

NON-CODE

**CITY OF REDMOND
ORDINANCE NO. 2823**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, VACATING A PORTION OF THE
NE 79TH STREET RIGHT-OF-WAY BETWEEN 166TH
AVENUE NE AND 164TH AVENUE NE, PURSUANT TO
RCW 35.79

WHEREAS, the City has received a request to vacate 4.5 feet of right-of-way along NE 79th Street and the Applicant (or its successor in interest) will be dedicating 17.5 feet along the frontage of Redmond Way; and

WHEREAS, the action of vacating a street or roadway is categorically exempt from environmental review per WAC 197-11-800(2)(h) and is therefore not subject to SEPA rules and determinations; and

WHEREAS, a portion of the area to be vacated will be replaced with a utilities and sidewalk easement; and

WHEREAS, owners of properties abutting the right-of-way on NE 79th Street received mailed notices of the public hearing; and

WHEREAS, the appropriate notices of the public hearing were posted and published as required by RCW 35.79.020; and

WHEREAS, the hearing was held as scheduled on March 1, 2016, and all persons who wished to testify were provided an opportunity to do so; and

WHEREAS, the City Engineer and Director of Public Works have both recommended that the vacation request be granted, subject to certain terms and conditions; and

WHEREAS, after consideration of the testimony, the City Council determined that the vacation should be approved.

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

Section 1. Classification. This is a non-code ordinance.

Section 2. Vacation of Right-of-Way. The portion of the NE 79th Street right-of-way, between 166th Avenue NE and 164th Avenue NE and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full, is hereby vacated subject to the reservation of 1.5 feet of the 4.5 feet as shown on Exhibit B, and is subject to permanent, nonexclusive easement over, under, in, upon, along, and across the land for the construction, installation, reconstruction, reinstallation, repair, operation, and maintenance of sidewalks and utilities. The City understands and agrees that the applicant may construct underground pilings and an underground parking garage within the easement area and agrees that the easement extends only four feet beneath the surface.

Section 3. Compensation. Prior to vacation of the right-of-way and as a condition of vacation, the applicant (or its successor in interest) will be dedicating 17.5 feet of right-of-way along its frontage and more particularly described on Exhibit B. In addition, the City has reserved a permanent easement over a portion of the vacated right-of-way for sidewalks and utilities. The City Council finds that the value of the right-of-way to be dedicated for the future City connector street and the reserved easement for sidewalk and utilities is ample compensation for the vacation. No additional compensation will be required as allowed under RCW 35.79.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other sections, sentence, clause or phrase of this ordinance.

Section 5. Effective date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the City's official newspaper, or as otherwise provided by law. The Planning Department is directed to record a certified copy of this ordinance with the King County Department of Records and Elections, thereby making the vacation effective, at such time as the Applicant (or its

successor in interest) dedicates the additional right-of-way described on Exhibit B.

ADOPTED by the Redmond City Council this 1st day of March, 2016.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

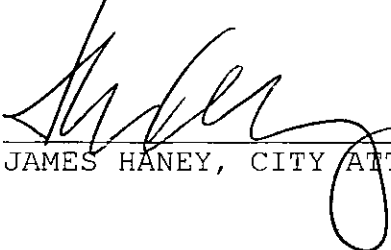
ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	February 16, 2016
PASSED BY THE CITY COUNCIL:	March 1, 2016
SIGNED BY THE MAYOR:	March 4, 2016
PUBLISHED:	March 7, 2016
EFFECTIVE DATE:	March 12, 2016
ORDINANCE NO. 2823	

