

RESOLUTION NO. 3187

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE AN EASEMENT FOR PUBLIC PEDESTRIAN RIGHT-OF-WAY FILED BY JALMER AND MARY HALLS, FILE NO. VC-85-44.

WHEREAS, the City has received an application filed by Jalmer and Mary Halls to vacate an easement for public pedestrian right-of-way; and

WHEREAS, by Resolution No. 3178 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, an Environmental Checklist was filed pursuant to the State Environmental Policies Act and applicable state guidelines and local implementing ordinances, which was reviewed by the Responsible Official of the City of Kirkland who issued a negative declaration on the proposed vacation; and

WHEREAS, this Environmental Checklist and Negative Declaration have been available and accompanied this application through the entire review process; and

WHEREAS, it is appropriate for the City to receive compensation for vacating the easement as allowed under state law; and

WHEREAS, no property owner will be denied direct access as a result of this vacation.

WHEREAS, it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said easement 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 of the Department of Planning and Community Development contained in File No. VC-85-44 are hereby adopted as though fully set forth herein.

Section 2. The City will, by appropriate ordinance, vacate the easement described in Section 3 of this resolution if within 90 days of the date of passage of this resolution the applicant or other person deeds to the City a ten-foot wide strip along Kingsgate Way N.E. as compensation for vacating this easement legally described as follows:

The Northerly 10.00 Feet of Parcels "B", "C", and "D" of Short Subdivision Recorded under Auditor's File Number 8201070479 Records of King County, Washington.

Section 3. The easement for public pedestrian right-of-way to be vacated is situated in Kirkland, King County, Washington and is described as follows:

A STRIP OF LAND 10 FEET IN WIDTH AS MEASURED PERPENDICULAR TO AND SOUTHERLY FROM THE FOLLOWING DESCRIBED LINE;

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, T 26 N, R 5 E, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF N.E. 124TH STREET AS CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER A.F. NO. 4581058, RECORDS OF SAID COUNTY, LYING S 70° 55' 57" E 240.00 FEET FROM THE INTERSECTION OF SAID NORTH LINE WITH THE EAST LINE OF PRIMARY STATE HIGHWAY NO. 1 (SR 405) AS CONDEMNED BY THE STATE OF WASHINGTON IN KING COUNTY SUPERIOR COURT CAUSE NO. 701538; THENCE N 7° 11' 31" W PARALLEL TO SAID EAST LINE 174.00 FEET; THENCE N 70° 55' 57" W PARALLEL TO AFORESAID NORTH LINE 65.79 FEET; THENCE N 7° 11' 31" W 150.71 FEET TO THE SOUTHERLY MARGIN OF KINGSGATE WAY N.E.; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY MARGIN 36.85 FEET TO THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE S 49° 43' 00" E, 72.32 FEET; THENCE S 78° 41' 24" E, 7.74 FEET; THENCE CONTINUING S 78° 41' 24" E, 33.05 FEET; THENCE S 54° 27' 44" E, 34.41 FEET; THENCE S 37° 34' 07" E, 65.60 FEET; THENCE S 69° 46' 31" E, 80.99 FEET; THENCE S 78° 13' 54" E, 98.06 FEET; THENCE N 61° 49' 18" E, 44.47 FEET TO A POINT HERINAFTER REFERRED TO AS POINT X ON THE WESTERLY LINE OF THAT PARCEL CONVEYED TO MUNICIPALITY OF METROPOLITAN SEATTLE BY DEED RECORDED UNDER A.F. NO. 6494862, RECORDS OF SAID COUNTY, AND THE TERMINUS OF THIS LINE DESCRIPTION;

TOGETHER WITH A STRIP OF LAND 10 FEET IN WIDTH AS MEASURED PERPENDICULAR TO AND WESTERLY OF THE FOLLOWING DESCRIBED LINE; BEGINNING AT THE HERETOFORE DESCRIBED POINT 'X'; THENCE N 1° 36' 48" E 27.14 FEET TO THE SOUTHERLY MARGIN OF KINGSGATE WAY AND THE TERMINUS OF THIS LINE DESCRIPTION.

CONTAINING APPROXIMATELY 4,839 FT<sup>2</sup>, 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 17th day of June, 1985.

SIGNED IN AUTHENTICATION THEREOF on the 17th day of June, 1985.

  
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Mayor

ATTEST:

  
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Director of Administration and Finance  
(Ex officio City Clerk)

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