

RESOLUTION NO. 3217

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF AN ALLEY AND RIGHT-OF-WAY FILED BY RAYMOND COTTON, FILE NO. VC-85-76

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

WHEREAS, by Resolution No. 3211 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 City of Kirkland Ordinance No. 2473 concerning environmental policy and the State Environmental Policy Act, this action is exempt from the environmental checklist process, and

WHEREAS, it is appropriate for the City to receive compensation for vacating the alley and right-of-way 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 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 of the Department of Planning and Community Development contained in File No. VC-85-76 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 alley and right-of-way described in Section 4 of this resolution if within 90 days of the date of passage of this resolution the applicant as an exchange for the vacation deeds to the City 2,401 square feet of property along 111th Avenue N.E. and grants a 2,401 square foot slope easement to accommodate a future widening of the street section as compensation for vacating this portion of the alley and right-of-way as shown in Exhibit A1 and A2.

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 a 16 foot wide alley running East - West, lying adjacent to Lots 1 - 9 inclusive and Lots 10 - 18 inclusive, all in Block 16, Lake Avenue Addition to the City of Kirkland, according to the Plat thereof, as recorded in Volume 6 of plats, page 86, records of King County, Washington. EXCEPT the East 10 feet thereof, AND

EXCEPT that portion of the North half of said alley lying adjacent to Lots 6 through 9, inclusive.

SUBJECT TO a slope easement over the West 10 feet of the East 20 feet thereof.

AND the North 1.5 feet of N.E. 96th Street lying adjacent to said Lots 10 through 18 inclusive, EXCEPT the East 30 feet thereof.

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:

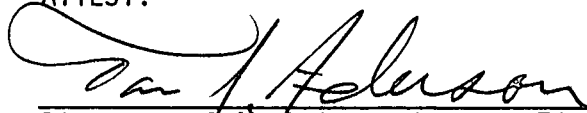
- (a) Applicant
- (b) Department of Planning and Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Works Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the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

Passed by majority vote of the Kirkland City Council on the 16th day of September, 1985.

SIGNED IN AUTHENTICATION THEREOF on the 16th day of September, 1985.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(Ex officio City Clerk)

