

**CITY OF REDMOND
RESOLUTION NO. 1511**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, SETTING MARCH 19, 2019 AS THE DATE FOR A PUBLIC HEARING ON THE VACATION OF A PORTION OF NE 102ND STREET RIGHT-OF-WAY LYING BETWEEN 143RD NE AND 148TH NE

WHEREAS, a petition as found as Exhibit A has been submitted requesting the vacation of a portion of 102nd Street right-of-way lying between 143rd NE and 148th NE; and

WHEREAS, the petition was signed by Access Golf LLC, owner of more than two-thirds of the properties abutting the portion of the right-of-way sought to be vacated; and

WHEREAS, pursuant to RCW 35.79.010, the Redmond City Council is required to set the date for public hearing on the requested vacation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Hearing. Pursuant to RCW 35.79.010, a public hearing is hereby set before the Redmond City Council for March 19, 2019, at 7:30 p.m., or as soon thereafter as the matter may be heard, in order to receive public testimony and consider the proposed vacation of a portion of 102nd Street right-of-way lying between 143rd NE and 148th NE, as legally described and depicted in Exhibit A, attached hereto and incorporated herein by this reference

as if fully set forth. The hearing will be held in the City Council Chambers of Redmond City Hall, 15670 NE 85th Street, Redmond, Washington.


Section 2. Notice. The City Clerk is hereby directed to post written notice of the hearing in three of the most public places in the City and a conspicuous place upon the area proposed for vacation. Such notice shall be posted at least twenty (20) days in advance of the hearing. The notice shall contain a statement that a petition has been filed to vacate that portion of 102nd Street right-of-way lying between 143rd NE and 148th NE. The notice shall also contain a statement of the time and place fixed for hearing.

ADOPTED by the Redmond City Council this 5th day of February, 2019.

APPROVED:


JOHN MARCHIONE, MAYOR

ATTEST:


MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

FILED WITH THE CITY CLERK: January 19, 2019
PASSED BY THE CITY COUNCIL: February 5, 2019
RESOLUTION NO: 1511

YES: ANDERSON, BIRNEY, CARSON, FIELDS, MARGESON, MYERS

**VACATION PETITION TO THE HONORABLE
CITY COUNCIL OF THE CITY OF REDMOND**

Access Golf LLC (“Petitioner”), being the owner of more than two-thirds of the property abutting that certain right-of-way conveyed to King County for road purposes by deed recorded under recording number 1440053, which is more particularly described in Exhibit A attached hereto, and which is depicted in Exhibit B attached hereto (the “Property”), hereby petitions the City of Redmond to vacate the Property pursuant to RCW 35.79 et seq.

Reason for the Vacation

Petitioner is the owner of property commonly known as the Willows Run Golf Complex in Redmond, Washington. The Property is an undeveloped right-of-way which cuts across one of the golf courses located within the Willows Run Golf Complex. Petitioner requests that the City of Redmond vacate the Property so that Petitioner can be certain that no future development of the right-of-way will interfere with the operation of the golf facilities within the Willows Run Golf Complex. Petitioner has received a Property History Guarantee (attached as Exhibit C) from Chicago Title Company which shows that the Property has not been conveyed in any capacity since the Property was conveyed to King County as referenced above.

Proposed Use for the Vacated Property

If the City of Redmond grants Petitioner’s request to vacate the Property, Petitioner will continue to use the Property for the operation of golf facilities within the Willows Run Golf Complex.

**Petitioner: Access Golf LLC
505 Fifth Avenue South, Suite 900
Seattle, WA 98104**

**Contact Person: Steve Van Til
Vulcan Inc.
505 Fifth Avenue South, Suite 900
Seattle, WA 98104
206-342-2119
stevev@vulcan.com**

- EXHIBIT A – Legal Description**
- EXHIBIT B – Depiction of the Property**
- EXHIBIT C – Property History Guarantee**
- EXHIBIT D – Vicinity Map**




CITY OF REDMOND
PETITION FOR VACATION
OF RIGHT-OF-WAY

Public right-of-way situated in
Section 34 Township 26 N R 5 E W M
Street _____ File No. _____

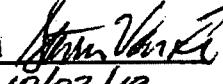
CERTIFICATION

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the following authorization.

