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ORDINANCE NO. 3103

AN ORDINANCE OF THE CITY OF KIRKLAND, RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY WILLIAM E. LELAND, FILE NO. VC-87-44.

WHEREAS, by Resolution No. R-3397 adopted on July 6, 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-3397 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:

NE 112th Street being that portion of the north half of said NE 112th Street lying between the easterly line of 120th Avenue NE and the westerly line of SR 405, particularly:

That portion of the NE 1/4 of the NW 1/4 of Section 33T.26N.R.5E.W.M. beginning at the SW corner of said sub-division, thence S89°10'41"E 148.58'; thence N13°25'37"E 30.74"; thence N89°10'41"W 155.20'; thence S0°59'24"W 30.00' to the true point of beginning.

Said parcel contains 4,557 square feet vacation description of that portion of NE 112th Street being that portion of the S 1/2 of said NE 112th Street lying between the easterly line of 120th Avenue NE and the westerly line of SR 405. Particularly:

That portion of the SE 1/4 of the NW 1/4 of Section 33T.26N.R.5E.W.M. beginning at the NW corner of said sub-division; thence S89°10'41"E 30.00' to the true point of beginning; thence S89°10'41"E 148.58'; thence N13°25'37"W 30.74'; thence N89°10'41"W 141.96'; thence S0°59'24"E 30.00 to the true point of beginning.

Said parcel contains 4,358 square feet.

be and the same hereby are vacated, except that the City shall retain and reserve an easement 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 Vestee shall have the right

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BY THE DIVISION OF
RECORDS & COMMUNITY DEVELOPMENT

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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 21st day of June, 1988.

SIGNED in authentication thereof this 21st day of June, 1988.

Loris Cooper
Mayor

ATTEST:
Janice Perry
City Clerk

88/09/02 #0728
RECD F 6.00
CRSHSL *****6.00
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APPROVED AS TO FORM:
Gail Bond
City Attorney

Acting
PL99/TM:rk

RECEIVED THIS DAY
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BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

FILED for Record Request
City of Kirkland
123-56789
Kirkland WA 98033

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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.

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Mayor

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Janice Grey
City Clerk

APPROVED AS TO FORM:

Gail Bond
City Attorney

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PL99/TM:rk