

6-18-85
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3518

AN ORDINANCE determining the public advantage in vacating a portion of 107th Avenue N.E. between Main Street and N.E. 2nd Street located in the City of Bellevue, Washington, and vacating the same.

WHEREAS, the City Council did on the 6th day of May, 1985, pass Resolution No. 4539, fixing the time and place for a hearing to consider the vacation of a portion of 107th Avenue N.E. between Main Street and NE 2nd Street located within the City of Bellevue, Washington, and gave notice of said hearing by posting and mailing copies of the notice in the manner required by law; and

WHEREAS, investigation was made as to the use of said street and the public interest to be served or damaged by change of the use or vacation thereof; and

WHEREAS, a hearing was held upon the said petition on the 28th day of May, 1985, at the time and place fixed in said resolution and notice, and as a result thereof the City Council having found that the vacation of said street to the extent described in the petition therefor would serve the public good; and no objections thereto being made by owners of private abutting property; and

WHEREAS, Bellevue Land Use Code Section 20.30.597 authorizes the transfer of real property useful for street purposes to the City in lieu of monetary compensation where the property transferred has a fair market value at least equal to the amount of cash compensation that would otherwise be required; and

WHEREAS, petitioner, Turner Development Corporation, has granted a Statutory Warranty Deed and Sidewalk, Landscape and Utilities Easement to the City of Bellevue for street purposes and the City Council has by Resolution No. 4574 authorized acceptance of the same; and

WHEREAS, the real property transferred to the City has a fair market value at least equal to the amount of cash compensation that would otherwise be required; and

WHEREAS, the requirements of the City of Bellevue Land Use Code requiring compensation payable to the City on account of said vacation have been complied with; and

WHEREAS, the requirements of the State Environmental Policy Act and of the Bellevue Environmental Procedures Code have been complied with; now, therefore

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THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The following portion of 107th Avenue N.E. between Main Street and NE 2nd Street located in the City of Bellevue is hereby vacated:

A portion of 107th Avenue N.E. as shown on the Plat of Brazell Addition, as per plat thereof recorded in Volume 43 of Plats, Page 16, in the Records and Elections Division of King County, Washington, described as follows: Beginning at the southwest corner of Lot 20 in said plat; thence North 88°39'36" West 11.47 feet along the south line, prolonged, of said lot to a point on a non-tangent curve the center of which bears North 84°03'40" East a radius distance of 102.00 feet; thence Northerly along said curve to the right along the arc of a curve to the right having a radius distance of 102.00 feet through a central angle of 05°52'17", an arc length of 10.45 feet; thence North 00°04'03" West 116.81 feet; thence Northeasterly along a curve to the right having a radius of 30.00 feet through a central angle of 48°34'26", an arc length of 25.43 feet to the south margin of N.E. 2nd Street, thence South 88°39'37" East 1.85 feet along said south margin the west line of Lot 22 in said plat; thence South 00°04'03" East 149.97 feet along the west lines of Lots 22, 21, and 20 in said plat to the point of beginning and containing 1,726 square feet, more or less.

PROVIDED, however, the City of Bellevue reserves and establishes an easement over, under and through the above-described 1,726-square foot parcel for sidewalk, landscaping and public utility facilities (including but not limited to water and storm drain lines) until such time as replacement easements, if needed, have been dedicated to and accepted by the City.

Section 2. The City Administration is hereby directed to record a certified copy of this ordinance with the Department of Records and Elections of King County.

Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 1st day of July, 1985, and signed in authentication of its passage this 1st day of July, 1985.

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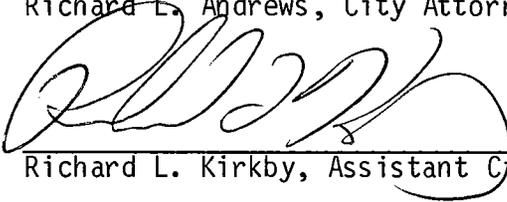
(SEAL)



Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published July 5, 1985