

RESOLUTION NO R- 2645

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND FINDING CERTAIN REAL PROPERTY ACQUIRED BY THE CITY AT THE TIME OF PURCHASING NEW RIGHT OF WAY FOR STREET IMPROVEMENTS UNDER LOCAL IMPROVEMENT DISTRICT 115 TO BE SURPLUS TO SAID RIGHT OF WAY REQUIREMENTS, AND FURTHER, TO BE SURPLUS TO THE CITY'S FORESEEABLE NEEDS AND AUTHORIZING SALE THEREOF.

WHEREAS, during the course of the purchasing of required right of way for the new frontage road ordered to be constructed under Local Improvement District No. 115, it became necessary for the city to purchase from one owner his entire parcel of real property which included approximately 2,825 square feet abutting upon but outside of the new frontage road right of way; and

WHEREAS, the City Council of the City of Kirkland finds that said 2,825 square feet of triangular shaped property is not only surplus to the right of way needs of the new frontage road, but is further surplus to the foreseeable needs of the City of Kirkland, and that it is in the best interests of the City of Kirkland and its general public that said real property be sold; and

WHEREAS, the owner of property contiguous to said triangle has requested the opportunity to purchase said triangle; and

WHEREAS, the City may sale said property at either public auction, on seal bid or by direct negotiation, but must sell at fair market value and reimburse Local Improvement District No. 115 for not less than the amount paid for said triangle;

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

Section 1. The real property described in Exhibit A to this Resolution, and by this reference incorporated herein, being that certain 2,825 square feet of real property acquired as part of a larger parcel for right of way for the new frontage road constructed under Local Improvement District No. 115, is declared to be surplus to the right of way requirements of said frontage road and to the City's foreseeable needs and sale of said real property is authorized.

Section 2. The City Manager is hereby authorized and directed to determine by appraisal or otherwise, the fair market value of said real property described in Exhibit A, and to thereafter seek offers to purchase said real property. Such offers shall be in an amount not less than the fair market value, may be obtained by the City Manager on

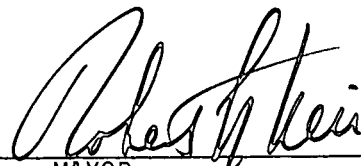
either a sealed bid or direct negotiation basis, and upon receipt, shall be submitted to the City Council for their consideration, rejection or acceptance.

Section 3. Following receipt by the City Manager of all such offers as may be submitted, their consideration by the City Council and acceptance of the offer which in the City Council's sole discretion is most advantageous to the City of Kirkland, the City Manager and the Mayor are authorized and directed to sign such purchase and sale agreements, documents and deeds, as may then be necessary and required to accomplish sale and conveyance of the real property described in Exhibit A to the successful offeror in accordance with the invitation to submit offers issued by the City of Kirkland and the offer proposal accepted.

Section 4. At such time as the real property described in Exhibit A may be sold and the purchase price received by the City, the Director of Administration and Finance is hereby directed to reimburse to Local Improvement District No. 115 the sum of \$9,322.50, being the cost of acquisition of said real property and the balance, if any, of said purchase price shall be deposited into the Municipal Building Reserve Fund established by the Director of Administration and Finance, provided, however, that the City Council reserves the right to at the time of acceptance of any offers received for purchase of said real property, to direct that the entire purchase price be reimbursed to Local Improvement District No. 115.

PASSED by majority vote of the Kirkland City Council in regular open meeting on the 20th day of August, 1979.

SIGNED IN AUTHENTICATION thereof on the 20th day of August, 1979.


MAYOR

ATTEST:

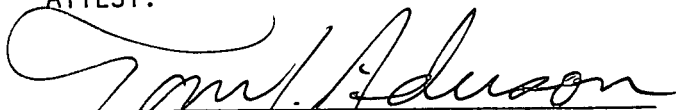

Director of Administration & Finance
(ex officio City Clerk)

EXHIBIT "A"

Resolution R-2645

LEGAL DESCRIPTION:

That portion of the Northwest quarter of the Southwest quarter of Section 28, Township 26 North, Range 5 East, W.M., King County, Washington, described as follows:

Beginning at a point 730 feet Westerly, when measured at right angles from the L-Line Survey of P.H.S. #1 (SR 405), Northrup Interchange to N.E. 140th Street, at Highway Engineers Station 684+00; thence S 58-15-28 E 39.37 feet to the Northeasterly right-of-way of 120th Ave. N.E. extension, as described in Deed recorded under Auditor's File No. 7805190771; thence S 46-10-31 E 157.96 feet to a point 700 feet Westerly when measured at right angles to Said L-Line Survey, at Highway Engineers Station 682+50; thence N 31-44-33 W 152.97 feet to the Point of Beginning.