

RESOLUTION NO. 4052

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY JEANNE QUILL, FILE NUMBER VC-96-77.

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

WHEREAS, by Resolution Number 4043, 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-96-77 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 \$8,600 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.
- (c) Dedicate to the City for use by the general public a pedestrian easement over the portion of the existing sidewalk within the vacated right-of-way. The Public Works Department may waive this requirement if the applicant relocates the portion of sidewalk to the remaining 102nd Avenue NE (Lakeview Drive) right-of-way.
- (d) Dedicate to the City for use by the general public a utility easement over all public utilities in the vacated 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:

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Commencing at the northwest corner of Block 1, Lakeview Terrace, according to the plat thereof recorded in Volume 46 of Plats, pages 55-56, records of King County, Washington;

Thence south 00°20'30" west, along the west line of said Block 1, 183.00 feet;

Thence south 89°38'00" east, parallel to the north line of said Block 1, 39.60 feet to a point on the northwesterly right-of-way line of 102nd Avenue NE extension as shown on said plat and the true point of beginning;

Thence south 60°07'56" east 15.00 feet;

Thence southwesterly along the arc of a 444.06-foot radius non-tangent curve to the left, the center of which bears south 60°07'56" east, a distance of 101.35 feet through a central angle of 13°04'36";

Thence north 73°12'32" west 13.72 feet to a point of said northwesterly right-of-way line of 102nd Avenue NE extension;

Thence north 00°20'50" east, along said right-of-way line, 4.43 feet;

Thence northeasterly along said right-of-way line on the arc of a 459.06-foot radius non-tangent curve to the right, the center of which bears south 72°40'40" east, a distance of 100.55 feet through a central angle of 12°32'44" to the true point of beginning.

Containing 1,543 square feet of land more or less.

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 17th day of December, 1996.

SIGNED IN AUTHENTICATION THEREOF on the 17th day of December, 1996.



Mayor

ATTEST:



Deputy City Clerk

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