

RESOLUTION R-5691

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE A BOUNDARY LINE AGREEMENT BETWEEN THE CITY OF KIRKLAND AND THE CITY OF BELLEVUE, PURSUANT TO RCW 35.13.310, TO ADJUST THE COMMON BOUNDARY LINE BETWEEN BELLEVUE AND KIRKLAND WITHIN THE PUBLIC RIGHT-OF-WAY AT THE INTERSECTION OF NE 38TH PLACE AND 108TH AVENUE NE.

1 WHEREAS, RCW 35.13.310 provides a method to adjust the boundary lines between
2 two cities where the two cities share a common boundary within the right-of-way of a public
3 street, road, or highway; and
4

5 WHEREAS, to adjust the boundary lines in accordance with RCW 35.13.310, the
6 legislative bodies can approve an agreement creating a new boundary on either edge of the
7 right-of-way; and
8

9 WHEREAS, a boundary line adjustment under RCW 35.13.310 is not subject to the
10 State Environmental Policy Act or review by the King County Review Board; and
11

12 WHEREAS, at the intersection of NE 38th Place and 108th Avenue NE, the common
13 boundary line between the cities of Bellevue and Kirkland presently proceeds into the middle
14 of 108th Ave NE; and
15

16 WHEREAS, Bellevue currently maintains all elements of the intersection of NE 38th
17 Place and 108th Avenue NE, including the traffic signals and other infrastructure; and
18

19 WHEREAS, a boundary line adjustment placing the entirety of the intersection within
20 the City of Bellevue will provide for clear jurisdictional boundaries.
21

22 NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as
23 follows:
24

25 Section 1. The City Manager, or designee, is hereby authorized and directed to
26 execute a boundary line agreement between the City of Kirkland and the City of Bellevue, in
27 accordance with RCW 35.13.310, to adjust the common boundary line between the cities
28 within the public right-of-way at the intersection of NE 38th Place and 108th Avenue NE, in
29 substantially the same form as that provided as Attachment A.
30

31 Section 2. The City Manager is hereby authorized to take all necessary administrative
32 acts to finalize the boundary line adjustment authorized herein.
33

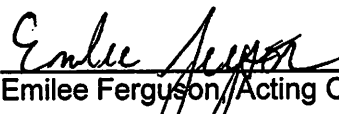
34 Passed by majority vote of the Kirkland City Council in open meeting this 15 day of July, 2025.
35

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



Kelli Curtis, Mayor

Attest:



Emilee Ferguson, Acting City Clerk

**BOUNDARY LINE AGREEMENT
REVISING THE MUNICIPAL BOUNDARY OF THE CITIES OF BELLEVUE AND KIRKLAND
WITHIN THE PUBLIC RIGHT-OF-WAY OF 108th AVE NE AND NE 38th PLACE**

THIS AGREEMENT is made and entered into this day by and between the City of Bellevue (hereinafter "Bellevue") and the City of Kirkland (hereinafter "Kirkland"), both municipal corporations in the State of Washington.

WHEREAS, RCW 35.13.310(1) provides a method to adjust the boundary lines between two cities where said cities share a common boundary within a right-of-way of a public street, road, or highway; and

WHEREAS, the councils of any two cities in a situation described in RCW 35.13.310(1) may enter into an agreement to alter those portions of their boundaries that are necessary to eliminate this situation; and

WHEREAS, the jurisdictional boundary between the cities of Kirkland and Bellevue located generally around the intersection of NE 38th Place and 108th Avenue NE, as further depicted and legally described in Exhibits A and B hereto, has created a situation subject to an adjustment through RCW 35.13.310; and

WHEREAS, a municipal boundary adjustment under RCW 35.13.310 is not subject to the requirements of the State Environmental Policy Act, pursuant to RCW 43.21C.222; and

WHEREAS, a municipal boundary adjustment under RCW 35.13.310 is not subject to potential review by the Boundary Review Board for King County; and

WHEREAS, this agreement is authorized by RCW 35.13.310, and the city councils of both Kirkland and Bellevue have, by resolution, authorized their respective city managers to execute this agreement.

NOW, THEREFORE, in consideration of the terms and provisions herein, it is agreed by and between Bellevue and Kirkland as follows:

1. The municipal boundary between the cities of Bellevue and Kirkland shall be adjusted so as to create a common boundary at the edge of the right-of-way of the public street described and depicted in Exhibit A and Exhibit B, so that the entirety of 108th Avenue NE at its intersection with NE 38th Place shall be located within the city of Bellevue's corporate limits.

IN WITNESS THEREOF, the parties have caused this agreement to be executed.

