

RESOLUTION NO. 3305

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY PETER HENNING, FILE NO. VC-86-55.

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

WHEREAS, by Resolution No. 3298 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, the application is exempt from the State Environmental Policies Act; and

WHEREAS, it is appropriate for the City to receive compensation for vacating the 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-86-55 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:

A portion of the east half, of the Southeast quarter, of Section 29, Township 26 North, Range 5 East, W.M., in King County, Washington, described as follows:

A 60.00 foot wide strip of land lying 30.00 feet on each side of the following described centerline:

Commencing at the Northwest corner of the East half, of the Northwest quarter, of the Southeast quarter of said Southeast quarter, of Section 29, said point being the centerline intersection of NE 120th St. and 113th Ave. NE; thence S 89°10'57" E 180.00 feet to the True Point of Beginning; thence Southeasterly along a tangent curve to the right having a radius of 380.00 feet through a central angle of 65°00'00" an arc distance of 431.10 feet; thence S 24°01'57" E 22.43 feet to the

beginning of a tangent curve to the left having a radius of 120.00 feet; thence Easterly along said curve through a central angle of  $146^{\circ}59'00''$  an arc distance of 307.84 feet to a point of tangency with a curve to the left having a radius of 830.00 feet; thence Northerly along said curve through a central angle of  $66^{\circ}07'50''$  an arc distance of 957.98 feet to a point of tangency with a curve to the left having a radius of 88.30 feet; thence Westerly along said curve through a central angle of  $31^{\circ}48'11''$  an arc distance of 49.01 feet; thence N  $88^{\circ}56'58''$  W 298.51 feet to the East line of said 113th Ave. NE and the terminus of this strip description.

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:

The South 30.00 feet, of the Southeast quarter, of the Northeast quarter, of the Southeast quarter, of Section 29, Township 26 North, Range 5 East, W.M., King County, Washington;

TOGETHER WITH The North 30.00 feet of the Northeast quarter, of the Southeast quarter, of the Southeast quarter, of said Section 29.

AND TOGETHER WITH that portion of the South 30.00 feet, of the East half, of the Southwest quarter, of the Northeast quarter, of the Southeast quarter and that portion of the North 30.00 feet of the East half, of the Northwest quarter, of the Southeast quarter, of the Southeast quarter, of said Section 29, lying East of a line described as follows: Commencing at the intersection of the South line of the North 30.00 feet of said East half, of the Northwest quarter, of the Southeast quarter, of the Southeast quarter, with the East line thereof; thence N  $89^{\circ}01'57''$ W along said South line of the North 30.00 feet, a distance of 149.12 feet to the TRUE POINT OF BEGINNING of said described line; thence N  $0^{\circ}58'03''$ E 60.00 feet to the North line of the South 30.00 feet of said East half, of the Southwest quarter, of the Northeast quarter, of the Southeast quarter and the terminus of said described line.

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 3rd day  
of November, 1986.

SIGNED IN AUTHENTICATION THEREOF on the 3rd day of November, 1986

*Lonia Cooper*  
Mayor

ATTEST:

*Janice Berry* DEPUTY CLERK  
Director of Administration and Finance  
(Ex officio City Clerk)

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