

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY FIRST CITY INVESTMENTS, INC., FILE NO. VC-86-49.

WHEREAS, by Resolution 3302 adopted on July 21, 1986, 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. 3302 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:

That portion of Lake Washington Boulevard and SR 520 Frontage Service Road (Points Drive) in Government Lot 1, Section 20, Township 25 North, Range 5 East, W.M., King County, Washington described as follows:

Beginning at the intersection of the north line of a tract of land described in instrument recorded under Recording No. 7606040639 with a line parallel with and 40.00 feet westerly of the semitangent of the centerline of Lake Washington Boulevard; thence S00°54'45"W along said parallel line 61.24 feet to an angle point in the westerly margin of said Lake Washington Boulevard, said point being a point on a curve, the center which bears N73°02'08"W 256.48 feet; thence southerly along said westerly margin and curve to the right, thru a central angle of 02°37'30", an arc distance of 11.75 feet to the TRUE POINT OF BEGINNING; thence continuing along said curve to the right, thru a central angle of 13°38'08", an arc distance of 61.04 feet to the northerly margin of SR 520 Frontage Service Road (Points Drive); thence N51°17'25"W along said northwesterly margin 10.59 feet to an angle point in said northwesterly margin; thence S38°42'35"W along said northwesterly margin 108.41 feet to a point on a curve, the center which bears S11°14'29"E 200.00 feet; thence easterly along said curve to the right, thru a central angle of 16°07'33" an arc distance of 56.29 feet to the centerline of Lake Washington Boulevard; thence N38°42'35"E along said centerline 46.43 feet to a point of curve; thence northeasterly along said centerline and curve to the left, having a radius of 286.48 feet, thru a central angle of 2°32'14", an arc distance of 12.69 feet; thence N08°48'00"E 56.25 feet; thence N03°41'00"E 27.57 feet to the TRUE POINT OF THE BEGINNING.

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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 full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 18th day of August, 1986.

SIGNED in authentication thereof this 18th day of August, 1986.

...Loris Cooper.....
Mayor

ATTEST:

...[Signature].....
Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

...[Signature].....
City Attorney

Aug 28 11 07 AM '86
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

RECEIVED THIS DAY

3702C/281A/JW:cw

RECORDED AT THE REQUEST OF:

CITY CLERK

CITY OF KIRKLAND

123 - 5TH AVENUE

KIRKLAND, WA 98033-6189