

RESOLUTION NO. R-3594

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY KIM LYFORD, FILE NUMBER VC-89-93.

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

WHEREAS, by Resolution Number R-3583, 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, an Environmental Checklist was filed pursuant to the State Environmental Policies Act and applicable state guidelines and local implementing ordinances, which was reviewed by the Responsible Official of the City of Kirkland who issued a negative declaration of the proposed vacation; and

WHEREAS, this Environmental Checklist and Negative Declaration have been available and accompanied this application through the entire review process; 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-89-93 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 \$30,940.50, less the amount for the western portion of the cul-de-sac shown in Attachment A, 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 portion of Blocks 19 and 17, Burke and Farrar's Kirkland Addition Division No. 8 in the Southeast one-quarter of Section 5, Township 25 North, Range 5 East, W.M., in the City of Kirkland, King County, Washington, described as follows:

Commencing at a point on the Westerly margin of Cedar Street (114th Avenue NE), said point being the Westerly production of the centerline of Ohde Avenue;
 Thence South 16°56'00" West a distance of 30.87 feet along said Westerly margin of Cedar Street (114th Avenue NE) to the True Point of Beginning;
 Thence South 59°25'10" East a distance of 61.74 feet to the Northeast corner of Lot 22 of said Block;
 Thence South 16°56'00" West a distance of 123.14 feet along the Northwesterly line of said lot;
 Thence Southerly 22.95 feet along a curve concave to the East having a radius of 20.00 feet;
 Thence South 48°49'16" East a distance of 88.09 feet along the Southwesterly line of Lot 22;
 Thence Southeasterly and Southerly a distance of 74.79 feet along a curve concave to the Southwest having a radius of 60.00 feet, to the Southwest corner of Lot 22;
 Thence North 67°27'04" West a distance of 30.00 feet;
 Thence Northwesterly 37.40 feet along a curve concave to West having a radius of 30.00 feet;
 Thence North 48°49'16" West a distance of 89.49 feet;
 Thence Westerly 39.88 feet along a curve concave to the South having a radius of 20 feet, to a point on the centerline of Cedar Street;
 Thence along said centerline South 16°56'00" West a distance of 74.02 feet;
 Thence North 73°04'00" West a distance of 30.00 feet to a point on the Westerly margin of said Cedar Street, said point bearing South 16°56'00" West from the True Point of Beginning;
 Thence North 16°56'00" East along the Westerly margin of Cedar Street (114th Avenue Northeast), a distance of 274.99 feet to the True Point of Beginning.
 Area = 17,876 square feet ±.

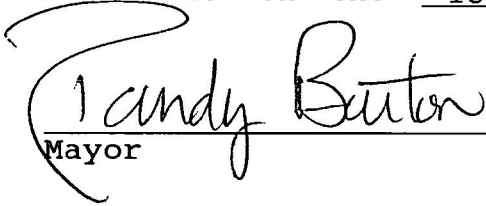
Section 5. The Director of the Department of Planning and Community Development shall send a copy of this resolution and the Notice of Decision to the applicant for this proposed vacation within five (5) work days of the date of passage of this resolution.

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.

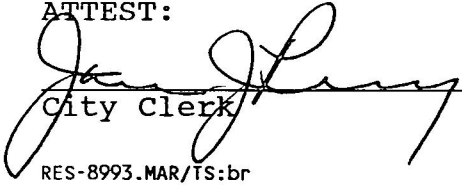
PASSED by majority vote of the Kirkland City Council on the 20th day of March, 1990.

SIGNED IN AUTHENTICATION THEREOF on the 13th day of March, 1990.

