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RESOLUTION R - 4608

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 J BAY PROPERTIES, LLC.

WHEREAS, the City has received a request to recognize that any rights to the land originally dedicated in 1890 as right-of-way abutting a portion of the Waterfront Addition 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 the property owner J Bay Properties, LLC, 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 within the City of Kirkland being identified as that portion of 92<sup>nd</sup> Avenue NE (Rainier Avenue) lying east of the west line of the SE quarter of Section 30, Township 26 North, Range 5 East, WM, in King County, Washington that is south of the centerline of the NE 120<sup>th</sup> Street right-of-way and north of the southern margin of the NE Juanita Drive right-of-way (and the northern boundary of the Juanita Bay Condominiums) which is adjacent to the following described property:

Lot 6 and the North half of Lot 7, Block 31, WATERFRONT ADDITION TO KIRKLAND, according to the plat thereof recorded in Volume 6 of Plats, page 92, records of King County, Washington

Together with that portion of the vacated alley adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law

Except the South 12 and ½ feet of Lot 7.

Lot 25 and the North half of Lot 24, Block 31, WATERFRONT ADDITION TO KIRKLAND, according to the plat thereof recorded in Volume 6 of Plats, page 92, records of King County, Washington

Together with that portion of the vacated alley adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law

Except the South 12 and ½ feet of Lot 24.

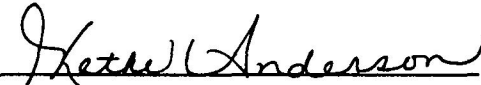
Section 2. This resolution does not affect any third party rights in the property, if any.

Passed by majority vote of the Kirkland City Council in open meeting this 3rd day of October, 2006.

Signed in authentication thereof this 3rd day of October, 2006.

  
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MAYOR

Attest:

  
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City Clerk