

RESOLUTION R - 4177

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT SANITARY SEWER, WATER LINE, STORM DRAINAGE UTILITY EASEMENTS AND A PEDESTRIAN EASEMENT, IN AN UNOPENED STREET AS DESCRIBED HEREIN AND REQUESTED BY MR. LARRY KUNKA.

WHEREAS, the City has received requests to permanently abandon any rights to the land originally dedicated as rights-of-way abutting a portion of the Supplementary Plat to Kirkland and the Lake Avenue Addition to Kirkland.

WHEREAS, the Laws of 1889, Chapter 19, Section 32, provides that any county road which remains unopened for five years after authority is granted for opening the same is vacated; and

WHEREAS, the areas which are the subject of this request were annexed to the City of Kirkland in 1967 and ; and

WHEREAS, in this context it is in the public interest to resolve this matter by agreement,

Now, therefore, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. As requested by Mr. Kunka, the City Council of the City of Kirkland hereby relinquishes any interest other than a utility easement and a pedestrian easement in the portions of right-of-way described as follows:

Those portions of right-of-way:

dedicated in the plat of Supplementary Plat to Kirkland, Volume 8, Page 5, Records of King County, which abuts Lots 1 – 5, Block 241, being identified as the portion of the south 30 feet of NE 94 Street abutting lots 1 - 5;

dedicated in the plat of Lake Avenue Addition to Kirkland Volume 6, Page 86 as recorded in the records of King County, Washington, which abuts Lots 1 – 9, Block 25, being identified as the portion of the south 30 feet of NE 94 Street abutting lots 1-9.

Section 2. The City Council of the City of Kirkland will accept, and hereby notes, the owners' commitment to grant a utility easement and a pedestrian easement in the following areas:

That portion of right-of-way dedicated:

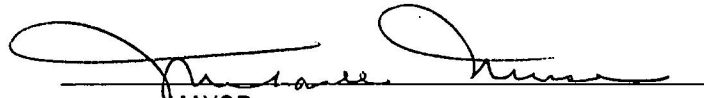
in the plat of Supplementary Plat to Kirkland, Volume 8, Page 5, Records of King County, which abuts Lots 1 – 5, Block 241, being identified as the portion of the south 30 feet of NE 94 Street, a utility easement and a pedestrian easement;

in the plat of Lake Avenue Addition to Kirkland Volume 6, Page 86 as recorded in the records of King County, Washington, which abuts Lots 1 – 9, Block 25, being identified as the portion of the south 30 feet of NE 94 Street, a utility easement and a pedestrian easement.

990331/671

Passed by majority vote of the Kirkland City Council in regular, open meeting this 16th
day of March, 1999.

Signed in authentication thereof this 16th day of March, 1999.


MAYOR

Attest:


City Clerk