

RESOLUTION R-5668

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A PUBLIC UTILITY EASEMENT, IN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY ABUTTING PROPERTY OWNERS BRIAN LEE AND CATHY JUNG.

1 WHEREAS, the City has received a request to recognize that
2 any rights the City may have to the land originally dedicated in 1890 as
3 right-of-way abutting a portion of the plat of Town of Kirkland, have been
4 vacated by operation of law; and
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6 WHEREAS, under Washington State's Non-User Statute, Laws
7 of 1889, Chapter 19, Section 32, any county road that was dedicated
8 prior to March 12, 1904, and remained within County jurisdiction and
9 unopened for five years after authority was granted for opening the
10 same, was statutorily vacated by operation of law; and
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12 WHEREAS, the area that is the subject of this request was part
13 of an annexation to the City of Kirkland in 1905, with the relevant right-
14 of-way, which was dedicated in 1890, having been unopened for over
15 five years at the time of annexation and remaining unopened ever since;
16 and
17

18 WHEREAS, in consideration for the abutting property owner
19 granting a public utilities easement in the unopened right-of-way area
20 and for reimbursing the City its administrative costs for reviewing the
21 request, the City is willing to recognize the statutory vacation may have
22 occurred;
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24 NOW, THEREFORE, BE IT RESOLVED by the City Council of
25 the City of Kirkland as follows:
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27 Section 1. The City Council of the City of Kirkland hereby
28 recognizes that the following described right-of-way may have been
29 statutorily vacated by operation of law; and the City relinquishes all
30 interest, except for a public utility easement to be recorded following this
31 resolution, that the City may have in that portion of right-of-way
32 described as follows:
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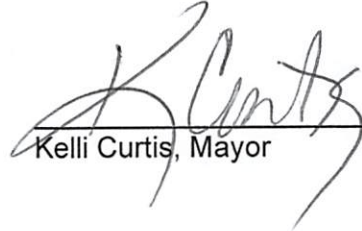
34 The westerly 8 feet of unopened alley right-of-way, or whatever portion
35 remains for recognition of possible vacation by this Resolution,
36 abutting the easterly boundary of the following described property: Lots
37 22, 23, 24, and 25, Block 20, Town of Kirkland, according to the plat
38 thereof recorded in Volume 6 of Plats, Pages 53-67, records of King
39 County, Washington.
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41 Section 2. This resolution does not affect any third party's rights
42 in the property, if any.
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Passed by majority vote of the Kirkland City Council in open meeting this 7th day of January, 2025.

Signed in authentication thereof this 7th day of January, 2025.



Kelli Curtis, Mayor

Attest:



Elizabeth Adkisson, Acting City Clerk