

RESOLUTION NO. R 3297

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND GRANTING TO THE MUNICIPALITY OF METROPOLITAN SEATTLE (METRO) PERMISSION FOR CONSTRUCTION AND INSTALLATION OF BUS STOP SHELTERS WHICH WILL ENCROACH UPON THE EXISTING SIDEWALK.

Whereas, the Municipality of Metropolitan Seattle (Metro) has requested from the City of Kirkland permission and authority to construct, install and maintain passenger shelter structures at bus stop locations; and

Whereas, as constructed and maintained, said bus stop shelters will encroach into the existing sidewalk area within the public right of way; and

Whereas, Metro, in writing, has agreed to defend and save harmless the City of Kirkland from any claim of damage or injury resulting from such encroachment; and

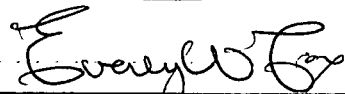
Whereas, the City Council of the City of Kirkland finds that it is in the public interest to grant such permission to Metro; now, therefore, be it

Resolved by the City Council of the City of Kirkland as follows:

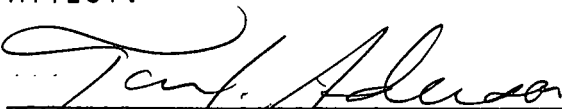
Section 1. The City Manager, acting through the appropriate administrative departments, is hereby authorized and directed to grant to the Metropolitan Municipality of Seattle (Metro) such street use permits as are necessary and required for installation, construction and maintenance of passenger shelter structures at Metro bus stops within the City of Kirkland as may be identified or included within the scope of the Municipality of Metropolitan Seattle undertaking to defend and save harmless the City of Kirkland from any claims resulting from the encroachment of such passenger shelter structures within the City of Kirkland rights-of-way including sidewalk areas. A copy of said undertaking is attached to the original of this Resolution, and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in regular open meeting on the 7th day of July, 1986.

Signed in authentication thereof on the 7th day of July, 1986.


MAYOR PRO TEM

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

RESOLUTION NO. 2628

A RESOLUTION of the Council of the Municipality of Metropolitan Seattle authorizing the Executive Director or his designee to execute franchise, hold harmless and permit agreements and superseding Resolution No. 2259.

WHEREAS, the implementation of comprehensive planning for the Municipality's metropolitan water pollution abatement and public transportation functions requires the construction and installation of various temporary and permanent public facilities; and

WHEREAS, the particular design or location of said facilities may necessitate the execution of special franchise, hold harmless and permit agreements with private or governmental property owners or with local, state or federal governmental agencies regulating or participating in the funding of the construction of the facilities; and

WHEREAS, by Resolution No. 2259 adopted February 20, 1975, the Council authorized the Executive Director to approve various franchise, hold harmless and permit agreements to facilitate the construction or installation of particular public transportation facilities; and

WHEREAS, it is desirable to extend the authority of the Executive Director or his designee to approve and execute such agreements for both water pollution abatement and public transportation projects;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Metropolitan Seattle as follows:

Section 1. The Executive Director is hereby authorized to approve and execute special franchise, hold harmless and permit

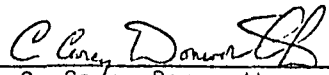
agreements, with property owners and governmental agencies as may be required for the location, construction or installation of temporary or permanent metropolitan water pollution abatement and public transportation facilities.

Section 2. The Executive Director is authorized to delegate said approval and execution authority to other personnel of the Municipality upon such terms and for such purposes as may be in the best interests of the Municipality, provided, that the Municipality's monetary obligation for said franchises and permits shall not exceed \$500. The delegation to the Right of Way and Property Supervisor of the Municipality of said approval and execution authority, including but not limited to bus stop permits and street use permits, is hereby approved.

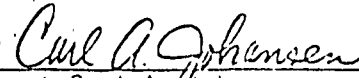
Section 3. Franchise, hold harmless and permit agreements previously approved and executed by the Executive Director, by his designee or by the Right of Way and Property Supervisor for purposes of locating, constructing or installing metropolitan water pollution abatement and public transportation facilities are hereby ratified and approved.

Section 4. Resolution No. 2259 adopted February 20, 1975 is hereby superseded.

ADOPTED by the Council of the Municipality of Metropolitan Seattle at a regular meeting thereof held this 7th day of October, 1976.


 C. Carley Donworth
 Chairman of the Council

ATTEST:


 Carl A. Johansen
 Clerk of the Council

I, MAUREEN VARNI, Clerk of the Council of the Municipality of Metropolitan Seattle, DO HEREBY CERTIFY that the foregoing resolution and any exhibits referenced therein of Resolution 2628 of said Council duly adopted at a regular meeting thereof held on the 7th day of October, 1976, signed by the Chairman of such Council in attendance at such meeting and attested by myself in authentication of such adoption.

Maureen Varni

Maureen Varni
Clerk of the Council

Dated: August 26, 1981