

RESOLUTION NO. R-3397

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY WILLIAM E. LELAND, FILE NO. VC-87-44.

WHEREAS, the City has received an application filed by William E. Leland to vacate a portion of a right-of-way; and

WHEREAS, by Resolution No. 3383 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-87-44 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 \$28,973.75 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:

NE 112th Street being that portion of the north half of said NE 112th Street lying between the easterly line of 120th Avenue NE and the westerly line of S.R. 405, particularly:

That portion of the NE 1/4 of the NW 1/4 of Sec. 33T.26N.R.5E.W.M. beginning at the SW corner of said subdivision, thence S89°10'41"E 148.58'; thence N13°25'37"E 30.74"; thence N89°10'41"W 155.20'; thence S0°59'24"W 30.00' to the true point of beginning.

Said parcel contains 4,557 square feet vacation description of that portion of NE 112th Street being that portion of the S 1/2 of said NE 112th Street lying between the easterly line of 120th Avenue NE and the westerly line of S.R. 405. Particularly:

That portion of the SE 1/4 of the NW 1/4 of the NW 1/4 of Sec. 33T.26N.R.5E.W.M. beginning at the NW corner of said subdivision; thence S89°10'41"E 30.00' to the true point of beginning; thence S89°10'41"E 148.58'; thence S13°25'37" W 30.74'; thence N89°10'41"W 141.96'; thence N0°59'24"E 30.00 to the true point of beginning.

Said parcel contains 4,358 square feet.

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 6th day of July, 1987.

SIGNED IN AUTHENTICATION THEREOF on the 6th day of July, 1987.



Mayor

ATTEST:



City Clerk

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