

RESOLUTION NO. R-3575

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY GRACE KUHN ON BEHALF OF JESSIE I. JAMES, FILE NUMBER VC-89-132.

WHEREAS, the City has received an application filed by Grace Kuhn on behalf of Jessie I. James to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number R-3568, 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, the project 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 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-89-132 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 \$6,000.

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 115th Place NE (Noble Avenue) described as follows:

Beginning at the northeast corner of Lot 15, Block 4, Hall's Addition to Kirkland, as recorded in Volume 6 of Plats, page 30, records of King County, Washington;

Thence easterly to the northwest corner of Lot 2, Block 9, said plat of Hall's Addition;

Thence southerly along the east right-of-way of 115th Place NE to the southwest corner of Lot 8, Block 9, said Plat of Hall's Addition;

Thence westerly to the southeast corner of Lot 9, Block 4, said plat of Hall's Addition;

Thence northerly along the west right-of-way of 115th Place NE to the northeast corner of Lot 15, said Block 4, said point also being the True Point of Beginning.

Said portion of 115th Place NE being 180.04 feet in length and containing 10,802 square feet ±.

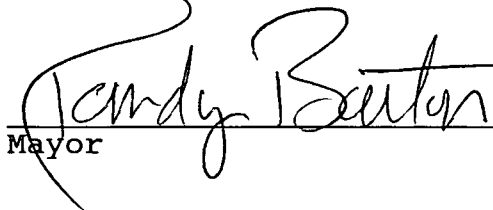
Section 5. The Director of the Department of Planning and Community Development shall send a copy of this resolution and the Notice of Decision to the applicant for this proposed vacation within five (5) work days of the date of passage of this resolution.

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 City Clerk for the City of Kirkland.

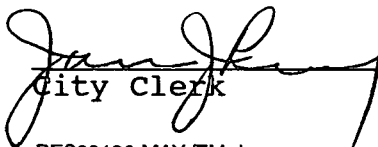
PASSED by majority vote of the Kirkland City Council on the 17th day of April, 1990.

SIGNED IN AUTHENTICATION THEREOF on the 17th day of April, 1990.



Mayor

ATTEST:



City Clerk