

RESOLUTION R-4237

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY BJARNE VARNES, FILE NUMBER VC-99-81.

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

WHEREAS, by Resolution Number 4228, 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-99-81 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) Pay to the City \$78,000 (one-half the appraised value) as compensation for vacating the 7,800 square feet of right-of-way adjacent to the east sides of 6208, 6312, and 6318 113th Avenue NE.
- (b) Retain a utility easement within the area being vacated for Puget Sound Energy and GTE.

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:

Vacation of the west 20 feet of 114th Avenue NE lying between the centerline of NE 64th Street and the south Plat line of White Brothers Addition to Kirkland, Volume 7, page 54, Records of King County, Washington.

For King County Tax Parcel #934890 0380:

That portion of the said west 20 feet of 114th Avenue NE lying adjacent to Lot 11 of Block 9 per said Plat of White Brothers Addition to Kirkland.

Together with that portion of the said west 20 feet of 114th Avenue NE lying easterly of the south half of vacated NE 64th Street (Third Street, see vacation ordinance #188, recorded under AF#6069637).

For King County Tax Parcel #934890 0390:

That portion of said west 20 feet of 114th Avenue NE lying adjacent to Lot 10 of Block 9 per said Plat or White Brothers Addition to Kirkland.

Together with that portion of the said west 20 feet of 114th Avenue NE lying easterly of the north half of vacated NE 63rd Street (fourth Street, see vacation ordinance #188, recorded under AF#6069637).

For King County Tax Parcel #934890 0470:

That portion of the said west 20 feet of 114th Avenue NE lying adjacent to Lot 6 of Block 12 per said Plat of White Brothers Addition to Kirkland.

Together with that portion of the said west 20 feet of 114th Avenue NE lying easterly of the south half of vacated NE 63rd Street (Fourth Street, see vacation ordinance #188, recorded under AF#6069637).

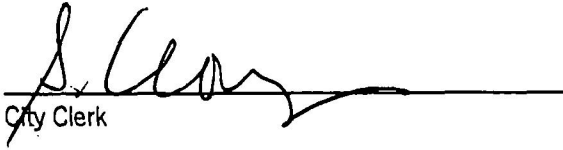
Section 5. Certified or conformed copies of this Resolution shall be delivered to the following within seven (7) days of the passage to this resolution:

- (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 20th day of June, 2000.

SIGNED IN AUTHENTICATION THEREOF on the 20th day of June, 2000.

ATTEST:


Deputy City Clerk


Mayor