

ORDINANCE NO. 3004

RECD F 6.00
CRSHSL *****6.00

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY PETER HENNING, FILE NO. VC-86-55.

WHEREAS, by Resolution 3305 adopted on November 3, 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. 3305 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:

The South 30.00 feet, of the Southeast quarter, of the Northeast quarter, of the Southeast quarter, of Section 29, Township 26 North, Range 5 East, W.M., King County, Washington;

TOGETHER WITH the North 30.00 feet of the Northeast quarter, of the Southeast quarter, of the Southeast quarter, of said Section 29.

AND TOGETHER WITH that portion of the South 30.00 feet, of the East half, of the Southwest quarter, of the Northeast quarter, of the Southeast quarter and that portion of the North 30.00 feet of the East half, of the Northwest quarter, of the Southeast quarter, of the Southeast quarter, of said Section 29, lying East of a line described as follows: Commencing at the intersection of the South line of the North 30.00 feet of said East half, of the Northwest quarter, of the Southeast quarter, of the Southeast quarter, with the East line thereof; thence N 89°01'57"W along said South line of the North 30.00 feet, a distance of 149.12 feet to the TRUE POINT OF BEGINNING of said described line; thence N 0°58'03"E 60.00 feet to the North line of the South 30.00 feet of said East half, of the Southwest quarter, of the Northeast quarter, of the Southeast quarter and the terminus of said described line.

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

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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 2nd day of February, 1987.

SIGNED in authentication thereof this 2nd day of February, 1987.

Loris Cooper

Mayor
DEPUTY
CLERK

ATTEST:

James D. Perry
Director of Administration and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Ray E. [Signature]
City Attorney

5340C/22A/JW:br

RECEIVED THIS DAY
JUL 23 9 47 AM '87
BY THE DIVISION OF
RECORDS & COMMUNICATIONS
KING COUNTY

RECORDED AT THE REQUEST OF:
CITY CLERK
CITY OF KIRKLAND
123 - 5TH AVENUE
KIRKLAND, WA 98033-8189