YES: ALLEN, BIRNEY, CARSON, MARGESON, MYERS, SHUTZ, STILIN

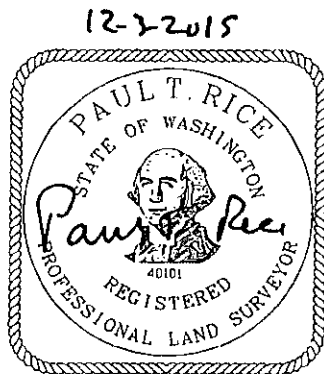
**EXHIBIT A
RIGHT OF WAY VACATION**

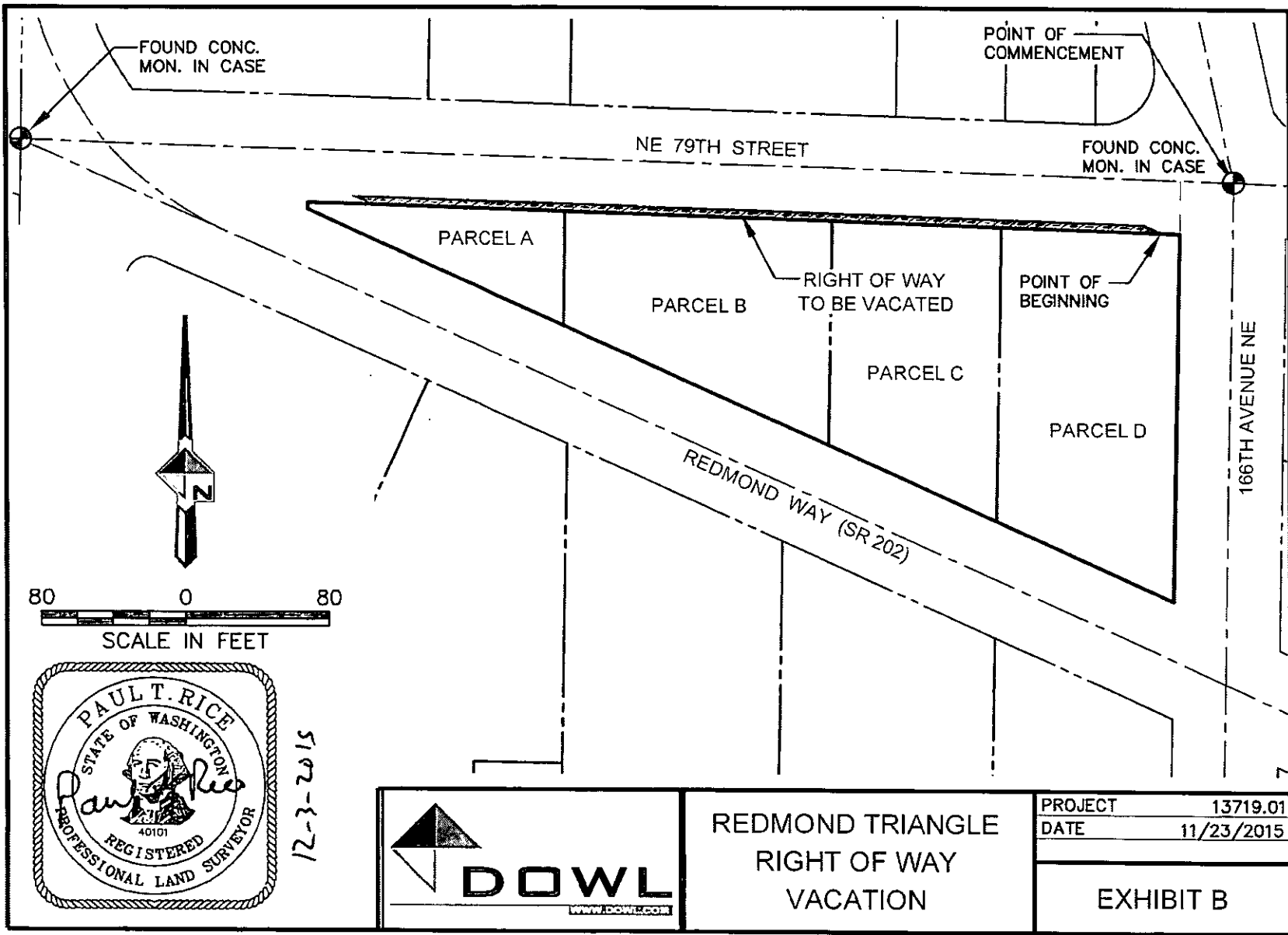
THAT PORTION OF EXISTING NE 79TH STREET, LYING WESTERLY OF 166TH AVENUE NE, AND EASTERLY OF 164TH AVENUE NE, AND WITHIN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RIGHT OF WAY TO BE VACATED:

COMMENCING AT A CONCRETE MONUMENT LOCATED AT THE CENTER OF THE INTERSECTION OF NE 79TH STREET AND 166TH AVENUE NE;
THENCE NORTH 88°04'29" WEST ALONG THE CENTERLINE OF SAID NE 79TH STREET, A DISTANCE OF 30.00 FEET;
THENCE SOUTH 01°02'38" WEST, ALONG THE NORTHERLY PROLONGATION OF THE WESTERLY RIGHT OF WAY LINE OF SAID 166TH AVENUE NE, 30.00 FEET TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF SAID NE 79TH STREET;
THENCE NORTH 88°04'29" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 10.38 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88°04'29" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 443.72 FEET;
THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, NORTH 65°40'05" WEST, 11.81 FEET TO AN INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 4.50 FEET NORTHERLY OF SAID SOUTHERLY RIGHT OF WAY LINE;
THENCE SOUTH 88°04'29" EAST, ALONG SAID PARALLEL LINE, 440.33 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 15.23 FEET THROUGH A CENTRAL ANGLE OF 34°54'55", TO THE POINT OF BEGINNING.

