

ORDINANCE NO. 3046

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY THE CITY OF KIRKLAND, FILE NO. VC-87-70.

WHEREAS, by Resolution R-3401 adopted on August 3, 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. R-3401 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 westerly 10 feet of 8th Street adjacent to Block 169, Town of Kirkland, recorded in Volume 6 of Plats, page 53, records of King County, and the easterly 10 feet of 8th Street adjacent to Blocks 233 and 238, Supplementary Plat to Kirkland recorded in Volume 8 of Plats, page 5, records of King County

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.

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PASSED by majority vote of the Kirkland City Council in regular, open meeting this 8th day of September, 1987.

SIGNED in authentication thereof this 8th day of September, 1987.

Doris Cooper
Mayor

ATTEST:

Janice J. Hines
City Clerk

APPROVED AS TO FORM:

Ray E. [Signature]
City Attorney

7915C/305A/TM:cw

RECORDED AT THE REQUEST OF:

CITY CLERK
CITY OF KIRKLAND
123 - 5TH AVENUE
KIRKLAND, WA 98033-6189

SEP 23 11 05 AM '87
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

RECEIVED THIS DAY

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