Name Access Golf LLC, by its Manager Signed Steven Van Til 
Address 505 Fifth Avenue South, Suite 900
City Seattle State WA Zip 98104 Phone (206) 342-2119

AUTHORIZATION

WE, the undersigned, being the owners of more than two-thirds of real property abutting and adjoining the right-of-way (street, alley, or other public way) described on the attached exhibits, do hereby petition the City Council of the City of Redmond, Washington, for the vacation of such right-of-way in the manner provided by law. This authorization may consist of separately attached signature sheets.

- Name (Print) Access Golf LLC, by its Manager Signature Steven Van Til 
Address 505 Fifth Ave. S, Suite 900, Seattle, WA 98104 Date 10/02/18
Property Description SEE ATTACHED Property Description _____
(Section and tax lot number or subdivision and lot number)
- Name (Print) _____ Signature _____
Address _____ Date _____
Property Description _____
(Section and tax lot number or subdivision and lot number)
- Name (Print) _____ Signature _____
Address _____ Date _____
Property Description _____
(Section and tax lot number or subdivision and lot number)
- Name (Print) _____ Signature _____
Address _____ Date _____
Property Description _____
(Section and tax lot number or subdivision and lot number)
- Name (Print) _____ Signature _____
Address _____ Date _____
Property Description _____
(Section and tax lot number or subdivision and lot number)

CITY OF REDMOND
PETITION FOR VACATION
OF RIGHT-OF-WAY

AUTHORIZATION

Property Description, property abutting and adjoining ROW:

Sections 34 and 35; Tax Lot Numbers 342605-9018-06, 342605-9033-07, 352605-9040-07,
342605-9032-08, 342605-9030-00, 342605-9020-02, 342605-9028-04

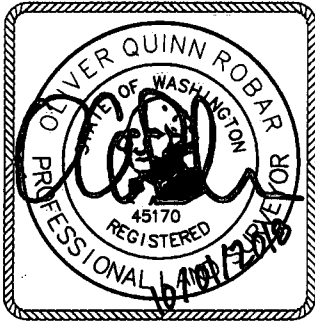
VACATION DESCRIPTION

THE SOUTH 697.0 FEET OF THE SOUTHEAST QUARTER OF SECTION 34,
TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY,
WASHINGTON, LYING EASTERLY OF THE BURLINGTON NORTHERN RAILROAD
RIGHT-OF-WAY;

EXCEPT THE SOUTH 637.0 FEET THEREOF;

CONTAINING AN AREA OF 105,756 SQUARE FEET OR 2.4278 ACRES, MORE
OR LESS;

