

RESOLUTION R- 5669

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY ABUTTING PROPERTY OWNER EVERTON HOMES LLC.

1 WHEREAS, the City has received a request to recognize that
2 any rights the City may have to the land originally dedicated in 1891 as
3 right-of-way abutting a portion of the plat of Supplementary Plat to
4 Kirkland have been vacated by operation of law; and

5
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

11
12 WHEREAS, the area that is the subject of this request was part
13 of an annexation to the City of Kirkland in 1967, with the relevant right-
14 of-way, which was dedicated in 1891, 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 reimbursing the City its administrative costs for reviewing the request,
20 the City is willing to recognize the statutory vacation may have occurred.

21
22 NOW, THEREFORE, be it resolved by the City Council of the
23 City of Kirkland as follows:

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25 Section 1. The City Council of the City of Kirkland hereby
26 recognizes that the following described right-of-way may have been
27 statutorily vacated by operation of law; and the City relinquishes all
28 interest that the City may have in that portion of right-of-way described
29 as follows:


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31 The south 8 feet of unopened alley right-of-way, or whatever
32 portion remains for recognition of possible vacation by this
33 Resolution, abutting the north boundary of the following
34 described property: Lots 25 and 26, Block 237,
35 Supplementary Plat to Kirkland, according to the plat thereof
36 recorded in Volume 8 of Plats, Page 5, records of King
37 County, Washington.

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39 Section 2. This resolution does not affect any third party's rights
40 in the property, if any.

41
42 Passed by majority vote of the Kirkland City Council in open
43 meeting this 21st day of January, 2025

44
45

Signed in authentication thereof this 21st day of January, 2025.



Kelli Curtis, Mayor

Attest:



Kathi Anderson, City Clerk