

0020.150.118
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05/29/97
08/08/97:r

Lookout Ridge
RV-94-001

ORDINANCE NO. 1947

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, VACATING AND RELEASING ALL INTEREST IN A PORTION OF UTILITY EASEMENT AND ROAD RIGHT-OF-WAY LOCATED WITHIN THE PRELIMINARY PLAT OF LOOKOUT RIDGE EAST OF THE EASTERLY TERMINUS OF N.E. 95TH STREET, RV 94-001.

WHEREAS, the City received a petition signed by the owners of more than two-thirds (2/3) of the property abutting upon a portion of certain thirty (30) foot wide utility and roadway easements located within the preliminary plat of Lookout Ridge recorded under King County Recorder Nos. 4166133, 4166135, and 4166137, requesting the vacation of the same by the City, and

WHEREAS, the City Council passed a resolution setting a hearing on the petition for June 3, 1997, which hearing was continued to June 17, 1997 and further continued to July 1, 1997, and

WHEREAS, during the course of the hearing, evidence was presented that an additional thirty (30) foot roadway and utility easement recorded under King County Recorder No. 4171313 was in existence and immediately adjacent to the easements which were the subject of the petition, making the total easement width through the Lookout Ridge preliminary plat sixty (60) feet, and

WHEREAS, following the public hearing, the City Council adopted Resolution 1056 wherein the Council initiated the process for vacating a portion of all of the above-described easements and scheduled a public hearing on the same as provided in RCW 35.79.010 and Section 20F.20.070 of the Redmond Municipal Code and Community Development Guide, and

WHEREAS, the public hearing set for August 19, 1997 was opened on that date and all persons expressing a desire to testify at the hearing were given the opportunity to do so, and

WHEREAS, the Planning Department and the Public Works Department have both recommended that the vacation request be granted, and

WHEREAS, the City Council, having considered the testimony received at the public hearing and the recommendations of the Planning Department and Public Works Department, has determined to approve the vacation request, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Vacation of Right-of-Way and Termination and Release of Easements. That certain portion of a utility easement and road right-of-way located within the preliminary plat of Lookout Ridge and which is legally described on Attachment A and depicted on Attachment B attached hereto and incorporated herein by this reference as if set forth in full, is hereby vacated and all interest of the City therein hereby terminated and released, subject to the conditions provided in Section 2 below. The specific easements released by this ordinance are recorded under King County Recorder Number 4166133, 4166135, 4166137, and 4171313.

Section 2. Conditions for Vacation. The vacation and release of easements provided for in Section 1 is subject to all of the following conditions:

1. Pursuant to RCW 35.79.030 and Subsection 20F.20.210(25) of the Redmond Municipal Code and Community Development Guide, the owner of the Lookout Ridge preliminary plat shall be required to compensate the City in the amount of \$45,000.00 for the property interests released by the City and for a contribution toward construction of a utility line which replaces an existing utility line in the easements released. The City Council finds that the portion of the payment which would cover the property interests released does not exceed one-half (1/2) of the appraised value of the area and easements vacated and released. The

monies received from the owner of Lookout Ridge shall be deposited in the funds of City's utility; and

2. The owner of Lookout Ridge shall also be required to convey to the City a ten foot wide perpetual nonexclusive public ingress and egress easement across Lot 27 of the preliminary plat for pedestrians, bicycles, and other human-powered nonmotorized vehicles and conveyances. The easement shall be in the approximate location shown on Attachment B to this ordinance; and
3. The vacation and release is contingent upon the owner of Lookout Ridge completing and recording the final plat thereof, because the plat will dedicate street right-of-way and utility easements which will replace those easements and rights-of-way vacated and released by this ordinance.

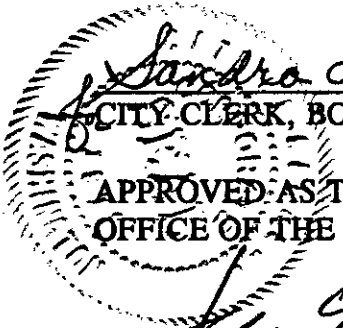
Section 3. Duties of City Clerk. The City Clerk is directed to record a certified copy of this Ordinance with the King County Recorder upon satisfaction of the conditions set forth in Section 2, and all costs of recording this ordinance shall be paid by the owner of the Lookout Ridge preliminary plat.

Section 4. 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 and be in full force five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title, provided that vacation and release of the utility easement and right-of-way described on Attachment A shall not take effect until all of the conditions set forth in Section 2 are satisfied and this ordinance recorded.

CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


Sandra S. Marion
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL.
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 1947

August 8, 1997
August 19, 1997
August 20, 1997
August 23, 1997
August 28, 1997

ORDINANCE NO. 1947
ATTACHMENT A

The East 30 feet, less the South 655.72 feet, less the North 327.86 feet of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 25 North, Range 5 East, W.M.; (as noted in Easement recorded under Auditor file No. 4166135, records of King County, Washington.)

together with

The East 30 feet, less the South 327.86 feet, less the North 655.72 feet of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1; (as noted in Easement recorded under Auditor file No. 4166137, records of King County, Washington.)

together with

The East 30 feet of the South 327.86 feet of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1; also the South 30 feet of the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1; (as noted in Easement recorded under Auditor file No. 4166133, records of King County, Washington.)