City of Bellevue	City of Kirkland
Diane Carlson, City Manager Date	Julie Underwood, Deputy City Manager Date
Approved as to Form:	Approved as to Form:
Brian Wendt, Assistant City Attorney	Darcey Eilers, City Attorney

EXHIBIT A

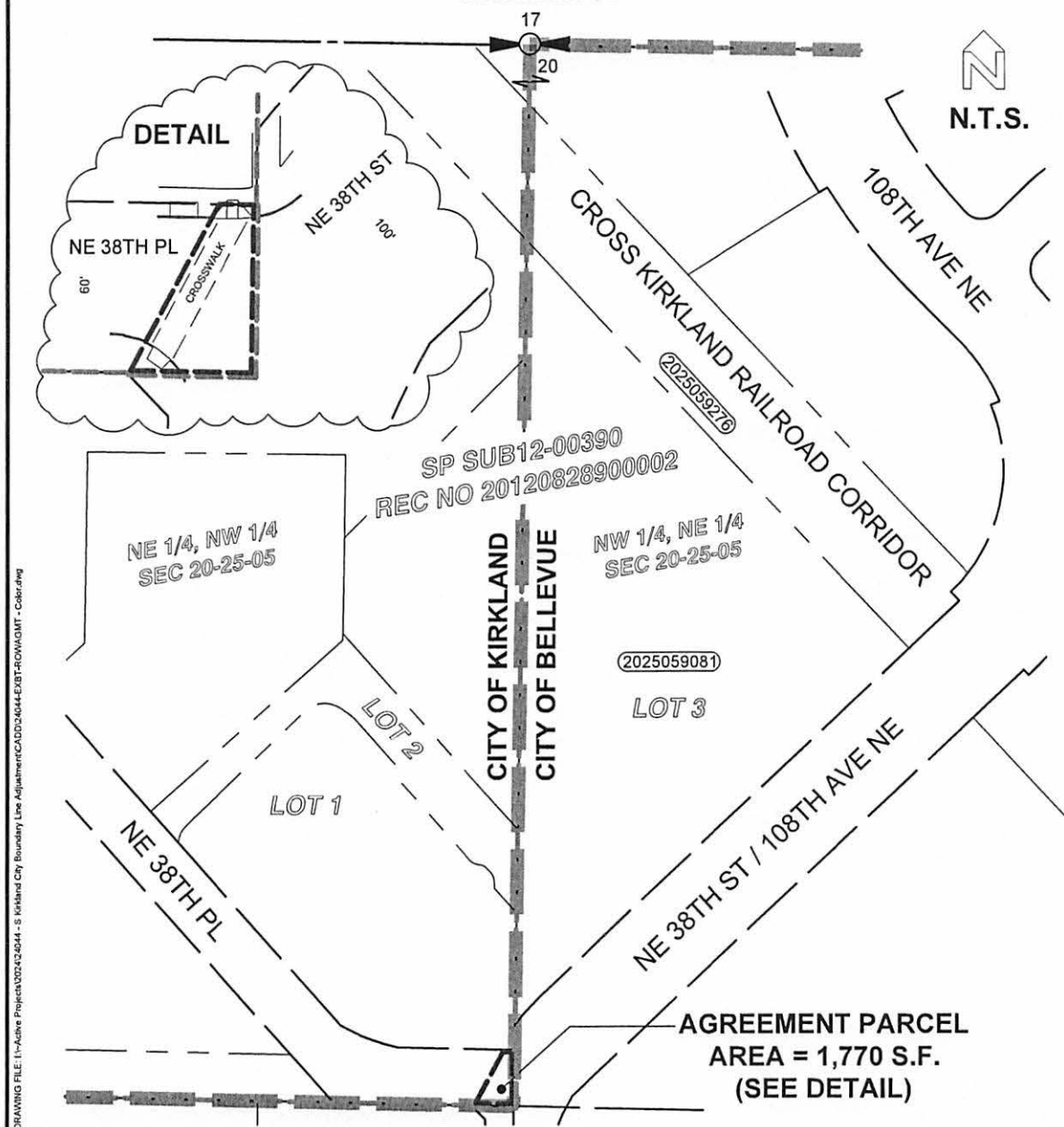


EXHIBIT - AGREEMENT 108TH AVE NE / NE 38TH PL NE 1/4, NW 1/4 S20-T25N-R05E, W.M.

DATE: 11/13/24

DRAWN BY: DVOGT

PROJECT: 24044



Land Survey Division
Finance & Asset Management



EXHIBIT B

**CITY OF KIRLAND TRANSFER to CITY OF BELLEVUE
A PORTION of the INTX of NE 38TH PL and 108TH AVE NE**

That portion of the Northeast Quarter of the Northwest Quarter of Section 20, Township 25 North, Range 5 East, W.M., described as follows:

Commencing at the Northeast Corner of said subdivision;

Thence southerly, along the east line of said subdivision and west line of Village Park Condominium, volume 42, pages 64-68, of Condominiums, records of King County, Washington, to the northerly margin of the City of Kirkland Railroad Corridor, formerly the Northern Pacific Railroad Belt Line;

Thence southeasterly, along said northerly margin, to the northwesterly margin of NE 38th St and 108th Ave NE;

Thence southwesterly, along said margin, to the east line of aforesaid Northwest Quarter of Section 20;

Thence southerly, along said east line, to the northerly margin of NE 38th Pl, and the Point of Beginning;

Thence continuing southerly, along said east line, to the southeast corner of aforesaid Northeast Quarter of the Northwest Quarter of Section 20;

Thence westerly, along the south line of said subdivision, approximately 45', to an angle point along the southerly margin of NE 38th Pl; Thence northeasterly to a point on the northerly right of way margin of NE 38th Pl being 14' westerly of the point of beginning; Thence easterly along said northerly margin to the Point of Beginning.

Containing 1,770 square feet, more or less.

APPROVED By DVogt on 12/02/2024

