

RESOLUTION NO. 3921

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY CHRIS D. BREEDS, FILE NUMBER VC-94-127.

WHEREAS, the City has received an application filed by Chris D. Breeds to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number 3910, 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;

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-94-127 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 \$6,940.00 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:


Beginning at the southeast corner of Lot 12, Block 1, Burke and Farrar's Kirkland Addition to the City of Seattle, Division NO. 6, according to the plat thereof recorded in Volume 19 of Plats at page 68, records of King County, Washington, thence south 03°13'45" east along a southerly projection of the east line of said lot to a point on a curve to the left having a radius of 430.00 feet through a central angle of 10°23'23" an arc distance of 77.97 feet; thence north 03°13'45" west 36.85 feet to the south line of said Lot 12; thence north 89°51'20" east along said south line 75.11 feet to the point of beginning.

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 7th day of February, 1995.

SIGNED IN AUTHENTICATION THEREOF on the 7th day of February, 1995.



Mayor

ATTEST:



City Clerk

RES94127.JUL/AR:ct