

RESOLUTION NO. 3162

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY FIRST CITY INVESTMENTS INC., FILE NO. VC-85-6.

WHEREAS, the City has received an application filed by First City Investments to vacate a portion of a right-of-way; and

WHEREAS, by Resolution No. R-3144 the City Council of the City of Kirkland established a date for a public hearing on the proposed vacation; and

WHEREAS, proper notice for the public hearing on the proposed vacation was given and the hearing was held in accordance with law; and

WHEREAS, pursuant to the State Environmental Policy Act (WAC-43-21-C) and the state regulations and City ordinances adopted thereunder a Draft Environmental Impact Statement was issued on February 18, 1982, a Final Environmental Impact Statement was issued on November 19, 1982, and an Addendum to the Final Environmental Impact Statement issued on December 4, 1984; and

WHEREAS, said environmental documents have been available and accompanied this application through the entire review process; and

WHEREAS, the City Council, following public hearing on March 18, 1985, finds: (1) it is appropriate for the City to receive compensation for vacating the right-of-way as allowed under state law and compensation may be in the form of the dedication of other right-of-way; and

(2) no property owner will be denied direct access as a result of this vacation; and

(3) it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said street be vacated; and

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

Section 1. The Findings, Conclusions, and Recommendations proposed by the Department of Planning and Community Development contained in File No. VC-85-6 are hereby adopted as though fully set forth herein.

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 described in Section 4 of this resolution if within 90 days of the date of passage of this resolution the applicant or other person as compensation for vacating this portion of the right-of-way dedicates the right-of-way, situated in Kirkland, King County, Washington and described as follows:

That portion of Lake Washington Boulevard and SR 520 Frontage Service Road (Points Drive) in Government Lot 1, Section 20, Township 25 North, Range 5 East, W.M. in King County, Washington described as follows:

Beginning at the intersection of the north line of a tract of land described in instrument recorded under Recording No. 7606040639 with a line parallel with and 40.00 feet westerly of the semitangent of the centerline of Lake Washington Boulevard; thence  $S00^{\circ}54'45''W$  along said parallel line 61.24 feet to an angle point in the westerly margin of said Lake Washington Boulevard, said point being a point on a curve, the center which bears  $N73^{\circ}02'08''W$  256.48 feet; thence southerly along said westerly margin and curve to the right, thru a central angle of  $16^{\circ}15'38''$  an arc distance of 72.79 feet to the northerly margin of SR 520 Frontage Service Road (Points Drive); thence  $N51^{\circ}17'25''W$  along said northwesterly margin 10.59 feet to an angle point in said northwesterly margin; thence  $S38^{\circ}42'35''W$  along said northwesterly margin 108.41 feet to the TRUE POINT OF BEGINNING and a point on a curve, the center which bears  $S11^{\circ}14'29''E$  200.00 feet; thence westerly along said curve to the left, thru a central angle of  $88^{\circ}42'18''$  an arc distance of 309.64 feet; thence  $S35^{\circ}27'45''W$  55.87 feet to the northwesterly margin of said SR 520 Frontage Service Road; thence  $N56^{\circ}53'51''E$  34.57 feet to an angle point in said northwesterly margin; thence  $N38^{\circ}42'35''E$  along said northwesterly margin 261.59 feet to the TRUE POINT OF BEGINNING.

Area: 8634 sq. ft., 0.1982 acres; more or less.

Section 3. If the portion of the right-of-way described in Section 4 of this resolution is vacated, the City will retain and reserve an easement, together with the right to exercise and grant easements along, over, under and across the vacated right-of-way for the installation, construction, repair and maintenance of public utilities and services.

Section 4. The right-of-way to be vacated is situated in Kirkland, King County, Washington and is described as follows:

That portion of Lake Washington Boulevard and SR 520 Frontage Service Road (Points Drive) in Government Lot 1, Section 20, Township 25 North, Range 5 East, W.M. in King County, Washington described as follows:

Beginning at the intersection of the north line of a tract of land described in instrument recorded under Recording No. 7606040639 with a line parallel with and 40.00 feet westerly of the semitangent of the centerline of Lake Washington Boulevard; thence  $S00^{\circ}54'45''W$  along said parallel line 61.24 feet to an angle point in the westerly margin of said Lake Washington Boulevard, said point being a point on a curve, the center which bears  $N73^{\circ}02'08''W$

256.48 feet; thence southerly along said westerly margin and curve to the right, thru a central angle of 02°37'30", an arc distance of 11.75 feet to the TRUE POINT OF BEGINNING; thence continuing along said curve to the right, thru a central angle of 13°38'08", an arc distance of 61.04 feet to the northerly margin of SR 520 Frontage Service Road (Points Drive); thence N51°17'25"W along said northwesterly margin 10.59 feet to an angle point in said northwesterly margin; thence S38°42'35"W along said northwesterly margin 108.41 feet to a point on a curve, the center which bears S11°14'29"E 200.00 feet; thence easterly along said curve to the right, thru a central angle of 16°07'33" an arc distance of 56.29 feet to the centerline of Lake Washington Boulevard; thence N38°42'35"E along said centerline 46.43 feet to a point of curve; thence northeasterly along said centerline and curve to the left, having a radius of 286.48 feet, thru a central angle of 2°32'14", an arc distance of 12.69 feet; thence N08°48'00"E 56.25 feet; thence N03°41'00"E 27.57 feet to the TRUE POINT OF THE BEGINNING.

Area: 4322 sq. ft., 0.0992 acres; more or less.

Section 5. The Director of the Department of Planning and Community Development shall send a copy of this resolution and the Notice of Decision to the applicant for this proposed vacation within five (5) work days of the date of passage of this resolution.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Planning and Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Works Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

Passed by majority vote of the Kirkland City Council on the 18th day of March, 1985.

SIGNED IN AUTHENTICATION THEREOF on the 18th day of March, 1985.

*Loris Cooper*  
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 Mayor

ATTEST:

*[Signature]*  
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 Director of Administration and Finance  
 (Ex officio City Clerk)

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