

RESOLUTION R-5742

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 RIGHTS-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY ABUTTING PROPERTY OWNER MRU CONSTRUCTION LLC.

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

5 WHEREAS, under Washington State's Non-User Statute, Laws of 1889, Chapter 19,
6 Section 32, any county road that was dedicated prior to March 12, 1904, and remained within
7 County jurisdiction and unopened for five years after authority was granted for opening the
8 same, was statutorily vacated by operation of law; and
9

10 WHEREAS, the subject of this request involves two unopened rights-of-way abutting
11 currently vacant property identified as King County Assessor's Parcel Numbers 398270-0380
12 and 398270-0385, namely an unopened alley right-of-way abutting the north boundary of the
13 parcels and an unopened portion of 16th Avenue, which was originally platted as Harrison
14 Avenue; and
15

16 WHEREAS, the area that is the subject of this request was part of an annexation to the
17 City of Kirkland in 1947, with the relevant rights-of-way, which were dedicated in 1891, having
18 been unopened for over five years at the time of annexation and remaining unopened ever
19 since; and
20

21 WHEREAS, in consideration for the abutting property owner granting a public utilities
22 easement in the unopened rights-of-way areas and for reimbursing the City its administrative
23 costs for reviewing the request, the City is willing to recognize the statutory vacation may have
24 occurred; and
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26 WHEREAS, the west 20 feet of the unopened 16th Avenue right-of-way is not
27 acknowledged in this resolution, as that area will be improved as part of any frontage
28 improvements constructed as part of any future development of the parcels.
29

30 NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as
31 follows:
32

33 Section 1. The City Council of the City of Kirkland hereby recognizes that the following
34 described rights-of-way may have been statutorily vacated by operation of law; and the City
35 relinquishes all interest, except for a public utility easement to be recorded following this
36 Resolution, that the City may have in those portions of rights-of-way described as follows:
37

38 The south 8 feet, or whatever portion remains for recognition of possible vacation, of
39 the unopened alley right-of-way abutting the north boundary of the following
40 described property:
41

42 Lots 33 through 46, inclusive, Block 5, Lake Avenue Addition to Kirkland,
43 according to the plat thereof, recorded in Volume 6 of Plats, page 86, in King
44 County, Washington; together with Lot 47 and that portion of Lot 48 lying
45 westerly of the Northern Pacific Railroad right-of-way, Block 5, Lake Avenue

46 Addition to Kirkland, according to the plat thereof, recorded in Volume 6 of Plats,
47 page 86, in King County, Washington.
48

49 Section 2. The City Council of the City of Kirkland hereby recognizes that the following
50 described rights-of-way may have been statutorily vacated by operation of law; and the City
51 relinquishes all interest, except for a public utility easement to be recorded following this
52 Resolution, that the City may have in those portions of rights-of-way described as follows:
53

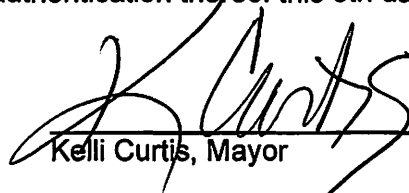
54 The north 30 feet, or whatever portion remains for recognition of possible vacation, of
55 the unopened 16th Avenue right-of-way abutting the south boundary of the following
56 described property, EXCEPT the west 20 feet of said unopened 16th Avenue right-of-
57 way:
58

59 Lots 33 through 46, inclusive, Block 5, Lake Avenue Addition to Kirkland,
60 according to the plat thereof, recorded in Volume 6 of Plats, page 86, in King
61 County, Washington; together with Lot 47 and that portion of Lot 48 lying
62 westerly of the Northern Pacific Railroad right-of-way, Block 5, Lake Avenue
63 Addition to Kirkland, according to the plat thereof, recorded in Volume 6 of Plats,
64 page 86, in King County, Washington.
65

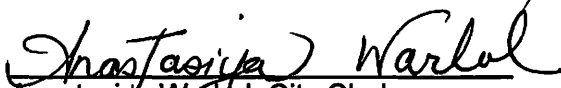
66 Section 3. This resolution does not affect any third party's rights in the property, if any.
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68 Passed by majority vote of the Kirkland City Council in open meeting this 5th day of
69 August, 2026.
70

71 Signed in authentication thereof this 5th day of August, 2026.


Kelli Curtis, Mayor

Attest:


Anastasiya Warhol, City Clerk