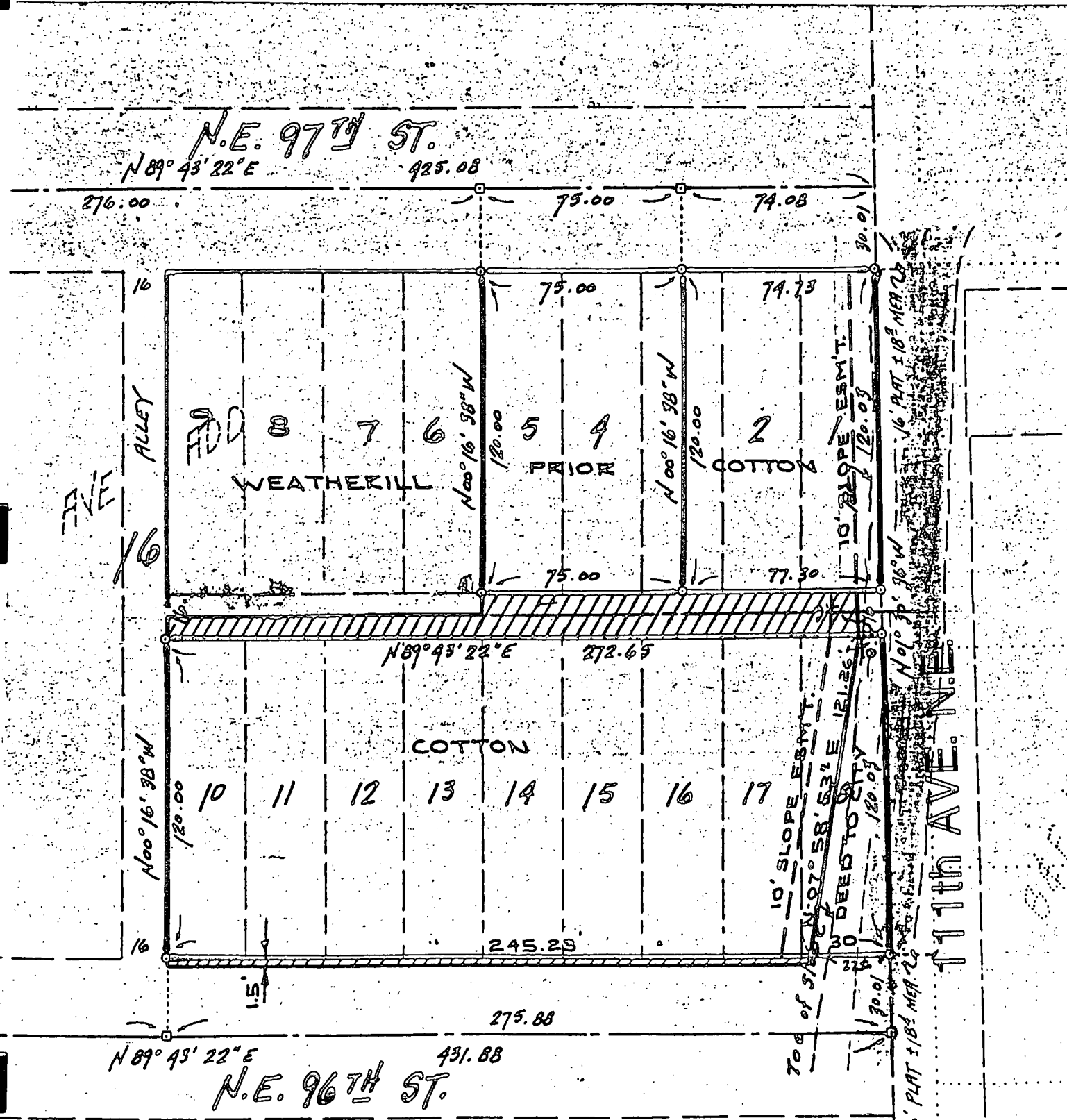


Exhibit A 1

Raymond Cotton Street and Alley Vacation

- 1) Property to be deeded by Cotton to the City of Kirkland for street right-of-way purposes, described as follows:

That portion of Lot 18, Block 16, Lake Avenue Addition to the City of Kirkland, according to the plat thereof, recorded in Volume 6 of Plats, page 86, Records of King County Washington, more particularly described as follows: Beginning at the southeast corner of said Lot 18; thence running <sup>northward</sup> along the east boundary of said Lot 18 a distance of 120.03 feet to the northeast corner of said Lot 18; thence deflecting left and running S 89°43'22" W along the north boundary of said Lot 18 a distance of 10 feet; thence deflecting left and running S 07° 58' 53" W a distance of 121.26 feet to a point on the south boundary of said Lot 18 said point located 30 feet west of the southeast corner of said Lot 18; thence deflecting left and running N 89°43'22" E along the south boundary of said Lot 18 a distance of 30 feet to the southeast corner of said Lot 18 said point being the point of beginning.

- 2) Property on which a slope easement will be granted by Cotton to the City of Kirkland, described as follows:

The easterly 10 feet of Lot 1, Block 16, Lake View Avenue Addition to the City of Kirkland, according to the plat thereof, recorded in Volume 6 of Plats, page 86, Records of King County, Washington, together with a portion of Lots 17 and 18, said Block 16 more particularly described as follows: Beginning at a point on the south boundary of Lot 18, said Block 16, said point being 30 feet west of the southeast corner of said Lot 18; thence running N 07°58'53" E a distance of 121.26 feet to a point on the north boundary of said Lot 18, said point being 10 feet west of the northeast corner of said Lot 18; thence running S 89°43' 22" W along the north boundary of said Lot 18 a distance of 10 feet; thence running S 07° 58' 53" W a distance of 121.26 feet to a point on the south boundary of Lot 17, said Block 16, said point being 4.77<sup>west</sup> of the southeast corner of said Lot 17; thence running N89°43'22" E a distance of 10 feet to the point of beginning. Together with vacated alley and street rights-of-way adjacent and attached to said described easement.

LL:pj  
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Exhibit A2