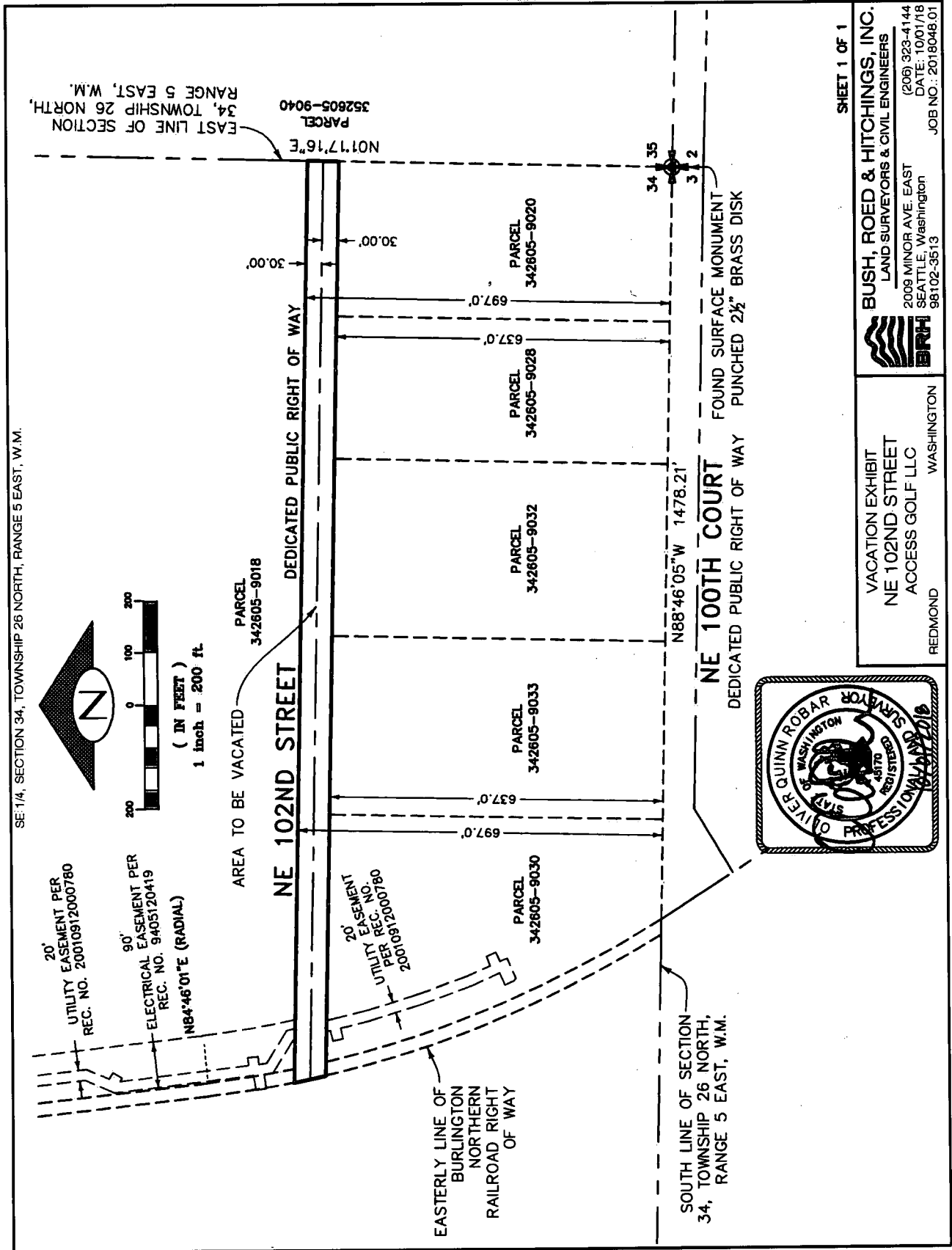
SITUATE IN THE CITY OF REDMOND, KING COUNTY, WASHINGTON STATE.



ACCESS GOLF
WILLOWS RUN GOLF COURSE
OLIVER Q. ROBAR, P.L.S.
BRH JOB NO. 2018048.01
DATE 10/01/2018

BUSH, ROED & HITCHINGS, INC.
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144

EXHIBIT B - DEPICTION OF THE PROPERTY



SHEET 1 OF 1

BUSH, ROED & HITCHINGS, INC.
LAND SURVEYORS & CIVIL ENGINEERS
(206) 323-4144
DATE: 10/01/18
JOB NO.: 2016048.01

VACATION EXHIBIT
NE 102ND STREET
ACCESS GOLF LLC
REDMOND WASHINGTON



EXHIBIT C
Property History Guarantee

[ATTACHED]

PROPERTY HISTORY

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee Number:

0135468-06

CHICAGO TITLE INSURANCE COMPANY
a Florida corporation, herein called the Company

GUARANTEES

the Assured named in Schedule A, against actual loss not exceeding the liability stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect, or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth above.

Chicago Title Company of Washington
701 5th Avenue, Suite 2700
Seattle, WA 98104

Countersigned By:

Authorized Officer or Agent



Chicago Title Insurance Company

By:

President

Attest:

Secretary

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Your Property History Guarantee is enclosed.

