

RESOLUTION NO. R-2883

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 previously 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 City Council on June 1, 1981 adopted Resolution 2829 approving this request subject to a number of conditions; and

WHEREAS, the Matrix Company has subsequently requested a modification of the conditions imposed upon the granting of said easement; and

WHEREAS, the Department of Community Development has, by written report, recommended to the City Council that such modifications be approved and that the 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 pedestrian 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", except as provided for in Paragraph 5 below. The surface material (asphalt, concrete or other hard surfaces) shall be determined by the Director of Public Services.

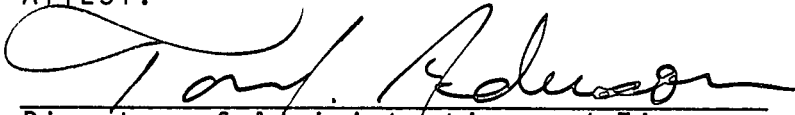
2. The grantee shall also re-stripe the parking stalls within the Lake Plaza Parking Lot as shown in Attachment "B", except as provided for in Paragraph 5 below.
3. A landscaping plan shall be submitted by the grantee for review and approval by the Parks Department. The plan shall indicate a tree to 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.e. 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:
 - a. A speed bump at the entrance to the understructure parking.
 - b. A sign indicating "NO RIGHT TURN" to be posted in a location designated by the Director of the Department of Public Services.
 - c. New concrete or similar paved surfaces astride the walking and driving areas, the purpose being to alert pedestrians to the potential vehicular movements.
 - d. A new one-way (eastbound) arrow to be painted on the main driving lane in Lake Plaza Parking Lot adjacent to the proposed driveway.
 - e. 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. The location and dimension of the improvements specified in Paragraphs 1 through 4 above shall correspond to Attachment "B", except that the Director of Public Services shall have the administrative authority to modify these specifics in order to correspond to the ultimate location of the easement described in Attachment "A".
6. Office uses shall not be permitted in the Lake Plaza level.
7. The Director of the Public Services Department is authorized to review and approve amendments to Section 2 of Attachment "A" prior to signature by the Mayor in the event that the ultimate location of said easement is deemed to more appropriately be easterly of the location shown in Attachment "B".

PASSED BY MAJORITY VOTE of the Kirkland City Council in regular open meeting on the 7th day of December, 1981.

SIGNED IN AUTHENTICATION THEREOF on the 7th day of December, 1981.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

8509A

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.

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-2883

ATTACHMENT "A"

FLAME RESTAURANT

SPEED BUMP

ROLLING GRILL

PAVERS

EXISTING SIDEWALK

BOLLARDS
PROP. LINE MARKER

5'-0"

12'-0"

3'-0"

3'-0"

9'-6"

9'-6"

9'-6"

EXISTING STRIPING

PROPOSED NEW STRIPING

LAKE PLAZA PARKING LOT



GARAGE EASEMENT DIAGRAM

19MAY81

SCALE



PROP. LINE CORNER

EXISTING STRIPING

10'-6"

10'-6"

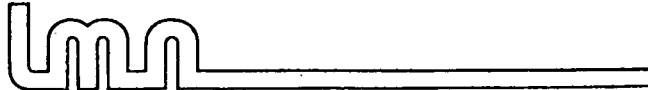
10'-6"

3'-6"

15'-0"

EASEMENT WIDTH

Lake Plaza Office Building



LOSCHKY MARQUARDT & NESHOLM

Architecture · Interiors · Planning

1509 Western Ave., Seattle, Wa. 98101

206 682-3460

ATTACHMENT "B"

R-2883