

4-17-86  
1586c

## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3647

AN ORDINANCE determining the public advantage in vacating a portion of 112th Avenue S.E. (South Bellevue Park and Ride Lot) in the City of Bellevue, Washington, and vacating the same.

WHEREAS, the City Council did on the 9th day of December, 1985, pass Resolution No. 4661, fixing the time and place for a hearing to consider the vacation of a portion of 112th Avenue S.E. (South Bellevue Park and Ride Lot) within the City of Bellevue, Washington, and gave notice of said hearing by posting and mailing 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 said petition on the 13th day of January, 1986, 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, Section 20.30L.185 of the City of Bellevue Land Use Code authorizes the City Council to waive any compensation required by the Code where the vacation is requested by a government entity provided that in the event the property is later transferred by said governmental entity the City shall be compensated by the fair market value of the interest conveyed, now, therefore,

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

Section 1. The following portion of 112th Avenue S.E. (South Bellevue Park and Ride Lot) in the City of Bellevue is hereby vacated:

That portion of the Northeast Quarter of the Northeast Quarter of Section 8, Township 24 North, Range 5 East, W.M. within the following described boundary:

Commencing at the Northeast corner of said Section; thence North 88°51'22" West a distance of 1,327.90 feet; thence South 01°02'03" West a distance of 538.00 feet to the TRUE POINT OF BEGINNING; thence continuing South 01°02'03" West to the northeasterly line of Bellevue Way S.E. thence southeasterly along said northeasterly line to the westerly line of Block 4, Qualheim's Lake Washington Acre Tracts, according to the Plat

4-17-86  
1586c

thereof recorded in Volume 15 of Plats, Page 46, records of King County Washington; thence northerly along said westerly line (which is also the Easterly line of 112th Ave. S.E.) to the southwesterly corner of Lot 2 of said Block 4; thence South 88°51'22" West a distance of 30 feet to the true point of beginning.

Provided that this vacation is conditioned on the execution by the Washington State Department of Transportation (WSDOT) of a Concomitant Agreement requiring WSDOT to compensate the City for the fair market value of the property vacated at the time and in the event WSDOT or any successor in interest to WSDOT transfers the property to a non-governmental entity.

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; provided that said vacation shall not become effective until the Concomitant Agreement required by Section 1 of this ordinance is recorded with King County.

PASSED by the City Council this 28<sup>th</sup> day of April, 1986, and signed in authentication of its passage this 28<sup>th</sup> day of April, 1986.

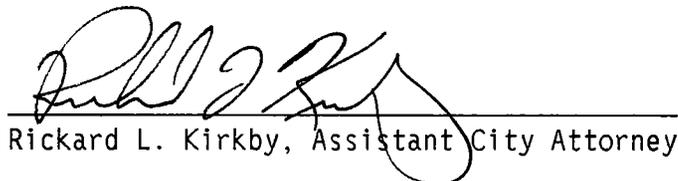
(SEAL)



Thomas J. Hansen, Mayor pro Tem

Approved as to form:

Richard L. Andrews, City Attorney



Rickard L. Kirkby, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published May 4, 1986