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ORDINANCE NO. 2899

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, FILE NO. VC-85-70.

WHEREAS, the Washington State Department of Transportation has requested that the City of Kirkland vacate certain right-of-ways for public use as a park-and-ride lot; and

WHEREAS, the City Council of the City of Kirkland wishes to vacate these certain right-of-ways for this use.

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:

- 1) That portion of the northerly 30 feet of N.E. 68th Street (formerly Oregon Street) easterly of 116th Avenue N.E. and westerly of the easterly line of Block 5, Cormode and Adsit's First Addition to Kirkland, per Volume 6 of Plats, page 44, records of King County, Washington, produced southerly. AND,
- 2) All that portion of N.E. 68th Street (formerly Washington Street) easterly of 116th Avenue NE.E and westerly of the easterly line of said above referenced Block 5 produced northerly. AND,
- 3) That portion of the westerly 30 feet of 117th Avenue N.E. together with northerly production thereof northerly of the southerly line of Block 4, said above referenced Plat, produced easterly and southerly of the centerline of N.E. 70th Street (formerly Lake Street). AND,
- 4) That portion of the northerly 20 feet of N.E. 70th Street (formerly Lake Street) easterly of the east line of the west 30 feet of said 117th Avenue N.E. produced northerly and southwesterly of the southwesterly right of way margin of State Aid Road No. 4 (now known as N.E. 70th Place). AND,
- 5) All that portion of N.E. 70th Street (formerly Lake Street) easterly of 116th Avenue N.E. and westerly of the easterly line of said Block 4, said above referenced Plat, produced northerly.

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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.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 3rd day of September, 1985.

SIGNED in authentication thereof this 3rd day of September, 1985.

Doris Cooper
Mayor

ATTEST:

Janice Perry Deputy City Clerk/for
Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

[Signature]
City Attorney

0425C/195A/DM:br

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

SEP 12 10 51 AM '85
BY THE DIVISION OF
RECORDS & COMMUNICATIONS
KING COUNTY

RECEIVED THIS DAY