

RESOLUTION R 3183

A RESOLUTION OF THE KIRKLAND CITY COUNCIL CONSENTING TO THE TRANSFER AND ASSIGNMENT OF THAT CERTAIN RIGHT-OF-WAY USE PERMIT, HERETOFORE GRANTED PURSUANT TO RESOLUTION R-3095 TO THE FLYNN/MOWAT JOINT VENTURE FROM SAID GRANTEE TO THE R. K. GETTY CORPORATION.

Whereas, by Resolution R-3095 the City of Kirkland did heretofore grant to John Flynn and Linda Nordstrom d/b/a Flynn/Mowat Joint Venture, a terminable right-of-way use permit as to a portion of Fifth Avenue (Northeast 85th Street within the City of Kirkland); and

Whereas, Section 7 of said right-of-way use permit provides:

"This right-of-way use permit and all rights thereunder shall not be transferable by permittee for any reason whatsoever without the prior consent of the City of Kirkland which may be expressed by resolution of the Kirkland City Council;" and

Whereas, said permittees have requested consent of the City of Kirkland to the permittees' transfer and assignment of the right-of-way use permit to the R. K. Getty Corporation; and

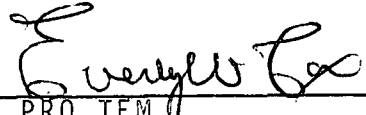
Whereas, the City Council finds that the interests of the City of Kirkland in and to said terminable use permit and the unopened, unvacated portion of right-of-way therein described will not be adversely affected by consenting to such transfer and assignment, now, therefore,

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

Section 1. The City Council hereby consents to the transfer and assignment of that certain terminable right-of-way use permit heretofore granted by Resolution R-3095 to John Flynn and Linda Nordstrom, d/b/a Flynn/Mowat Joint Venture by said permittees to the R. K. Getty Corporation, provided that said assignment and transfer shall not take place nor be effective until such time as there has been filed with the office of the Kirkland City Clerk, and recorded with the King County Department of Records and Elections, a written transfer and assignment of said terminable right-of-way use permit signed and acknowledged by John Flynn and Linda Nordstrom d/b/a Flynn/Mowat Joint Venture as original permittees and the R. K. Getty Corporation as successor permittee.

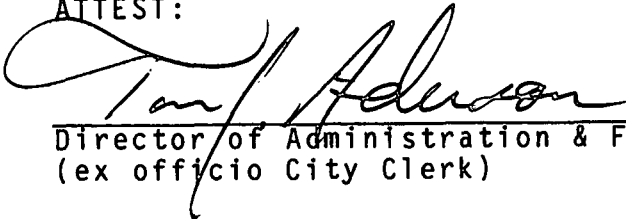
Passed by majority vote of the Kirkland City Council in regular, open meeting this 20th day of May, 1985.

Signed in authentication thereof this 20th day of May, 1985.



MAYOR PRO TEM

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)