

RESOLUTION R 3068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AMENDING SECTION 2 OF RESOLUTION R-3059, ADOPTED NOVEMBER 7, 1983 RELATING TO THE INTENT OF THE CITY TO VACATE A PORTION OF THE SOUTH HALF OF FIFTH AVENUE WITHIN PLANNED AREA 5, SUBJECT TO CERTAIN CONDITIONS.

Whereas, on November 7, 1983, the City Council adopted Resolution R-3059 entitled "A Resolution of the City Council of the City of Kirkland expressing an intent to vacate a portion of the south half of Fifth Avenue (North-east 85th Street) lying with Planned Area 5 and extending along the north line of Lots 1 through 6 of Marshall's Addition according to plat thereof, records of King County, City of Kirkland file No. CC-83-72"; and

Whereas, in said resolution the City Council established certain conditions precedent to the actual vacation of said right-of-way, including a condition requiring the exchange and conveyance of real properties within 90 days of the date of adoption of said resolution; and

Whereas, all parties including the City of Kirkland believe that said conditions cannot be met within the time required and that an extension of an additional 90 days to fully perform said conditions would be appropriate and within the public interest, now, therefore,

Be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Section 2 of Resolution R-3059, adopted November 7, 1983, be and it hereby is amended to read as follows:

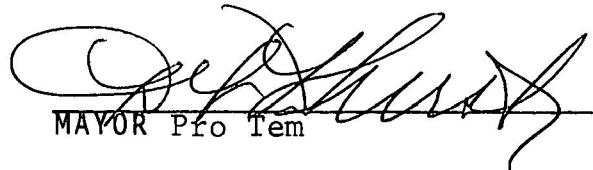
Section 2. Except as stated in Section 3 of this resolution, the City will, by appropriate ordinance, vacate the portion of the right-of-way (being a portion of the south half of Fifth Avenue [Northeast 85th Street] extending along the north line of Lots 1 through 6 inclusive, of Marshall's Addition according to plat thereof, records of King County) specifically described in Section 4 of this resolution, provided that within [90] 180 days of the date of passage of this resolution [R-3059] the exchange and conveyance of real properties, including

conveyance to the City of Kirkland for replacement right-of-way as set forth in that certain agreement dated June, 1983 between the City of Kirkland, the United States Postal Service, Linda Nordstrom Mowat and John Bruce Flynn have been accomplished. Said agreement is attached to the original of this resolution as Exhibit A.

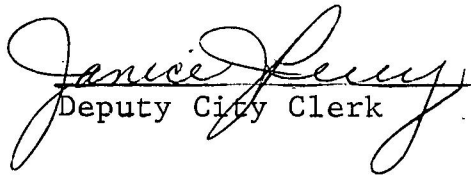
Section 2. Copies of this amendatory resolution shall be delivered and circulated in accordance with the circulation directions set forth in Sections 5 and 6, inclusive of Resolution R-3059.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 6th day of February, 1984.

Signed in authentication thereof this 6th day of February, 1984.


MAYOR Pro Tem

ATTEST:


Deputy City Clerk