SAID RIGHT OF WAY TO BE VACATED CONTAINS 2,001 SQUARE FEET, 0.0459 ACRES OF LAND, MORE OR LESS.





REDMOND TRIANGLE
RIGHT OF WAY
VACATION

PROJECT	13719.01
DATE	11/23/2015
EXHIBIT B	

ROW VACATION.txt

Name: Lot : Right of Way Vacation

North: 248434.110' East: 1323682.450'

Segment #1 : Line

Course: N88°04'29"W Length: 443.72'

North: 248449.017' East: 1323238.981'

Segment #2 : Line

Course: N65°40'05"W Length: 11.81'

North: 248453.883' East: 1323228.220'

Segment #3 : Line

Course: S88°04'29"E Length: 440.33'

North: 248439.089' East: 1323668.301'

Segment #4 : Curve

Length: 15.23' Radius: 25.00'

Delta: 34°54'55" Tangent: 7.86'

Chord: 15.00' Course: S70°37'01"E

Course In: S1°55'31"W Course Out: N36°50'26"E

RP North: 248414.104' East: 1323667.461'

End North: 248434.111' East: 1323682.451'

Perimeter: 911.09' Area: 2000.68 Sq. Ft.
Page 1

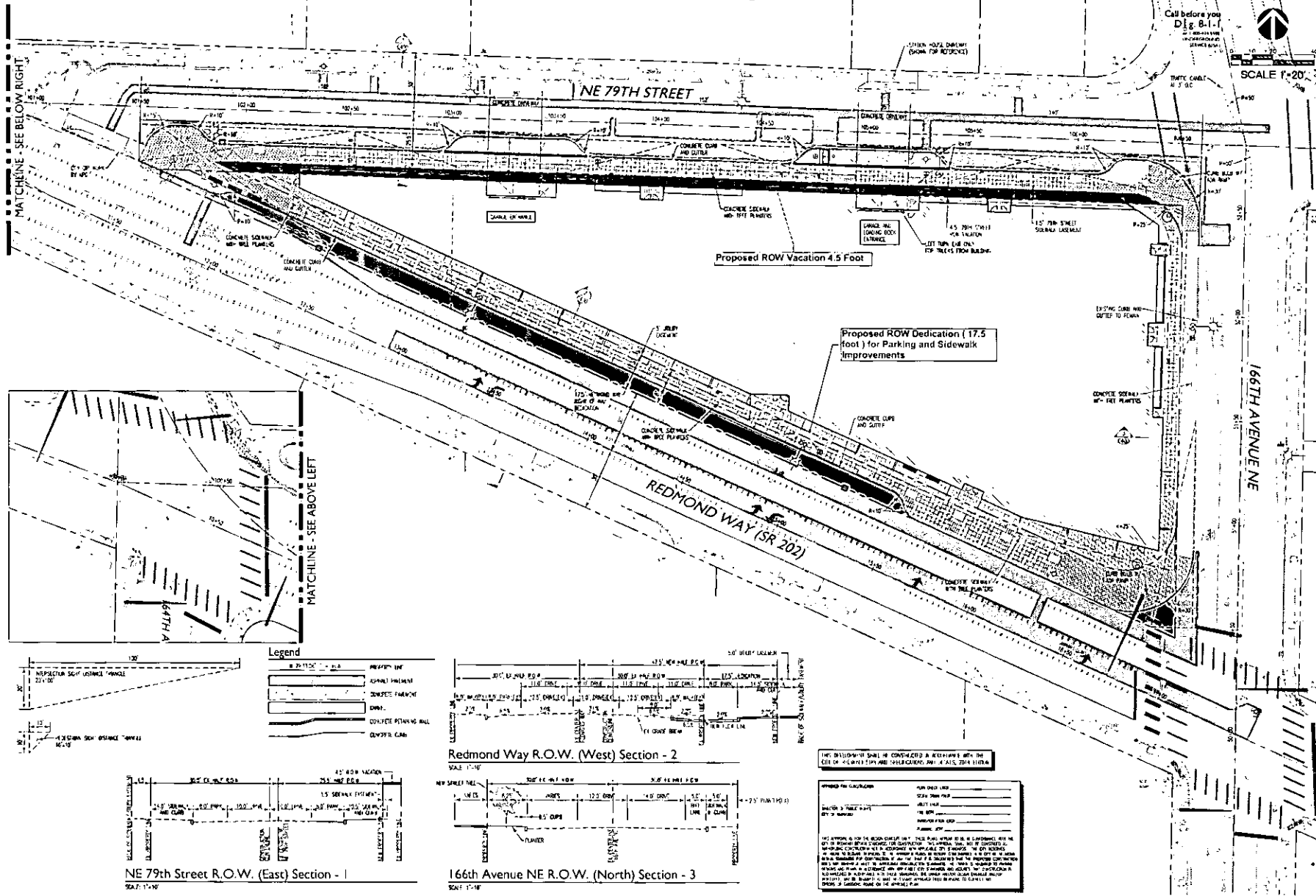
ROW VACATION.txt

Error Closure: 0.002 Course: N24°57'54"E

Error North: 0.0016 East: 0.0008

Precision 1: 455430.00

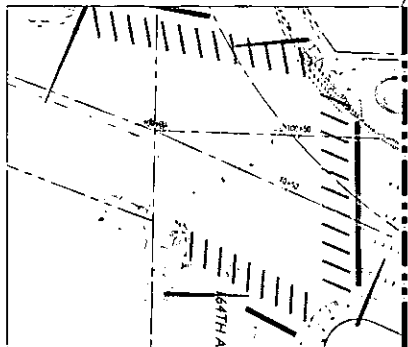
Exhibit B - Redmond Triangle Site Plan



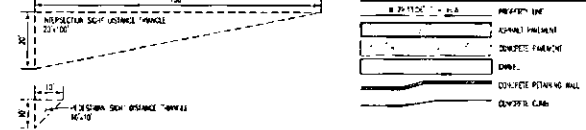
Call before you Dig 811
 SCALE 1"=20'

MATCHLINE - SEE BELOW RIGHT

MATCHLINE - SEE ABOVE LEFT

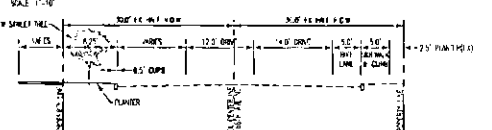


Legend



NE 79th Street R.O.W. (East) Section - 1
 SCALE 1"=10'

Redmond Way R.O.W. (West) Section - 2
