

RESOLUTION R-4666

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY ANDRZEJ PAWLUSKIEWCZ, FILE NUMBER VAC07-00001.

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

WHEREAS, by Resolution Number 4652, 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 VAC07-00001 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 \$58,800 as compensation for vacating this portion of the right-of-way.

EXHIBIT "A"  
RIGHT OF WAY VACATION

RECEIVED

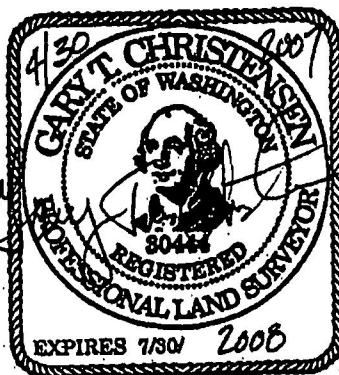
MAY 03 2007

PLANNING DEPARTMENT PM

BY  
THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP  
26 NORTH, RANGE 5 EAST, W.M., CITY OF KIRKLAND, KING COUNTY,  
WASHINGTON, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6, MATTSON  
SUBDIVISION NO. 1 AS RECORDED IN VOLUME 63 OF PLATS, PAGE 53,  
RECORDS OF KING COUNTY;  
THENCE SOUTH  $0^{\circ}57'30''$  WEST A DISTANCE OF 11.00 FEET;  
THENCE NORTH  $88^{\circ}36'46''$  WEST A DISTANCE OF 133.64 FEET;  
THENCE NORTH  $0^{\circ}57'45''$  EAST A DISTANCE OF 11.00 TO THE SOUTHWEST  
CORNER OF SAID LOT;  
THENCE SOUTH  $88^{\circ}36'46''$  EAST ALONG THE SOUTH LINE OF SAID LOT A  
DISTANCE OF 133.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 1470 SF, MORE OR LESS



(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.

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 NE 110<sup>th</sup> Street Right-of-Way located at 10521 NE 111<sup>th</sup> Place as described in Exhibit A

Section 5. Certified or conformed copies of this Resolution shall be delivered to the following within five (5) working days of the passage of 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 in open meeting on the 4th day of September, 192007

SIGNED IN AUTHENTICATION THEREOF on the 4th day of September, 2007.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk