

ORDINANCE 3014

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF UNIMPROVED ALEXANDER AVENUE RIGHT-OF-WAY, FILE NO. VC-87-23.

Whereas, by Resolution R3373, adopted April 20, 1987, 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 R3373 have been satisfied; now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The portion of right-of-way of Alexander Avenue situate in Kirkland, King County, Washington and described as follows:

That portion of Alexander Avenue lying westerly of the following described line: beginning at the southeast corner of Lot 97, Block 59, Burke and Farrar's Kirkland Addition, Division 16 as recorded in Volume 20 of Plats, page 58; thence north 09°01'01" east 75.46 feet; thence north 20°12'33" east 87.74 feet; thence north 13°59'08" east 47.13 feet to a point on the margin of Alexander Avenue as per plat of Burke and Farrar's Kirkland Addition, Division 16 as recorded in Volume 20 of Plats, page 58

be and the same hereby is 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 and 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 the vestee shall have the right to install, construct, repair and maintain existing structures, if any, together with shrubs, trees, grassed areas and landscaping and other like amenities along and over the vacated street with the City's consent, such consent not to be unreasonably withheld.

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BY THE DIVISION OF RECORDS & COMMUNICATIONS KING COUNTY

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Section 2. This ordinance shall be in 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 20th day of April, 1987.

Signed in authentication thereof this 20th day of April, 1987.

Doris Cooper
MAYOR

ATTEST:

Tam J. Anderson
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Ray [initials]
City Attorney

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RECORDED AT THE REQUEST OF:
CITY CLERK
CITY OF KIRKLAND
123 - 5TH AVENUE
KIRKLAND, WA 98033-6189