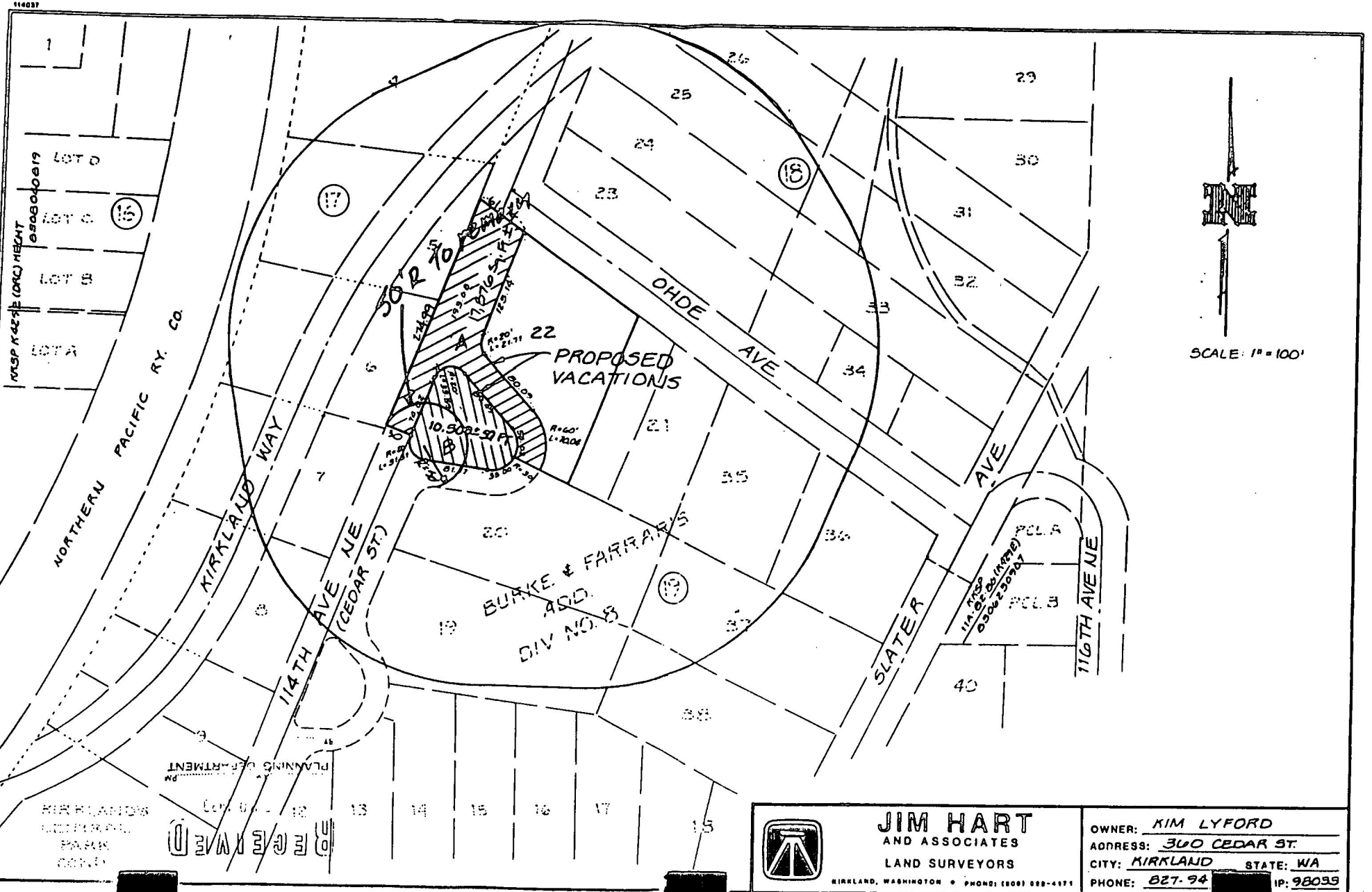


Mayor

ATTEST:



City Clerk



SCALE: 1" = 100'

	JIM HART	OWNER: <u>KIM LYFORD</u>
	AND ASSOCIATES	ADDRESS: <u>300 CEDAR ST.</u>
	LAND SURVEYORS	CITY: <u>KIRKLAND</u> STATE: <u>WA</u>
	KIRKLAND, WASHINGTON • PHONE: (206) 822-4171	PHONE: <u>827-94</u> IP: <u>98039</u>