

RESOLUTION NO. R- 2647

A RESOLUTION OF THE CITY OF KIRKLAND AND NOTICE OF HEARING FOR THE VACATION OF THAT CERTAIN EASEMENT FOR SIDEWALKS, SANITARY SEWER AND CONSTRUCTION AND MAINTENANCE AS WELL AS CERTAIN RESTRICTIONS, NOTATIONS AND DEDICATIONS THAT WERE LISTED ON PAGES 9, 10 AND 11 OF VOLUME 110 OF PLATS, RECORDS OF KING COUNTY AND WHICH DESCRIBE THE PLAT OF TOTEM LAKE SOUTH WITHIN SECTION 28, TOWNSHIP 26, NORTH RANGE 5, E.W.M.

WHEREAS, by Resolution 2529 the City of Kirkland did heretofore approve the final plat of Totem Lake South which included certain easements, dedications, notations and restrictions, and;

WHEREAS, by Ordinance No. 2463, the City of Kirkland did heretofore vacate the street hereinafter described while not explicitly reserving or vacating certain easement rights, and

WHEREAS, a petition has now been filed by the fee owner of said plat and vacated street requesting the further vacation of any retained and reserved easement as well as certain restrictions, notations and dedications of the plat of Totem Lake South, and

WHEREAS, it appears that the public interest of the City of Kirkland would be served by the vacation of said retained easements, restrictions, notations and dedications;

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

Section 1. A public hearing shall be held to consider whether the public interest and general welfare of the City of Kirkland will be served by vacation of the following:

a. Those easement rights for sidewalks, sanitary sewer and construction and maintenance which had attached to that portion of Totem Lake Way in Section 28, Township 26 North, Range 5 East, W.M. with common frontage on Lots 1 through 5 and Tracts A and B of the plat of Totem Lake South recorded in Volume 110 of Plats, pages 9 through 11, Records of King County.

b. The notation "privately owned" which appears within Tract B as drawn on Page 9 of Volume 110 of Plats, Records of King County, Washington.


c. The restriction, "Restrictions - No lot or portion of a lot in this plat shall be divided and sold or resold or ownership changed or transferred whereby the ownership of any portion of this plat shall be less than the area required for the use district in which located", which appears on Page 10 of Volume 110 of Plats, Records of King County, Washington.

d. The second of two "Dedications" which appears on Page 11 of Volume 110 of Plats, Records of King County, Washington.

Section 2. Notice of Public Hearing: Said public hearing shall be held before the Kirkland City Council in the Kirkland City Council Building at the City Hall, 210 Main Street, Kirkland, Washington on the 4th day of September, 1979, at 8:00 p.m.

PASSED by the Kirkland City Council in regular meeting on the 6th day of August, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 6th day of August, 1979.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)