

NON-CODE

**CITY OF REDMOND
ORDINANCE NO. 2841**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, VACATING A PORTION OF NE 36TH STREET RIGHT-OF-WAY (APPROXIMATELY 5,631 SQUARE FEET), ADJACENT TO SR 520 AND A PORTION OF OVERLAKE PARKWAY RIGHT-OF-WAY (APPROXIMATELY 3,848 SQUARE FEET), A TRIANGULAR AREA LOCATED ON THE NORTHEAST CORNER OF EASTBOUND SR 520 ON-RAMP AT 148TH AVENUE NE, PURSUANT TO RCW 35.79

WHEREAS, the City has received a request to vacate a portion of NE 36th Street right-of-way (approximately 5,631 square feet), adjacent to SR 520 and a portion of Overlake Parkway right-of-way (approximately 3,848 square feet), a triangular area located on the northeast corner of Eastbound SR 520 on-ramp at 148th Avenue NE to construct East Link E360 improvements; 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, the areas to be vacated will be used for placement of light rail track, power station and signal house; and

WHEREAS, owners of properties abutting the right-of-way of NE 36th Street and of Overlake Parkway, located on the northeast

corner of Eastbound SR 520 on-ramp at 148th Avenue NE received mailed notices of the public hearing; and

WHEREAS, 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 August 16, 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 NE 36th Street right-of-way (approximately 5,631 square feet), adjacent to SR 520 and the portion of Overlake Parkway right-of-way (approximately 3,848 square feet), a triangular area located on the northeast corner of Eastbound SR 520 on-ramp at 148th Avenue NE and more particularly described on Exhibit A, attached

hereto and incorporated herein by this reference as if set forth in full, are hereby vacated.

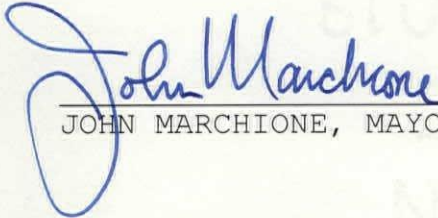
Section 3. Compensation. The right-of-way vacation is made for construction of the East Link E360 improvements. No additional compensation will be required as allowed under RCW 35.79 and per the *Expedited Permitting Agreement for the Sound Transit East Link Light Rail Project* between the City of Redmond and Sound Transit.

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 or constitutionality of any other sections, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. The 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 an approved summary thereof consisting of the title. However, the vacation shall not be effective until such time as this ordinance is recorded. The Planning Department is directed to record a certified copy of this ordinance with the King County Recorder's Office, thereby making the vacation effective.

ADOPTED by the Redmond City Council this 16th day of August,
2016.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

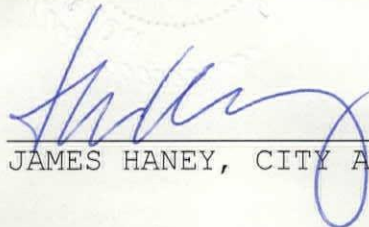
ATTEST:



MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JAMES HANEY, CITY ATTORNEY

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| FILED WITH THE CITY CLERK: | July 19, 2016 |
| PASSED BY THE CITY COUNCIL: | August 16, 2016 |
| SIGNED BY THE MAYOR: | August 19, 2016 |
| PUBLISHED: | August 22, 2016 |
| EFFECTIVE DATE: | August 27, 2016 |
| ORDINANCE NO. 2841 | |

