

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY GIDEON GOLDSTEIN, FILE NO. VC-85-11.

WHEREAS, by Resolution 3169 adopted on April 15, 1985, the City Council of the City of Kirkland established that it would vacate a portion of a right-of-way if certain conditions were met; and

WHEREAS, the conditions specified in Resolution No. 3169 have been satisfied.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Portions of rights-of-way situated in Kirkland, King County, Washington and described as follows:

Those portions of 11th Avenue lying east of the eastern margin of 8th Street and west of the western margin of the Northern Pacific Railway Company right-of-way; together with those portions of an unnamed alley lying north of the north margin of 8th Street and lying west of the western margin of the Northern Pacific Railway Company right-of-way and lying east of the eastern side of Block 241, supplemental plat to Kirkland, according to Plat as recorded in Volume 8 of Plats, Page 5, in King County, Washington.

be and the same hereby are vacated, except that the City shall retain and reserve an easement together with the right to grant easements along, over and under the vacated street for the installation, construction, repair and maintenance of public utilities and services; provided that prior to the City's installation of public utilities and services along, over and under the vacated street, the City the then Vestee of the vacated property (hereinafter called Vestee) shall enter into an agreement specifically describing and limiting the easement specifically reserved and the specific rights of the parties to use, maintain and/or relocate the easement; provided further that Vestee shall have the right to install, construct, repair and maintain along, over and under the vacated street utility lines, telephone lines, parking facilities, roadways, sidewalks, traffic signals, shrubs, trees, grassed areas and landscaping and other like amenities; and provided further that Vestee shall have the right to install, construct, repair and maintain permanent buildings with permanent foundations along, over and under the vacated street with the City's consent, such consent not to be unreasonably withheld.

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

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PASSED by majority vote of the Kirkland City Council in regular, open meeting this 19th day of August, 1985.

SIGNED in authentication thereof this 19th day of August, 1985.

ATTEST: *Loris Cooper*  
Mayor  
*Jan. Aderson*  
Director of Administration and Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:  
*[Signature]*  
City Attorney

421C/242A/NC:br

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RECD F 6.00  
CASHSL \*\*\*\*\*6.00  
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Aug 28 11 26 AM '85  
BY THE DIVISION OF  
RECORDS & ELECTIONS  
KING COUNTY

RECEIVED THIS DAY

Recorded at the request of:  
City of Kirkland  
Deputy City Clerk  
123 Fifth Avenue  
Kirkland, Wa. 98033

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