

ORDINANCE NO. 3045

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY COSTCO WHOLESALE CORPORATION, FILE NO. VC-86-100.

WHEREAS, by Resolution 3381 adopted on June 1, 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. 3381 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 118th Avenue N.E. lying Southerly of the South margin of N.E. 90th Street and Northerly and Easterly of the Easterly margin of Primary State Highway 1 (SR-405) situated in the Southwest quarter, Section 4, Township 25 North, Range 5 East, W.M., more particularly described as follows:

BEGINNING at the intersection of the South margin of N.E. 90th Street and a line drawn parallel with and 230 feet Southeasterly, when measured at right angles, from the "L" line of Primary State Highway 1 (SR 405), Northup Interchange to N.E. 140th Street as conveyed to the State of Washington by warranty deed recorded under Recording No. 6341890 and as relinquished to the City of Kirkland by quitclaim deed recorded under Recording No. 8006200424, said South margin also being the North line of Lot 1, Block 36, Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 14, as recorded in Volume 20 of Plats, page 14, Records of King County, Washington;

THENCE South 10° 35' 50" West, 79.54 feet along said parallel line to a point of curve;

THENCE Southwesterly, and parallel to said "L" line, along the arc of a curve to the left having a radius of 5499.58 feet, through a central angle of 00° 30' 08", and an arc length of 48.19 feet to the intersection with the North line of Lot 2, of said plat and the Northeast corner of that portion of said Lot 2 as conveyed to the State of Washington by Warranty Deed 6430505 and as relinquished to the City of Kirkland by quitclaim deed recorded under Recording No. 8006200424;

8709170740

87/09/17
RECD F
CASHSL

#0740 D
7.00
****7.00
11

THENCE continuing Southwesterly, and parallel to said "L" line, along said curve to the left, through a central angle of $00^{\circ} 59' 06''$, and an arc length of 94.53 feet, to an intersection with the West line of Block 36 of said plat;

THENCE South $03^{\circ} 13' 45''$ East, 190.80 feet along said West line to a point on a curve of that portion of Lot 4 of said plat taken in condemnation proceedings under King County Superior Court Cause No. 702465, the radius point of said curve bears South $16^{\circ} 14' 18''$ West, 45.00 feet distant;

THENCE Southeasterly along the arc of a curve to the right having a radius of 45.00 feet, through a central angle of $141^{\circ} 03' 51''$, and an arc length of 110.79 feet, to the West line of said Block 36;

THENCE South $03^{\circ} 13' 45''$ East, 51.32 feet along the West line of said Block 36 to the Easterly margin of SR 405;

THENCE North $40^{\circ} 36' 51''$ West, 83.60 feet along said easterly margin to a point of curve, the radius point of which bears North $49^{\circ} 23' 15''$ East, 45.00 feet distant;

THENCE Northwesterly along said Easterly margin along the arc of a curve to the right, having a radius of 45.00 feet, through a central angle of $37^{\circ} 22' 59''$ and an arc length of 29.36 feet;

THENCE North $03^{\circ} 13' 45''$ West 239.69 feet along said Easterly margin to a point of curve, the radius point of which bears South $80^{\circ} 53' 25''$ East, 5559.80 feet distant;

THENCE Northeasterly along said Easterly margin along the arc of a curve to the right having a radius of 5559.80 feet, through a central angle of $01^{\circ} 33' 14''$ and an arc length of 150.79 feet;

THENCE North $10^{\circ} 35' 50''$ East, 64.73 feet along said easterly margin to the intersection of said Easterly margin and the South margin of N.E. 90th Street projected Westerly;

THENCE North $86^{\circ} 43' 43''$ East, 61.80 feet along said South margin to the POINT OF BEGINNING.

Containing 32420 square feet \pm , 0.744 acre.

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

8709170740

of the parties to use, maintain and/or relocate the ease-
ment; 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 17th day of August,
1987.

SIGNED in authentication thereof this 17th day
of August, 1987.

Loris Cooper
Mayor

ATTEST:

James J. [Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney

7673C/350A/JW:np

8709170740

APPROVED

SEP 17 11 11 AM '87
BY THE DIVISION OF
RECORDS & COLLECTIONS
KING COUNTY

RECEIVED THIS DAY

Recorded at the request of:

City Clerk
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

8709170740