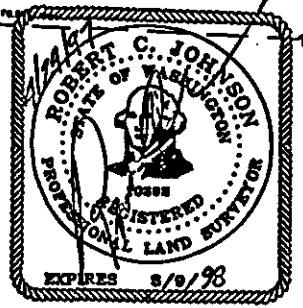
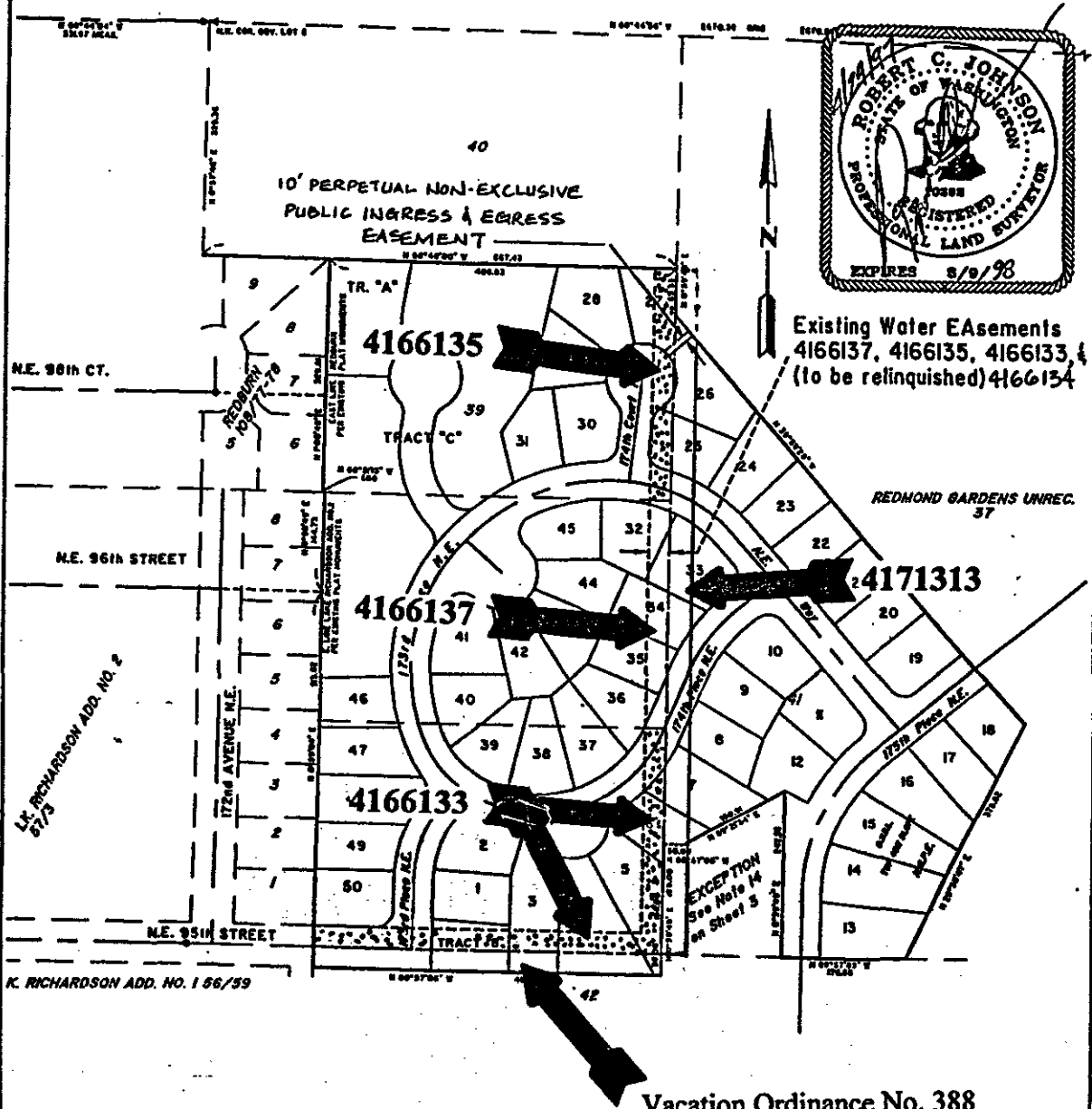
together with

The West 30 feet of the south $\frac{1}{4}$ of the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 1; (as noted in Easement recorded under Auditor file No. 4171313, records of King County, Washington.)

ORDINANCE NO. 1947

ATTACHMENT B

PTN. GOV'T. LOT 2, & S.W. 1/4 OF N.E. 1/4, SEC. 1, TWP. 25N., R.5E., W.M.
CITY OF REDMOND KING COUNTY WASHINGTON



Existing Water Easements
4166137, 4166135, 4166133, &
(to be relinquished) 4166134

Hugh C. Goldsmith & Associates, Inc.
Consulting Engineers - Surveyors - Planners
1818 114th Avenue SE
Bellevue, WA 98004
P.O. Box 3666
Bellevue, WA 98009
TEL: (206) 462-1800
FAX: (206) 462-7719

PLOTTED: 0860006 KJUSTE 04/24/97 R24	
SCALE: 1"=200'	VIEW: PLOT
DATE: Apr 24, 1997	REF:
DRAWN: KJUSTE	LSP: 0558006
DESIGNED: GJT	PLD BY:
APPROVED: GJ	PS P:
ACAD DWG: 0558006	PSF: 05540P

BURNSTEAD CONSTRUCTION
**EXHIBIT
EXISTING EASEMENT**
KING COUNTY WASHINGTON

JOB NO: 05580
SHEET 1