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

**NE 36TH STREET RIGHT-OF-WAY
VACATION LEGAL DESCRIPTION**

THAT PORTION OF NORTHEAST 36TH STREET, AS DEDICATED BY DEED TO THE CITY OF REDMOND RECORDED UNDER RECORDING NUMBER 20020131000898, RECORDS OF KING COUNTY, WASHINGTON, IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., LYING **WESTERLY** OF THE FOLLOWING DESCRIBED **LINE**:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.,
THENCE S01°09'29"W ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, THE SAME BEING THE CENTERLINE OF 156TH AVENUE NORTHEAST, A DISTANCE OF 1286.00 FEET TO THE CENTERLINE OF NORTHEAST 36TH STREET;
THENCE N88°50'31"W ALONG SAID CENTERLINE A DISTANCE OF 72.00 FEET;
THENCE AT RIGHT ANGLES S01°09'29"W A DISTANCE OF 30.00 FEET TO THE SOUTH MARGIN OF NORTHEAST 36TH STREET;
THENCE N88°50'31"W ALONG SAID MARGIN A DISTANCE OF 187.34 FEET TO THE **BEGINNING OF THE HEREIN DESCRIBED LINE**;
THENCE LEAVING SAID MARGIN N00°50'48"E A DISTANCE OF 24.97 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 76.50 FEET, TO WHICH POINT A RADIAL LINE BEARS S55°40'41"W;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°26'48", AN ARC DISTANCE OF 37.98 FEET TO THE NORTH MARGIN OF NORTHEAST 36TH STREET, BEING THE **END OF THE HEREIN DESCRIBED LINE**.

CONTAINING 5,631 SQUARE FEET, MORE OR LESS.

**OVERLAKE PARKWAY RIGHT-OF-WAY
VACATION LEGAL DESCRIPTION**

THAT PORTION OF THE RIGHT-OF-WAY OF OVERLAKE PARKWAY; AS DEDICATED ACCORDING TO THE PLAT OF OVERLAKE INDUSTRIAL PARK, RECORDED IN VOLUME 64 OF PLATS, PAGES 79-82, RECORDS OF KING COUNTY, WASHINGTON, LYING SOUTHEASTERLY OF STATE ROUTE 520 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT J, DON KOLL BUSINESS PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 97 OF PLATS, PAGES 15 AND 16, IN KING COUNTY, WASHINGTON, SAID CORNER BEING A POINT IN THE SOUTHEASTERLY MARGIN OF SR520 LYING OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) 482+75.92 ON THE SR 520 LINE SURVEY OF "SR520, 116TH AVE. N.E. VIC. TO N.E. 40TH ST. VIC.", AND 222.24 FEET SOUTHEASTERLY THEREFROM; THENCE N32°36'22"E ALONG SAID SOUTHEASTERLY MARGIN AND THE NORTHWESTERLY LINE OF LOT J, A DISTANCE OF 65.43 FEET TO AN INTERSECTION WITH THE SOUTHEAST MARGIN OF OVERLAKE PARKWAY AT A POINT OPPOSITE HES 483+38.14 ON SAID LINE SURVEY AND 202.00 FEET SOUTHEASTERLY THEREFROM, BEING THE **TRUE POINT OF BEGINNING**;
THENCE CONTINUING N32°36'22"E ALONG THE SOUTHEAST MARGIN OF SR 520, LEAVING THE NORTHWESTERLY LINE OF LOT J, A DISTANCE OF 135.93 FEET TO AN ANGLE POINT OF SAID MARGIN OPPOSITE HES 484+67.41 ON SAID LINE SURVEY AND 160 FEET SOUTHEASTERLY THEREFROM;
THENCE N46°19'16"E ALONG SAID MARGIN A DISTANCE OF 238.79 FEET TO THE SOUTHEAST MARGIN OF OVERLAKE PARKWAY AT A POINT OPPOSITE HES 487+05.53 ON SAID LINE SURVEY AND 142.14 FEET SOUTHEASTERLY THEREFROM,
THENCE S41°21'20"W ALONG SAID MARGIN OF OVERLAKE PARKWAY, THE SAME BEING THE NORTHWESTERLY LINE OF LOT J, A DISTANCE OF 372.24 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 3,848 SQUARE FEET, MORE OR LESS.

SPECIFIC DETAILS OF THE SR 520 RIGHT OF WAY MAY BE FOUND ON SHEET 6 OF 16 OF THAT CERTAIN RIGHT OF WAY PLAN ENTITLED "SR 520, NORTHUP INTERCHANGE TO JCT. SR 202", DATED FEBRUARY 6, 1969, SUPERSEDED BY SHEETS 19 AND 20 OF 22 OF THAT CERTAIN RIGHT OF WAY PLAN ENTITLED "SR 520, 116TH AVE N.E. VIC. TO N.E. 40TH ST. VIC.", DATED JUNE 28, 2007, BOTH OF RECORD AND ON FILE IN THE OFFICE OF THE SECRETARY OF TRANSPORTATION AT OLYMPIA, WASHINGTON