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RESOLUTION R-4582

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER MARK P. NASSUTTI.

WHEREAS, the City has received a request to recognize that any rights to the land originally dedicated in 1891 as right-of-way abutting a portion of the Supplementary Plat to Kirkland have been vacated by operation of law; and

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

WHEREAS, the area which is the subject of this request was annexed to the City of Kirkland, with the relevant right-of-way having been unopened; 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 property owner Mark P. Nassutti, the City Council of the City of Kirkland hereby recognizes that the following described right of way has been vacated by operation of law and relinquishes all interest it may have, if any, in the portion of right-of-way described as follows:

A portion of unopened alley being identified as the south 8 feet of unopened alley abutting the north boundary of Lots 49, 50 and 51, Block 240, SUPPLEMENTARY PLAT TO KIRKLAND, according to the plat thereof recorded in Volume 8 of Plats, page 5, records of King County, Washington EXCEPT the east 5 feet of said Lot 51.

Section 2. This resolution does not affect any third party rights in the property, if any.

Passed by majority vote of the Kirkland City Council in open meeting this 5th day of July, 2006.

Signed in authentication thereof this 5th day of July, 2006.


MAYOR

Attest:


City Clerk