

## RESOLUTION NO. 3475

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY Daryl Connell for Six Continental Associates, FILE NO. VC-88-82.

WHEREAS, the City has received an application filed by Daryl Connell for Six Continental Associates to vacate a portion of a right-of-way; and

WHEREAS, by Resolution No. 3467, 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 the 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 to 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 Number VC-88-82 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 dedicates the following described property as public right-of-way to substitute for the vacated right-of-way:

A portion of Lots 22 and 23, Block 174, and a portion of Second Avenue. All in Burke and Farrar's Kirkland Addition to the City of Seattle, Div. No. 39, according to the plat thereof, recorded in Vol. 23, Page 36 of plats, records of King County, Washington, described as follows:

Commencing at the most easterly corner of said Lot 22; thence along the easterly line of said Lot 22 N 23°59'37" W 0.19 feet to the point of beginning; thence along a curve to the left, with a radius of 50.00 feet, a central angle of 78°07'57", an arc length of 68.18 feet, and a radius point which bears S 31°01'18" E from the point of beginning; thence N 23°59'37" W 34.62 feet; thence N 66°00'23" E 53.42 feet; thence S 23°59'37" E 68.05 feet to the point of beginning.

Containing 2,261 square feet more or less.

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:

A portion of Lots 22 and 23, Block 174, portions of Lots 25 and 26, Block 175, and a portion of Second Avenue. All in Burke and Farrar's Kirkland Addition to the City of Seattle, Div. No. 39, according to the plat thereof. Recorded in Volume 23, Page 36 of plats, records of King County, Washington, described as follows:

Beginning at the most northerly corner of said Lot 26; thence along the easterly line of said Lot 26 S  $24^{\circ}24'07''$  E 0.22 feet to a curve to the right, with a radius of 50.00 feet, a central angle of  $91^{\circ}27'21''$ , an arc length of 79.81 feet, and a radius point which bears N  $71^{\circ}20'33''$  W from the last described point; thence along a curve to the right, with a radius of 1,478.31 feet, a central angle of  $00^{\circ}44'45''$ , an arc length of 19.25 feet, and a radius point that bears S  $27^{\circ}10'40''$  E from the last described point; thence N  $26^{\circ}25'54''$  W 50.00 feet to a curve to the left, with a radius of 1,528.31 feet, a central angle of  $1^{\circ}08'38''$ , an arc length of 30.51 feet, and a radius point which bears S  $26^{\circ}25'54''$  E from the last described point; thence along a curve to the right, with a radius of 50.00 feet, a central angle of  $67^{\circ}26'01''$ , an arc length of 58.85 feet, and having a radius point which bears N  $81^{\circ}32'41''$  E from the last described point; thence S  $26^{\circ}25'53''$  E 60.00 feet; thence S  $41^{\circ}20'34''$  W 10.86 feet; thence S  $26^{\circ}25'53''$  E 20.00 feet to a curve to the right, with a radius of 1,478.31 feet, a central angle of  $01^{\circ}54'48''$ , an arc length of 49.37, and a radius point which bears S  $26^{\circ}18'56''$  E from the last described point, thence along said curve to the point of beginning.

Containing 2,261 square feet more or less.

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  
September, 1988.

SIGNED IN AUTHENTICATION THEREOF on the 6th day of  
September, 1988.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

PL480/DC:rk