

RECORDED THIS DAY
389
Aug 3 10 23 AM '83
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

ORDINANCE NO. 2747 83/08/03 #0647 A
RECD F 5.00

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, VACATING THAT PORTION OF COMMERCIAL AVENUE (FORMERLY FIRST AVENUE OR BURKE STREET) NEVER OPENED NOR IMPROVED LYING BETWEEN BLOCK 107 AND 106, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION NO. 26, UNRECORDED. *****5.00
22

8308030647

WHEREAS, by Resolution No. R-2977 heretofore adopted by the City Council of the City of Kirkland, date was set for public hearing upon a proposed vacation of that portion of Commercial Avenue (formerly First Avenue or Burke Street) never opened nor improved lying between Block 107 and Block 106, Burke and Farrar's Kirkland Addition, Division No. 26, unrecorded; and

WHEREAS, due and proper notice of said hearing held December 6, 1982, was made in accordance with law; and

WHEREAS, following said hearing the City Council finds it desirable to the best interests of the City, its residents and the property owners abutting thereon that said right-of-way be vacated; and

WHEREAS, the City Council further finds no property will be denied direct access as a result of said right-of-way vacation; now, therefore, be it

ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. That certain portion of never opened nor improved Commercial Avenue (formerly First Avenue or Burke Street) as appears on the face of the unrecorded plat known as Burke and Farrar's Kirkland Addition, Division No. 26, and as conveyed to the City of Kirkland in Quit Claim Deeds recorded with the King County Auditor under Recording Numbers 3883807 and 8303030668, and specifically described as:

Legal description of unopened portion of Commercial Avenue lying between Blocks 107 and 106 in Burke & Farrar's Kirkland Addition, Division No. 26, unrecorded:

That portion of Government Lot 5, Section 5, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the meander corner between Sections 5 and 8, Township 25 North, Range 5 East, W.M., in King County, Washington; thence North 89°39'00" East along the Southerly line of said Government Lot 5 a distance of 459.32 feet to the Southerly production of the Easterly line of Second Street; thence North 0°21'00" West 336.81 feet along said Easterly line to the Northwesterly line of First Avenue as conveyed to the City of Kirkland by deed recorded under Auditor's File No. 3883807, records of said County; thence North 70°4'15" East along said Northwesterly

8308030647

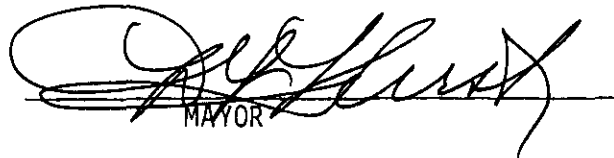
line 84.54 feet to the true point of beginning; thence continuing North 70°4'15" East along said Northwesterly line 232.38 feet to the Westerly line of Third Street as conveyed to the City of Kirkland in said deed; thence South 01°27'22" West along said Westerly line to the North line of that property conveyed by the City of Kirkland to the Municipality of Metropolitan Seattle by deed recorded under Recording No. 5839212; thence South 89°39'00" West a distance of 68.45 feet; thence South 0°21'00" East a distance of 50 feet; thence South 89°39'00" West 151.3 feet to the true point of beginning.

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 (including any and all grants of easement conveyance or vacation heretofore made to METRO) over, under and across said vacated street as hereinabove described for the installation, construction, repair and maintenance of public utilities and services.

Section 2. This Ordinance shall be in force and effect five (5) days from and after its passage by the Kirkland City Council and posting or publication as required by law.

Passed by the Kirkland City Council in regular open meeting on the 16th day of May, 1983.


Signed in authentication thereof on the 16 day of May, 1983.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing Ordinance was posted on the 18th day of May, 1983, in accordance

with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

James Perry
CITY CLERK

0-2747

8308030647

FILED for Record at Request of

Name *City of Kirkland*

Address *123 5th AVE*

Kirkland WA 98033