

RESOLUTION NO. R-3362

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY Stuart McLeod, FILE NO. VC-86-88.

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

WHEREAS, by Resolution No. 3352 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, 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-86-88 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 pays to the City \$22,424.50 as compensation for vacating this portion of the right-of-way.

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:

Commencing at the Southeast corner of said Block 224;
thence Northerly along the East line of said Block 224 and the West margin of 112th Avenue N.E., 73.94 feet, more or less, to the Southwesterly margin of the Burlington Northern Railroad right-of-way;
thence Southeasterly along said Southwesterly margin 174.82 feet, more or less, to the Northerly margin of State Route 908;
thence Northwesterly along said Northerly margin to its intersection with the East line of Block 219, in said plat;

thence Northerly along said East line and the West margin of 112th Avenue N.E., 24.81 feet, more or less, to the Northeast corner of said Block 219;
 thence Westerly along the North line of said Block 219 and the South margin of 6th Avenue, 99.65 feet, more or less, to its intersection with the Northerly margin of said State Route 908;
 thence Northwesterly along said Northerly margin 62.49 feet, more or less, to its intersection with the Southerly projection of the West line of said Lot 35;
 thence Northerly along said projection 44.90 feet, more or less, to the Southwest corner of said Lot 35;
 thence Easterly along the Northerly margin of said 6th Avenue 160.29 feet, more or less, to the True Point of Beginning.

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 March, 1987.

SIGNED IN AUTHENTICATION THEREOF on the 16th day of March, 1987.

Loris Cooper

 Mayor

ATTEST:

James D. Lewis

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

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