

RESOLUTION NO. 2250

A RESOLUTION OF THE KIRKLAND CITY COUNCIL DECLINING TO ACCEPT AT THE PRESENT TIME AN ATTEMPTED CONVEYANCE AND STREET DEDICATION OF PROPERTY DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER KING COUNTY AUDITOR'S RECEIVING NO. 7404030393 WITHOUT PREJUDICE, HOWEVER, TO REQUIRE SUCH STREET DEDICATION AT SUCH TIME IN THE FUTURE AS MAY BE REQUIRED BY SECTION 2.10.3 OF KIRKLAND ORDINANCE NO. 2178 RELATING TO PLATTING AND SUBDIVISIONS.

WHEREAS, John H. Ewing and Augusta Ewing, his wife, as owners of the property therein described did sign and acknowledge on April 2, 1974, and thereafter record on April 3, 1974, under King County Auditor's Receiving No. 7404030393 a quit claim deed to the City of Kirkland purporting to convey for street dedication to the City of Kirkland the north 20 feet of the property described in said quit claim deed, and

WHEREAS, said attempt to convey and dedicate was done on their own initiative and without any request, demand or other action by the City of Kirkland, and

WHEREAS, the existing street and traffic circulation plans of the City of Kirkland neither require nor contemplate the future necessity of the opening or improving of any street or public right of way which would require the acquisition of the north 20 feet of the Ewing property for additional right of way, and

WHEREAS, acquisition by the City of said portion of the Ewing property would be necessary and required for street purposes solely in conjunction with the platting or subdividing of the entire Ewing parcel described in said quit claim deed pursuant to the provisions of Section 2.10.3 of Kirkland Ordinance No. 2178, the platting and subdivision ordinance, and

WHEREAS, Ordinance No. 2178 would require the dedication of said portion of the Ewing property for public street as a part of any plat or subdivision of the total Ewing property, at which time the cost of improving said public right of way to City of Kirkland street standards would pursuant to Ordinance No. 2178 be a cost to be borne solely by the subdivider, and

WHEREAS, pursuant to the operation of RCW 35.50.005, 35.50.010 and 35.44.410, conveyance to the City of Kirkland, whether accepted by said City or not, or the property described in said quit claim deed would not result in reducing the total local improvement district No. 113 sewer assessment against the remaining portion of the Ewing property, being Assessment Parcel No. 5, on the preliminary assessment roll for said ULID, and

Recording No. 7406140457
Recorded June 14, 1974

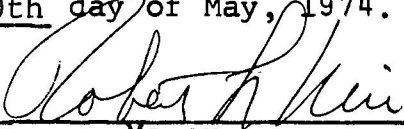
WHEREAS, the City Council finds that there is no present public benefit or purpose to be served by the acceptance of the purported conveyance and street dedication,

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


Section 1. The conveyance and street dedication of the real property described in that certain quit claim deed signed by John H. Ewing and Augusta Ewing, his wife, dated March 28, 1974 and recorded in King County Office of Records and Elections under Receiving No. 7404030393 on April 3, 1974, is not accepted by the City of Kirkland and is hereby refused. The refusal to accept such conveyance and dedication at this time is without prejudice, however, to any future requirement for dedication and improvement thereof as may be required pursuant to the provisions of the Kirkland Platting and Subdivision Ordinance No. 2178, or any succeeding ordinance relating to platting or subdivision requirements at such time as the total Ewing parcel was described in said quit claim deed may be platted or subdivided.

Section 2. A certified copy of this resolution shall be recorded in the Office of the Director of Records and Elections, King County, Washington, and a certified copy shall be delivered to John H. Ewing and Augusta Ewing, his wife.

ADOPTED by majority vote of the Kirkland City Council in regular meeting on the 20th day of May, 1974.



Mayor

Attest:


Director of Administration & Finance
(ex officio City Clerk)

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Dir. of Records & Elections
King County, Washington
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