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ORDINANCE NO. 3985

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MODIFICATION OF CITY BOUNDARIES AT NE 60TH STREET AND 116TH AVENUE NE TO REMOVE KING COUNTY'S JURISDICTION IN THAT PORTION OF THE AFFECTED ROADWAY, PURSUANT TO RCW 35A.21.210

WHEREAS, on July 31, 1968, the City of Kirkland passed Ordinance 2001, enacting its "Houghton Annexation", which was located generally south of NE 68th/70th St, and extending from the lake east to 116th Ave NE, and included portions of 116th Avenue NE and NE 60th Street; and

WHEREAS, the "Houghton Annexation" and subsequent annexations in the area did not incorporate the entire width of the right-of-ways of 116th Ave NE and NE 60th Street in the area in question, leaving half-street segments of both 116th Avenue NE and NE 60th Street still within the jurisdiction of King County (see Exhibit "A"); and

WHEREAS, RCW 35A.21.210 provides a method for the City of Kirkland and King County to modify the boundary to remove King County's jurisdiction over this portion of NE 60th Street and 116th Avenue NE and to convey that jurisdiction to the City of Kirkland;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. In order to simplify jurisdictional issues as well as the ongoing maintenance of NE 60th Street and 116th Avenue NE, the City of Kirkland hereby expresses its intent to fully include the full width of NE 60th Street and 116th Avenue NE within the boundaries of the City of Kirkland. A description of that portion of NE 60th Street and 116th Avenue NE is attached and incorporated as Exhibit "B".

Section 2. The City Manager is authorized to enter into any agreements or perform any other acts necessary to complete this revision of the City's corporate boundary along NE 60th Street and 116th Avenue NE, so long as consistent with the intent of this ordinance and RCW 35A.21.210.

Section 3. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. 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 open meeting
this 1st day of February, 2005.

Signed in authentication thereof this 1st day of
February, 2005.

Mary Alice Bunker
MAYOR

Attest:

Jane [Signature]
City Clerk

Approved as to Form:

[Signature]
City Attorney

Exhibit "A"
NE 60th St & 116th Ave NE
City Limit Boundary Revision

0-3985

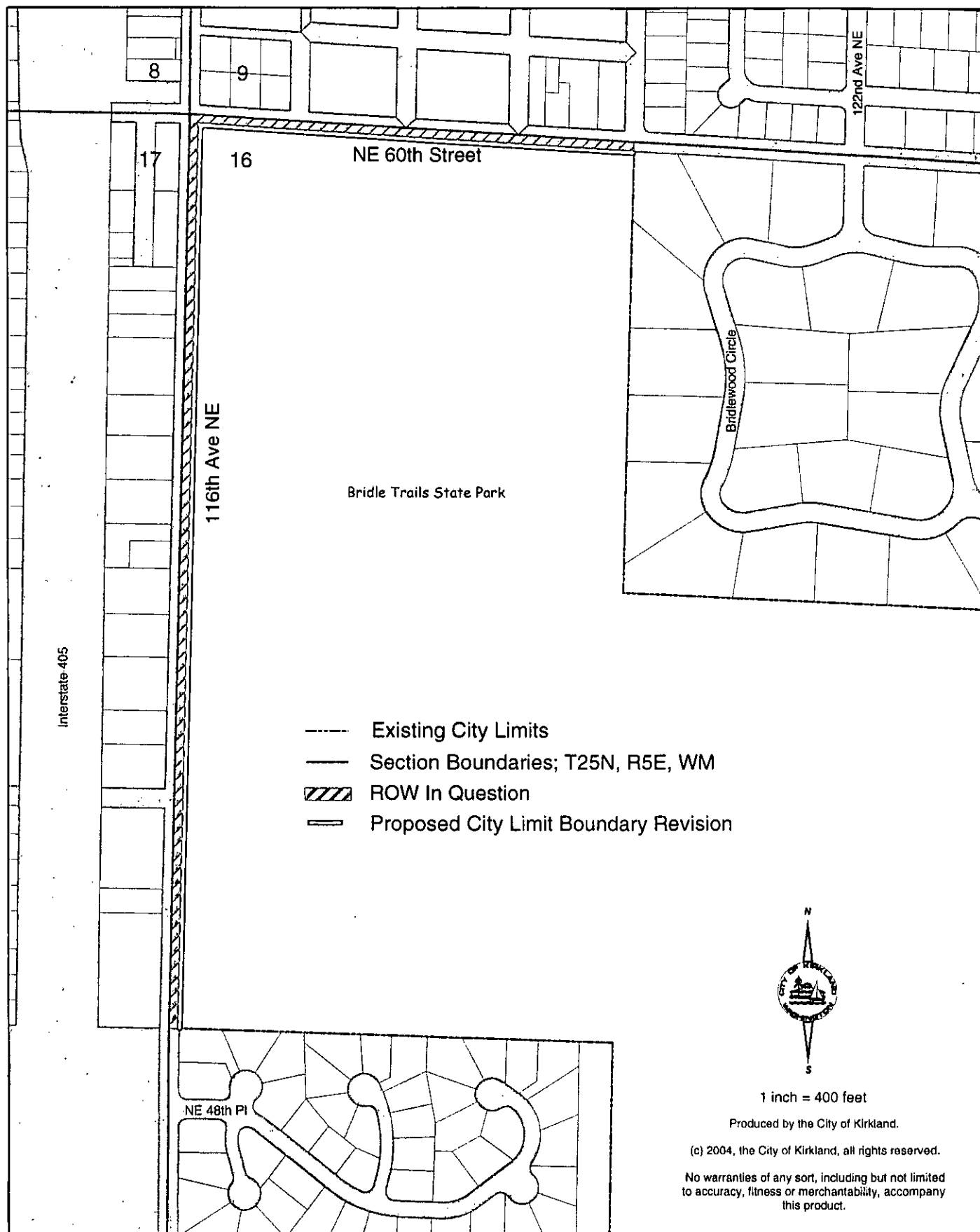


Exhibit "B"

Legal Description for 116th Ave NE/NE 60th St annexation to the City of Kirkland:

Located in the NW quarter of Section 16, Township 25 North, Range 5 East, WM, in King County, Washington.

That portion of 116th Avenue NE described as the West 30 feet of said Quarter Section;

Together with the portion of NE 60th Street described as the North 30 feet of the NW $\frac{1}{4}$ of said Quarter Section.