

RESOLUTION NO. R -2829

A RESOLUTION OF THE KIRKLAND CITY COUNCIL APPROVING GRANT OF AN EASEMENT BY THE CITY OF KIRKLAND TO THE MATRIX COMPANY FOR INGRESS AND EGRESS TO PROPERTY LOCATED AT APPROXIMATELY 100 CENTRAL WAY OVER AND ACROSS A PORTION OF CITY OWNED REAL PROPERTY COMMONLY REFERRED TO AS THE LAKE PLAZA PARKING LOT AND AUTHORIZING AND DIRECTING THE MAYOR TO SIGN SUCH EASEMENT DOCUMENT ON BEHALF OF THE CITY OF KIRKLAND.

WHEREAS, the Matrix Company, as owner of real property within the City of Kirkland located at approximately the 100 block of Central Way has requested from the City of Kirkland an easement for vehicular and pedestrian ingress and egress over a portion of City owned real property commonly referred to as the Lake Plaza Parking Lot; and

WHEREAS, the Department of Community Development has, by written report, recommended to the City Council that such ingress and egress easement, as substantially set forth in Attachment "A" to this Resolution, be conveyed to the Matrix Company; and

WHEREAS, the City Council finds that the granting of such ingress and egress easement in exchange for the establishment of a new retail use at the Lake Plaza level and the improvements as recommended by the Department of Community Development, is in the public interest, and is consistent with the Kirkland Central Business District Master Plan, now, therefore, be it

RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Mayor is hereby authorized and directed to sign on behalf of the City of Kirkland, as grantor, that certain easement for ingress and egress attached to the original of this Resolution as Attachment "A" and by this reference incorporated herein as though fully set forth.

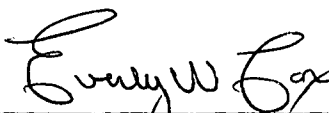
Section 2. Delivery of the executed easement is further conditioned by:

1. The improvements to be made by the grantee within the easement to be recorded shall correspond with the location and dimension shown in Attachment "B". The surface material (asphalt, concrete or other hard surfaces) shall be determined by the Director of Public Services.
2. The grantee shall also restripe the parking stalls within the Lake Plaza Parking Lot as shown in Attachment "B".

3. A landscaping plan shall be submitted by the grantee for review and approval by the Parks Department. The plan shall indicate a tree to be planted in the empty tree pit immediately east of the proposed driveway. It shall also show vegetation or other landscaping treatment in the planter island referenced below at 4.v. The approved materials shall be installed concurrent with the improvements cited in paragraph 1 of this Section.
4. The applicant shall install several safety features and so note these on any building permit application:
 - i. A speed bump at the entrance to the understructure parking as shown in Attachment "B".
 - ii. A sign indicating "No Right Turn" to be posted in a location designated by the Director of the Department of Public Services.
 - iii. New concrete or similar paver surfaces astride the walking and driving areas as shown in Attachment "B", the purpose being to alert pedestrians to the potential vehicular movements.
 - iv. A new one-way (eastbound) arrow to be painted on the main driving lane in Lake Plaza Parking lot adjacent to the proposed driveway.
 - v. An extruded curb projecting into the Lake Plaza Parking Lot south and west of the proposed driveway, the purpose of said curb being the creation of a planter island and the channelization of outbound traffic so as to encourage legal eastbound movement upon exiting the subject property.
5. Office uses shall not be permitted at the Lake Plaza level.


PASSED BY MAJORITY VOTE of the Kirkland City Council in regular open meeting on the 1st day of June, 1981.

SIGNED IN AUTHENTICATION thereof on the 1st day of June, 1981.



MAYOR pro tem

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



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EASEMENT

THIS AGREEMENT is entered into by the City of Kirkland (referred to in this document as the grantor) and by the Matrix Company, a Washington corporation, the owner of the property described in paragraph 4 below.

WITNESS

1. Grant of Easement. For and in consideration of valuable benefits the receipt whereof is hereby acknowledged, Grantor grants and conveys an easement for the purpose described in paragraph 3 across the property described in paragraph 2.

2. Legal Description of Easement. The property subject to the easement is located in King County, State of Washington, in City of Kirkland. The easement is described as follows:

Beginning in the southeast quarter of Section 6, Township 25, Range 5, E.W.M. at a point 111.31 feet south 84°18'45" east of the intersection of the easterly margin of Market Street and the southerly margin of Central Way within the City of Kirkland. Thence south 30°13'45" west 100 feet. Thence north 77°51'15" east 119.5 feet more or less to the true point of beginning. Thence south 12°08'45" east a distance of 33 feet; thence North 77°51'15" east a distance of 15 feet; thence North 12°08'45" west a distance of 33 feet; thence south 77°08'15" west a distance of 15 feet to the true point of beginning.

3. Purpose of Easement. The easement is for pedestrian and vehicular ingress and egress.

4. Property Served. The easement is for the benefit of the following described real estate, situated in the County of King State of Washington:

Tax Lots 27 and 29 of the southeast quarter of Section 6, Township 25, Range 4, E.W.M.

5. Covenants Running With the Land. The covenants contained in this easement run with the land described in this easement and are for the benefit of the present owners of the land described in paragraph 4 and their grantees, heirs, assigns and successors. The owners of property described in paragraph 4 for themselves, their grantees, heirs, assigns and successors agree to maintain that portion of the easement area used for vehicular ingress and egress and also to the condition on use as worded at paragraph 5 of Section 4 of Resolution R-2829.

6. Reservations by Grantor. The easement described in this document is non-exclusive.

THE MATRIX COMPANY, a
Washington corporation

GRANTOR:
CITY OF KIRKLAND

By: _____

By: _____
Its Authorized Officer

R-2829

ATTACHMENT "A"

FLAME RESTAURANT

MING PALACE

SPEED BUMP

ROLLING CURB

PAVED

EXISTING SIDEWALK

BOLLARDS
PROP. LINE MARKER

5'-0"

3'-0"

3'-0"

12'-0"

9'-6"

9'-6"

9'-6"

EXISTING STRIPING

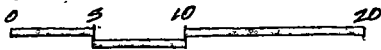
PROPOSED NEW STRIPING

LAKE PLAZA PARKING LOT

NORTH

GARAGE EASEMENT DIAGRAM

SCALE



19 MAY 81

PROP. LINE CORNER

15'-0"

EASEMENT WIDTH

EXISTING STRIPING

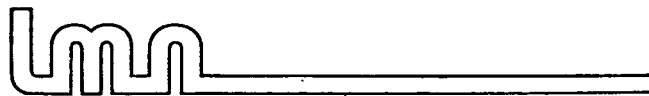
10'-6"

10'-6"

10'-6"

ATTACHMENT "B"
R-2829

Lake Plaza Office Building



LOSCHKY MARQUARDT & NESHOLM

Architecture · Interiors · Planning

1509 Western Ave., Seattle, Wa. 98101

206 682-3460