

RESOLUTION NO. R-4509

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY JAMES LAWRENCE AND ROBERT PINKLEY, FILE NUMBER VAC05-00002.

WHEREAS, the City has received an application filed by JAMES LAWRENCE AND ROBERT PINKLEY to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number 4504, 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.

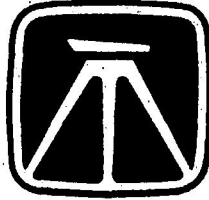
WHEREAS, it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said street to be vacated;

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 VAC05-00002 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 \$146,280 as compensation for vacating this portion of the right-of-way.



JIM HART AND ASSOCIATES

220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3086

April 13, 2005
05-26

PROPOSED 10' VACATION OF WAVERLY WAY

THAT PORTION OF WAVERLY WAY MORE READILY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 17, BLOCK 22, BLEWETTS 1ST ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6 OF PLATS, PAGE 82, IN KING COUNTY, WASHINGTON;

THENCE SOUTH 74°40' WEST 10 FEET;

THENCE SOUTH 15°20' EAST PARALLEL TO WAVERLY WAY 127.22 FEET;

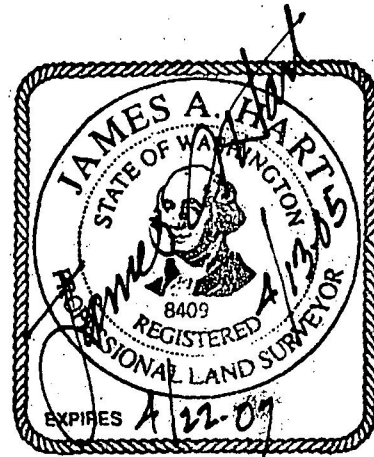
THENCE NORTH 74°40' EAST 10 FEET TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 22;

THENCE NORTH 15°20' WEST 127.22 FEET ALONG THE WEST LINE OF LOTS 18 AND 17, BLOCK 22, TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,272 SQ FT ±

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PLANNING DEPARTMENT
BY _____



(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 to the City a copy of the recorded easement as requested by Puget Sound Energy.

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:

A portion of the Waverly Way Right-of-way located at 1008 Waverly Way as described in Attachment 1.

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; and
- (e) The City Clerk for the City of Kirkland.


Passed by majority vote of the Kirkland City Council in open meeting on the 21st day of June, 2005.

SIGNED IN AUTHENTICATION THEREOF on the 21st day of June, 2005.



Mayor

ATTEST:



Acting City Clerk