

2401c
5-6-87

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3790

AN ORDINANCE determining the public advantage in vacating a portion of an alley at S.E. 5th Street and the Burlington Northern Railroad right of way in the City of Bellevue, Washington, and vacating the same.

WHEREAS, the City Council did on the 28th day of May, 1985, pass Resolution No. 4534 fixing the time and place for a hearing to consider the vacation of a portion of an alley at S.E. 5th Street and Burlington Northern Railroad right of way within the City of Bellevue, Washington, and gave notice of said hearing by posting and mailing in the manner required by law; and

WHEREAS, vacation of said alley was requested pursuant to the petition of the property owners of over two-thirds of the land abutting said alley; and

WHEREAS, investigation was made as to the use of said alley 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 28th day of May, 1985, in accordance with the time and place fixed by resolution and notice; and

WHEREAS, following said hearing the City Council found and concluded that 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, the City Council conditionally approved the vacation of said alley subject to payment of compensation to the City pursuant to BCC 20.30.594 and RCW 35.79.030; and

WHEREAS, Section 20.30.594 of the City of Bellevue Land Use Code and RCW 35.79.030 regarding compensation payable to the City on account of said vacation has been complied with; now, therefore,

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

Section 1. The City Council finds that the vacation of an alley at S.E. 5th Street and the Burlington Northern Railroad right of way will serve the public good and further finds that the alley vacated is no longer required for public use.

Section 2. The following described real property, being a portion of an alley at S.E. 5th Street and the Burlington Northern Railroad right of way, is hereby vacated:

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That portion of the Plat of Wilburton, according to the plat thereof recorded in Volume 11 of Plats, Page 97, in the Records and Elections Division of King County, Washington; LYING Southerly of the South line of Lot 7, Block 1 of said plat; LYING Northerly of the North line of Lots 6 through 11, Block 2 of said plat; LYING Easterly of the East margin of Zeck Road (County Road No. 837); AND LYING Westerly of the West margin of the Burlington Northern Railroad Right of Way; said portion more particularly described as follows: Commencing at the Northwest corner of Lot 10, Block 2 of said Plat of Wilburton; thence Easterly along said North line to the West line of the East half of said Lot 10 and the point of beginning of this description; thence Northerly along the Northerly extension of said West line 8.00 feet to a line equal distance between said Lot 10 and Lot 7, Block 1 of said plat; thence Easterly along said line to the Westerly margin of the Burlington Northern Railroad Right of Way; thence Southeasterly along said Westerly margin to the North line of Lot 11, Block 2 of said plat; thence Westerly along the North line of said Lot 11 and Lot 10 to the point of beginning.

Section 3. The City Clerk is hereby directed to record a certified copy of this ordinance with the Department of Records and Elections of King County.

Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 18th day of January, 1987, and signed in authentication of its passage this 18th day of January, 1987.

(SEAL)


Cary E. Bozeman, Mayor

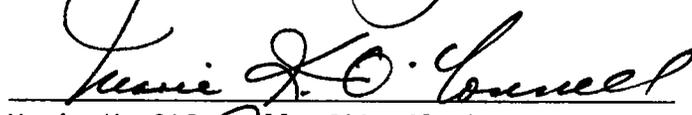
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published January 24, 1987