

**RESOLUTION NO R-3688**

**A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY STEVE NORDBY, FILE NUMBER VC-91-44**

**WHEREAS, the City has received an application filed by Steve Nordby to vacate a portion of a right-of-way, and**

**WHEREAS, by Resolution Number R-3675, 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,**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows**

**Section 1. The Findings and Conclusions as set forth in the Recommendation of the Department of Planning and Community Development contained in File Number VC-91-44 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) Pays to the City \$5,900 00 as compensation for vacating this portion of the right-of-way**
- (b) 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

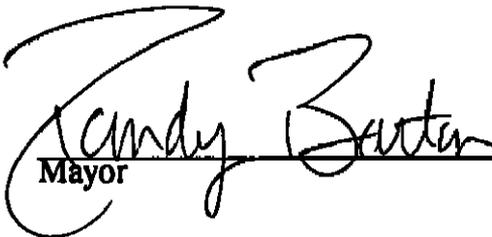
That 16-foot wide alley running north and south along the east side of Block 18 and that 16-foot wide alley running east and west through the center of Block 17, all in Lake Avenue Addition to the City of Kirkland, according to the plat thereof, recorded in Volume 6 of Plats, Page 86, Records of King County, Washington

**Section 5.** Certified or conformed copies of this Resolution shall be delivered to the following within seven (7) days of the passage to this resolution

- (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 16th day of July, 1991

SIGNED IN AUTHENTICATION THEREOF on the 16th day of July, 1991

  
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 Mayor

ATTEST

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

RES91-44 JUN/JD cm