

RESOLUTION NO. 4166

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY WILLIAM STROUSE FOR EARL AND MARGARET BENSEL, FILE NUMBER VC-98-30.

WHEREAS, the City has received an application filed by William Strouse for Earl and Margaret BenseL to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number 4158, 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; and

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-98-30 are hereby adopted as though fully set forth herein.

Section 2. The City will, by appropriate ordinance, vacate the portion of the right-of-way described in Section 3 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 \$57,637 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) Submit Public Works Department review and approval, a legal description for a 10' wide water line easement encompassing the existing water line.

Section 3. The right-of-way to be vacated is situated in Kirkland, King County, Washington and is described as follows:

Beginning at the most southwesterly corner of Lot 20, Block 17, Burke & Farrar's Kirkland Addition, Division No. 8, in Volume 19 of Plats, Page 71, Records of King County, Washington.

Thence N 16°56'00" W along the east margin of Cedar Street (114th Ave. NE) and the westerly margin of Lot 20 for a distance of 61.70 feet;

Thence northeasterly 26.87 feet along a curve concave to the east having a radius of 20.00 feet;

Thence S 86°04'52" E 67.10 feet;

Thence northerly 74.84 feet along a curve concave to the west having a radius of 60.00 feet;

Thence N 67°27'04" W 30.00 feet;

Thence southwesterly 37.42 feet along a curve concave to the northwest having a radius of 30.00 feet;

Thence N 86°04'52" W 81.77 feet;

Thence northwesterly 35.96 feet on a curve concave to the north having a radius of 20.00 feet;

Thence S 16°56'00" W along the centerline of Cedar Street (115th Ave. NE) 128.30 feet;

Thence S 76°17'11" E 30.05 feet to the southwesterly corner of Lot 20 and the True Point of Beginning.

Containing 7,437 square feet, plus or minus

Section 4. 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 15th day of December, 1998.

SIGNED IN AUTHENTICATION THEREOF on the 15th day of December, 1998.


Mayor

ATTEST:


City Clerk