 SCALE 1"=10'



166th Avenue NE R.O.W. (North) Section - 3
 SCALE 1"=10'

THE BUILDER SHALL BE CONSIDERED A RECEIVING PARTY FOR THE CITY OF REDMOND'S EAP AND SHALL BE RESPONSIBLE FOR A 4.5' ROW VACATION.

APPROVED FOR CONSTRUCTION

DATE	10/20/15
SCALE	AS SHOWN
DRAWN BY	DJD
CHECKED BY	JNP
DESIGNED BY	JNP
PROJECT NO.	15003

NOT APPROVED FOR CONSTRUCTION UNTIL THE BUILDER OBTAINS A RECEIVING PARTY FROM THE CITY OF REDMOND. THE BUILDER SHALL BE RESPONSIBLE FOR THE CITY OF REDMOND'S EAP AND SHALL BE RESPONSIBLE FOR A 4.5' ROW VACATION. THE BUILDER SHALL BE RESPONSIBLE FOR THE CITY OF REDMOND'S EAP AND SHALL BE RESPONSIBLE FOR A 4.5' ROW VACATION. THE BUILDER SHALL BE RESPONSIBLE FOR THE CITY OF REDMOND'S EAP AND SHALL BE RESPONSIBLE FOR A 4.5' ROW VACATION.

TISCARENO ASSOCIATES
 ARCHITECTS & ENGINEERS

Tiscareno Associates PS
 1200 Sixth Ave., Suite 602
 Seattle, WA 98101
 T: 206.329.3555
 F: 206.701.8799

MEMBER OF THE AMERICAN SOCIETY OF ARCHITECTS

PROJECT
REDMOND TRIANGLE

PROJECT NO. 15003

DATE
 09/24/15

DRAWN BY
 DJD

PRINCIPAL IN CHARGE
 JNP

REVISIONS

NO.	DATE	DESCRIPTION



COUGHLIN PORTER LUNDEN

801 SECOND AVENUE - SUITE 1900
 SEATTLE, WA 98104
 P: 206.344.6666
 F: 206.344.6666
 ACCOUNTING
 STRUCTURAL AND CIVIL
 ENGINEERING CORPORATION

SPE

SHEET TITLE
TRANSPORTATION PLAN

SHEET NO.
C400

SHEET TITLE

OF X

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