

RESOLUTION NO. 3655

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY GSL PROPERTIES, FILE NUMBER VC-90-53

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

WHEREAS, by Resolution Number 3655, 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-90-53 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 meets the following conditions:

- (a) Deeds to the City approximately 23,449 square feet of substitute property for a newly dedicated 112th Place right-of-way as compensation.
- (b) Receives approval for the pending Kirkland Close rezone and P.U.D. applications (File No. IIB-89-153)
- (c) Files a corrected petition to vacate the street
- (d) Within seven (7) calendar days after the final public hearing, the applicant shall remove all public notice signs and return them to the Department of Planning and Community Development

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 parcel of land in the northwest one-quarter of Section 33, T 26N, R 5E, W M , King County, Washington, said parcel being more particularly described as follows:

Commencing at the intersection of the south line of Tract 51, "Kirkland-Juanita Acre Tracts" with the west line of Slater Avenue (J W Edwards Road No. 970); thence northeasterly along said west line on the arc of a 1,462 62-foot radius curve (the radius point of which bears N 87°37'55" E) through a central angle of 20°34'39", 525.29 feet (chord bears N 07°55'14" E, 522.48 feet), thence continuing along said west line N 18°12'34" E, 108 81 feet to the south line of NE 112th Street; thence S 89°11'36" E, 62 88 feet to an intersection of the east line of Slater Avenue and the south line of NE 112th Street, said point being the True Point of Beginning, thence N 18°12'34" E, 31.44 feet to the north line of said NE 112th Street; thence S 89°11'36" E along said north line, 524 41 feet to the west line of 124th Avenue NE, the S 00°51'09" W along said west line, 30.00 feet to the south line of said NE 112th Street, thence N 89°11'36" W along said south line, 533 79 feet to the True Point of Beginning

Contains 15,873 square feet (0 36 acres), 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

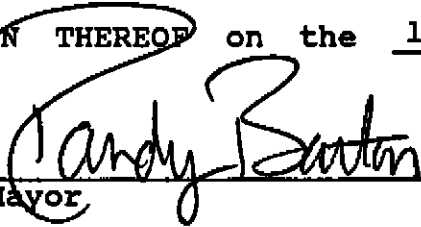
vacation within five (5) work days of the date of passage of this resolution

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 City Clerk for the City of Kirkland

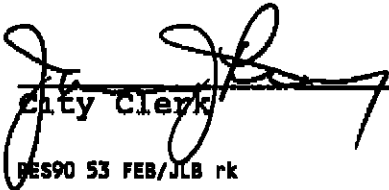
PASSED by majority vote of the Kirkland City Council on the 19th day of February, 1991

SIGNED IN AUTHENTICATION THEREOF on the 19th day of February, 1991



 Mayor

ATTEST



 City Clerk

DES90 53 FEB/JLB rk