ORDINANCE NO. _2246___

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, VACATING A PORTION OF NE 91ST STREET RIGHT-OF-WAY LOCATED WEST OF 166TH AVENUE NE AT THE END OF THE NE 91ST STREET CORRIDOR PURSUANT TO RCW 35.79 AND REDMOND COMMUNITY DEVELOPMENT GUIDE 20F.40.110, SUBJECT TO COMPENSATION AND THE RESERVATION OF CERTAIN EASEMENTS, CITY FILE NO. L040099.

WHEREAS, the City Council has received a petition requesting that a portion of NE 91st Street right-of-way, located west of 166th Avenue NE at the end of the NE 91st Street corridor, be vacated; and

WHEREAS, the petition contains the signatures of the owners of more than two-thirds of the abutting property; and

WHEREAS, the action of vacating a street or roadway is categorically exempt from environmental review per Washington Administrative Code 197-11-800(2)(h) and is therefore not subject to Standard Environmental Protection Agency rules and determinations; and

WHEREAS, the City Council, by passage of Resolution 1197, established January 4, 2005, as the date for a public hearing to consider the requested street vacation; and

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

WHEREAS, the hearing was held as scheduled on January 4, 2005, 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 HEREBY ORDAIN AS FOLLOWS:

Section 1. Vacation of Right-of-Way. The dedicated street right-of-way commonly known as a portion of the NE 91st Street right-of-way, in the City of Redmond, and more particularly described on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full, is hereby vacated.

Section 2. Reservation of Easement. The City hereby reserves a permanent easement for itself for the construction, reconstruction, maintenance, operation, replacement and repair of public sidewalks over, in, upon, across, through and along the vacated area described in Exhibit A.

Section 3. Compensation. This vacation is undertaken with the understanding that the City will receive compensation in an amount of Fifteen Thousand Dollars (\$15,000.00), the full appraised value of the vacated area.

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 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 City Clerk is directed to record a certified copy of this Ordinance with the King County Recorder, thereby making the vacation effective, upon confirmation that compensation of \$15,000 has been received by the City.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Bonie Kattan

CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

By:

FILED WITH THE CITY ELERK:

PASSED BY THE CITY COUNCIL:

SIGNED BY THE MAYOR:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. 2246

December 29, 2004

January 4, 2005

January 5, 2005

January 10, 2005

January 15, 2005

EXHIBIT A

ORDINANCE NO. 2246

RIGHT-OF-WAY VACATION LEGAL DESCRIPTION FOR PORTION OF NE 91ST STREET

THAT PORTION OF NE 91ST STREET AS DESCRIBED BY DEED RECORDED UNDER RECORDING NO. 7803270808 DESCRIBED AS FOLLOWS:
THE NORTH 16 FEET OF THE SOUTH 30 FEET OF THE WEST 85 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN;

SITUATE IN THE CITY OF REDMOND, COUNTY OF KING AND STATE OF WASHINGTON.



CONCEPT ENGINEERING, INC.

455 Rainier Boulevard North Issaquah, Washington 98027 [425] 392-8055 Fax: (425) 392-0108

CEI JOB NO. 24064 DATE: 12-17-04 REV: 12-21-04

