

RESOLUTION R-5677

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST, EXCEPT FOR A PUBLIC UTILITIES EASEMENT, THE CITY MAY HAVE IN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND AS REQUESTED BY ABUTTING PROPERTY OWNERS ALEX AND JACQUILINE KANG.

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

WHEREAS, under Washington State's Non-User Statute, Laws of 1889, Chapter 19, Section 32, any county road that was dedicated prior to March 12, 1904, and remained within County jurisdiction and unopened for five years after authority was granted for opening the same, was statutorily vacated by operation of law; and

WHEREAS, the area that is the subject of this request was part of an annexation to the City of Kirkland in 1967, with the relevant right-of-way having been unopened for over five years at the time of annexation and remaining unopened ever since; and

WHEREAS, in consideration for the abutting property owner granting a public utilities easement in the unopened right-of-way area and for reimbursing the City its administrative costs for reviewing the request, the City is willing to recognize the statutory vacation may have occurred.

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

Section 1. The City Council of the City of Kirkland hereby recognizes that the following described right-of-way may have been statutorily vacated by operation of law; and the City relinquishes all interest, except for a utility easement to be recorded following this resolution, that the City may have in that portion of right-of-way described as follows:

The east 35 feet of the north 8 feet of unopened alley right-of-way, or whatever portion remains for recognition of possible vacation by this Resolution, abutting the south boundary of the following described property:

Lot 1 of City of Kirkland short plat number SPL06-00014, according to the short plat recorded under recording number 20070830900003, records of King County, Washington.

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

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of April, 2025.

Signed in authentication thereof this 15th day of April, 2025.


Kelli Curtis, Mayor

Attest:


Elizabeth Adkisson, Acting City Clerk