ISSUING OFFICE:

Title Officer: Commercial Unit
 Chicago Title Company of Washington
 701 5th Avenue, Suite 2700
 Seattle, WA 98104
 Main Phone: (206)628-5610
 Email: WA-Commercial@ctt.com

PROPERTY HISTORY GUARANTEE

Total Liability Limited to	Fee	Tax
\$50,000.00	\$350.00	\$35.35

Date of Report: September 20, 2018 at 12:00 AM

A. Assured: Access Golf LLC, a Washington limited liability company, successor by name change to Druids Glen LLC, a Washington limited liability company

B. The land described in this Guarantee is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

C. At your request, Chicago Title Insurance Company, a Florida corporation has searched the public records of King, Washington, which by law impart constructive notice, for the documents shown below (hereinafter called "the Instruments"):

Deeds, Real Estate Contracts and Leases

D. At your request, the period of time searched is as follows:

Beginning date: September 20, 1918 at 12:00 AM
 Ending date: September 20, 2018 at 12:00 AM

E. The following matters are excluded from the search provided by this guarantee:

1. Unpatented mining claims, and patents
2. Water rights, or claims thereof
3. Instruments, proceedings or other matters which do not specifically describe said land.

This Guarantee is restricted to the use of the Assured. This Guarantee is not a Commitment nor an obligation by the Company to issue any Policy or Policies of Title Insurance insuring said land, and is not to be used as a basis for closing any transaction affecting title to said property.

F. The Instruments as defined in Paragraph C recorded during the period of time searched are:

(continued)

1. Document Type: Deed
1st Party: Monroe M. Pfautz and Mary H. Pfautz, husband and wife, and John W. Gish and Monroe M. Pfautz, Trustees of the Danner Home under the last will and testament of George H. Danner, deceased, and John W. Gish and Monroe M. Pfautz, Executors of the last will and testament of George H. Danner
2nd Party: James Gardiner Robinson, husband of Eva A. Robinson
Recording Date: May 15, 1919
Recording No.: 1307532

Affects: includes other property

2. Document Type: Deed
1st Party: Albert D. Eshelman, as Administrator with the will annexed of the estate of George H. Danner, deceased
2nd Party: James Gardiner Robinson, husband of Eva A. Robinson
Recording Date: May 15, 1919
Recording No.: 1307533

Affects: Undivided 1/2 interest in said premises and other property

3. Document Type: Deed
1st Party: James Gardiner Robinson and Eva A. Robinson, husband and wife
2nd Party: Harry Merle Gilmore
Recording Date: May 26, 1919
Recording No.: 1310387

Affects: Portion of said premises and other property

4. Document Type: Deed
1st Party: James Gardiner Robinson and Eva A. Robinson, husband and wife
2nd Party: Fred Mellen Gilmore
Recording Date: May 26, 1919
Recording No.: 1310388

Affects: Portion of said premises and other property

5. Document Type: Deed
1st Party: James Gardiner Robinson and Eva A. Robinson, husband and wife; Harry Merle Gilmore, a bachelor; and Fred Mellen Gilmore, a bachelor
2nd Party: King County, Washington, a municipal corporation
Recording Date: August 2, 1920
Recording No.: 1440053

***** END OF GUARANTEE LIST OF INSTRUMENTS *****

(continued)

Note: This Property History Guarantee does not include unrecorded deeds, real estate contracts or leases which may be disclosed by other documents of record.

EXHIBIT "A"
Legal Description

That portion of Section 34, Township 26 North, Range 5 East, W.M. more particularly described as follows:

Beginning at a point on the East line of said Section 34 which point is 637.5 feet North from the Southeast corner of said section;

Thence West parallel with the South line of said section, 1735 feet, more or less, to the railroad right of way of the Northern Pacific Railway Company;

