

RESOLUTION NO. R-3529

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY PROGRESSIVE EQUITIES CORPORATION, FILE NUMBER VC-89-32.

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

WHEREAS, by Resolution Number R-3521, 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-89-32 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 dedicates substitute right-of-way described in Short Plat Application No. SS-89-33, 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:

That 16-foot wide alley running north and south between the east boundary of Block 23 and the west boundary of Block 24, and that 16-foot wide alley running east and west through the center of Block 24, all in Lake Avenue Addition to the City of Kirkland, according to the Plat thereof, recorded in Volume 6 of Plats, Page 86, Records of King County.

Also, that 16-foot wide alley running east and west through the center of Block 246, Supplementary Plat to Kirkland, according to the plat thereof, recorded in Volume 8 of Plats, Page 5, Records of King County.

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 City Clerk for the City of Kirkland.

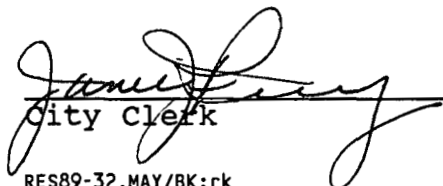
PASSED by majority vote of the Kirkland City Council on the 20th day of June, 1989.

SIGNED IN AUTHENTICATION THEREOF on the 20th day of June, 1989.



 Mayor

ATTEST:



 City Clerk