

0020.190.049
JEH/crd
02/19/91

Vacation MIS 90-01
177 Avenue NE

ORDINANCE NO. 1610

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON,
VACATING A PORTION OF 177TH AVENUE N.E., FILE NO.
MIS90-01.

WHEREAS, a petition for vacation of a right-of-way has been filed with the office of the City Clerk, signed by the owners of more than two-thirds of the property abutting the right of way to be vacated, which is located at 177th Avenue N.E., north of N.E. 90th Street, and

WHEREAS, on January 8, 1991, the City Council passed a resolution setting a hearing date of February 19, 1991 for the vacation request, and

WHEREAS, notice of the public hearing was given by the City Clerk in the manner prescribed by RCW 35.79.020, and the hearing was held as scheduled on February 19, 1991, and

WHEREAS, all those who were present at the hearing and who expressed a desire to speak for or against the requested vacation were given an opportunity to do so, and

WHEREAS, based upon the testimony received at the public hearing, the City Council has determined that the vacation would be for a public purpose and public benefit and that no property's access would be substantially impaired by the vacation, and the City Council has further determined to grant the vacation, subject to conditions, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:

Section 1. Vacation Granted - Conditions. That portion of 177th Avenue N.E., lying north of N.E. 90th Street, which is legally described on Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full, is hereby vacated subject to the following conditions:

1. The applicant shall compensate the City for vacation of the right of way, in the amount of \$58,464.50, which is one-half of the appraised value of the land.
2. The applicant shall grant the City a 20 foot wide fire access and utility easement within or adjacent to the vacated right of way, in a location to be approved by the Technical Committee. The form of the easement shall be such as may be approved by the City Attorney and Technical Committee.

Section 2. Duties of City Clerk. Upon receipt of the above-referenced compensation amount and upon receipt of the appropriate and approved easement, the City Clerk is directed to record a certified copy of this Ordinance, together with the executed easement document, with the King County Recorder, and all costs of recording this Ordinance and the said documents shall be paid by the applicant.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title, provided, that the vacation of that portion of 177th Avenue N.E. provided

by this Ordinance shall not take effect until the compensation and executed easement provided in Section 1 are received by the City, and the easement and this Ordinance are recorded.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

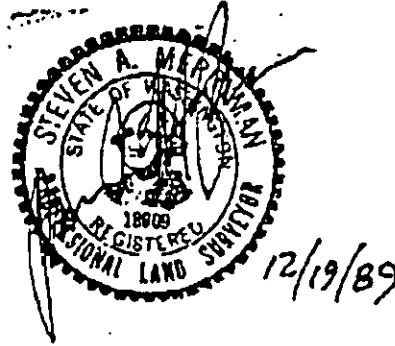
BY *John E. Jery*

FILED WITH THE CITY CLERK: 2-19-91
PASSED BY THE CITY COUNCIL: 2-19-91
PUBLISHED: 2-24-91
EFFECTIVE DATE: 3-1-91
ORDINANCE NO. 1610

Redmond Annex
DEI Project No. 89038
December 19, 1989

PROPOSED 177TH AVENUE N.E. VACATION

All that portion of 177th Avenue N.E. adjoining Lots 1 through 7,
Burke R. Magee Addition to Redmond as shown in Volume 60 of plats,
page 3, records of King County, Washington.

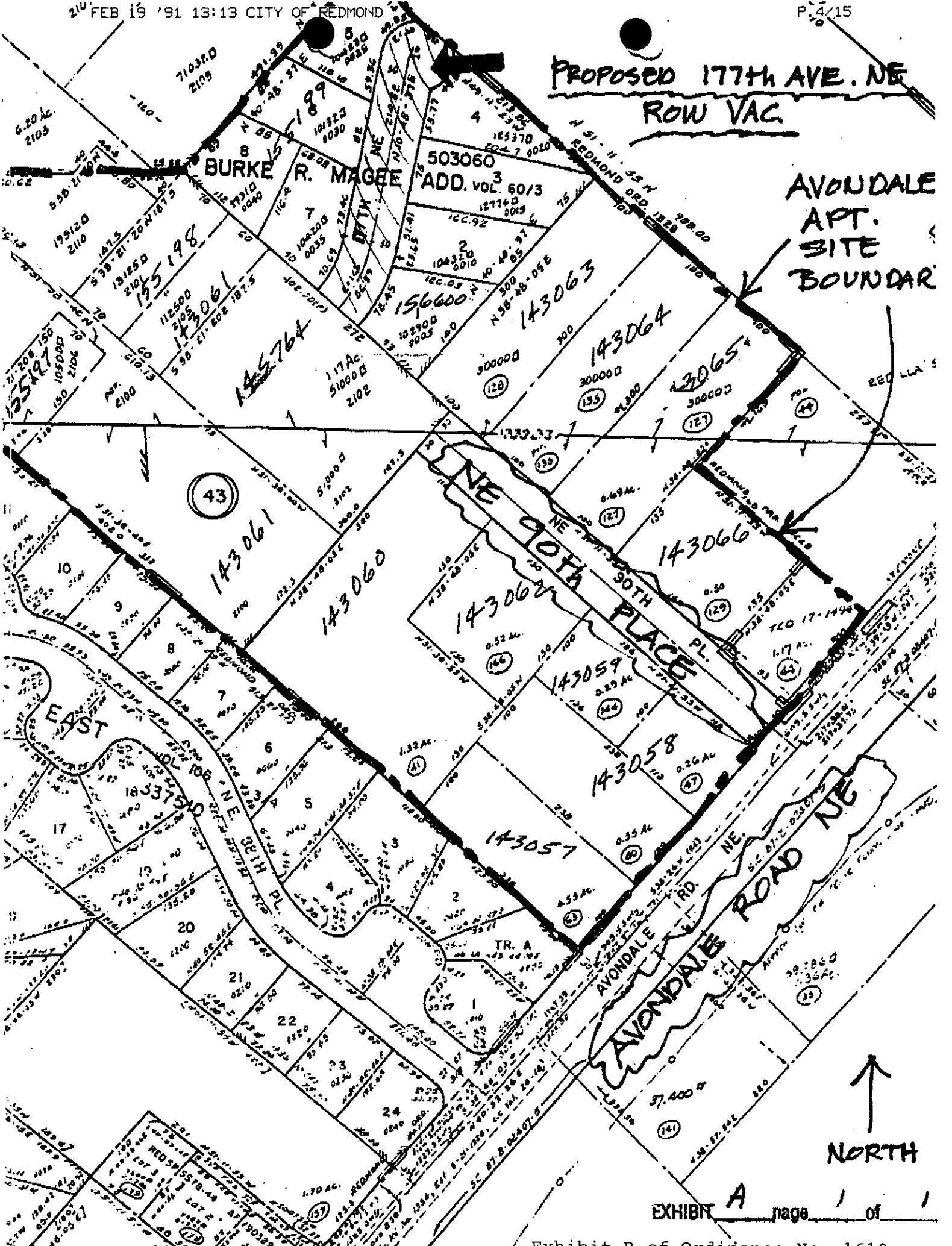


89038LGL
Printed - 12/19/1989

P.2/2

DEC 19 19 89 16:02 FAX (206) 885-7963

Exhibit A
Ordinance No. 1610



PROPOSED 177th AVE. NE
ROW VAC.

AVONDALE
APT.
SITE
BOUNDAR.