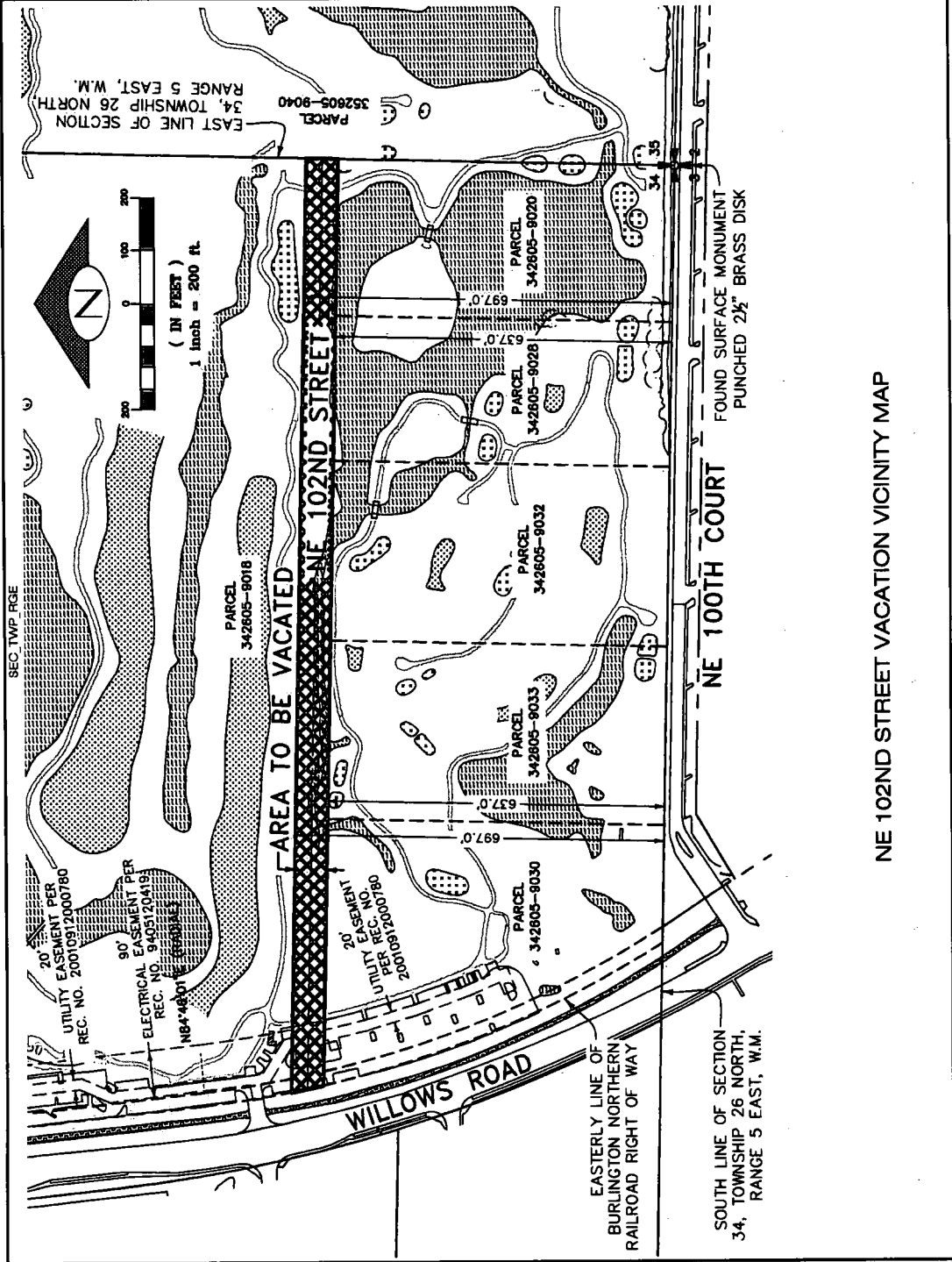
Thence Northerly along said right of way 60 feet, more or less, to a line parallel with the South line of said section and distant 697.5 feet from said South line of said section;

Thence East parallel with the South line of said section 1750 feet, more or less, to the East line of said section;

Thence South along said East line of said section 60 feet to the point of beginning.

EXHIBIT D
Vicinity Map

[ATTACHED]



NE 102ND STREET VACATION VICINITY MAP