Township 25 North, Range 5 East, W.M., in King County, Washington, North 4°28'36" West 532.74 feet and running thence South 87°02'20" West 92.85 feet more or less to the East line of 109th Avenue Northeast; thence along said line North 3°13'45" West 456.68 feet; thence North 86°49'26" East 166.88 feet; thence South 4°28'36" East 457.58 feet to the North line of Northeast 82nd Street; thence South 87°02'20" West 84.01 feet to the point of beginning;

(Being known as the North half of Lots 32 and 32A, EXCEPT the South 100 feet thereof, Burke and Farrar's Kirkland Gardens, Division No. 15, according to unrecorded plat thereof).

IT IS A CONDITION of this grant that the easement area hereinabove described shall be considered as a part of any required setback for any building existing or to be constructed upon the parcel over which said easement extends. The Grantors shall make no other use of the said easement area.

THE COVENANTS herein contained shall run with the land and are binding upon all subsequent owners thereof.

DATED at Kirkland, Washington, this 24th day of June, 1981.

Brian Lurie  
GRANTOR

RECEIVED

JUN 17 1981

MAILED 10 1981

J. Touboff

JUN 16 1981 8.30 FILED BY PHTI