

ORDINANCE No. 3139

AN ORDINANCE OF THE CITY OF KIRKLAND VACATING THE STREAM EASEMENT EXTENDING ACROSS THE NORTH 20 FEET OF LOT 45 AND NORTH 30 FEET OF LOTS 33, 34, 35, 43, AND 44, PLAT OF SABLEWOOD, RECORDED IN VOLUME 137 OF PLATS, PAGES 55-58, RECORDS OF KING COUNTY, WASHINGTON (KIRKLAND FILE NO. VS-88-118)

Whereas, Petition was filed pursuant to Chapter 6 of the Kirkland Subdivision Ordinance (Ordinance 2766, as amended by Ordinance 3108), relating to the vacation/alteration of subdivisions, which Petition requested the vacation of a stream easement within the Plat of Sablewood, and

Whereas, said Petition was heard by the Kirkland Hearing Examiner during public hearing on November 17, 1988, and

Whereas, thereafter, the Hearing Examiner entered his findings, conclusions, and recommendation to the City Council, recommending, subject to certain conditions, vacation of said stream easement, and

Whereas, in regular public meeting the City Council considered the report and recommendation of the Hearing Examiner, now, therefore

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. The City Council hereby accepts and adopts the findings, conclusions, and recommendation of the Hearing Examiner filed in City of Kirkland file no. VS-88-118.

Section 2. The stream easement extending across the north 20 feet of Lot 45 and across the north 30 feet of Lots 44, 43, 35, 34, and 33 in the Plat of Sablewood, as recorded in Volume 137 of Plats, at pages 55-58, records of King County, is hereby vacated, provided, however, that said vacation shall become effective only upon the filing with the King County Department of Elections and Records of a plat partial vacation or alteration document, which document shall:

A. Show a drainage easement along the full length of the ditch located along the north property line of Lots 33, 34, 35, 43, 44, and 45 of said subdivision. The width of said drainage

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easement shall first be approved by the Kirkland Department of Public Works based upon a survey of the existing ditch to be supplied by the applicant.

B. Conform to all of the requirements of Section 6.260 of the Kirkland Subdivision Ordinance 2766 as amended by Ordinance 3108.

C. Shall be signed by all persons required to sign a plat dedication pursuant to the Kirkland Subdivision Ordinance and RCW Section 58.17.165 as identified by a current plat certificate or title report identifying ownership of Lots 33, 34, 35, 43, 44 and 45 of said subdivision as of the date of execution of said plat partial vacation or alteration document.

Section 3. This ordinance shall be in 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 13th day of December, 1988.

Signed in authentication thereof this 13th day of December, 1988.

Loris Cooper
MAYOR

ATTEST:

Jessie Kelly
City Clerk

APPROVED AS TO FORM:

Raymond
City Attorney

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