

ORDINANCE NO. 3035

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY STUART McLEOD, FILE NO. VC-86-88.

WHEREAS, by Resolution 3362 adopted on March 16, 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 No. 3362 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 6th Avenue and 112th Avenue NE adjoining Lots 35, 36, 37, 38, and 39, Block 224, Supplementary Plat to Kirkland, according to the plat recorded in Volume 8 of plats, page 3, records of King County, Washington.

Said tract described as follows:

Commencing at the Southeast corner of said Block 224; thence Northerly along the East line of said Block 224 and the West margin of 112th Avenue NE, 73.94 feet, more or less, to the Southwesterly margin of the Burlington Northern Railroad right-of-way;

thence Southeasterly along said Southwesterly margin 174.82 feet, more or less, to the Northerly margin of State Route 908;

thence Northwesterly along said Northerly margin to its intersection with the East line of Block 219, in said plat;

thence Northerly along said East line and the West margin of 112th Avenue NE, 24.81 feet, more or less, to the Northeast corner of said Block 219;

thence Westerly along the North line of said Block 219 and the South margin of 6th Avenue, 99.65 feet, more or less, to its intersection with the Northerly margin of said State Route 908;

thence Northwesterly along said Northerly margin 62.49 feet, more or less, to its intersection with the Southerly projection of the West line of said Lot 35;

thence Northerly along said projection 44.90 feet, more or less, to the Southwest corner of said Lot 35;

thence Easterly along the Northerly margin of said 6th Avenue 160.29 feet, more or less, to the True Point of Beginning.

Containing 12,814 square feet, more or less.

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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 20th day of July, 1987.

SIGNED in authentication thereof this 20th day of July, 1987.

Doris Cooper

Mayor

ATTEST:

Janice Perry

City Clerk

APPROVED AS TO FORM:

Laybirt

City Attorney

7396C/342A/MH:br

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BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

RECEIVED THIS DAY

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