

ORDINANCE NO. 3113

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY TRIAD ASSOCIATES FOR STEVEN W. LUSA, FILE NO. VC-88-47A.

WHEREAS, by Resolution R-3454 adopted on April 19, 1988, 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-3454 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 the South 15 feet of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 30, Township 26 North, Range 5 East, W.M., in King County, lying westerly of the northerly extension of the westerly margin of 93rd Avenue Northeast (60 feet wide).

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 2nd day of August, 1988.

SIGNED in authentication thereof this 2nd day of August, 1988.

Doris Cooper
Mayor

ATTEST:

Janice King
City Clerk

APPROVED AS TO FORM:

Ray E. [Signature]
City Attorney

PL331/NC:cw

