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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4005

AN ORDINANCE vacating a portion of S.E. 4th Street west of 118th Avenue S.E. to the Burlington Northern Railroad within the City of Bellevue.

WHEREAS, a petition was filed with the City Council to vacate a portion of S.E. 4th Street west of 118th Avenue S.E. to the Burlington Northern Railroad within the City of Bellevue; and

WHEREAS, the City Council has passed Resolution No. 4704 fixing the time and place for a hearing to consider the petition, 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 use or vacation thereof; and

WHEREAS, a hearing was held upon the said petition on the 28th day of April, 1986, at the time and place fixed in said resolution and notice, as a result thereof, the City Council having found that the vacation of said street to the extent described would serve the public good; and no objections thereto being made by owners of private abutting property; and

WHEREAS, Section 20.30.594 of the City of Bellevue Land Use Code 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 following portion of S.E. 4th Street, to wit:

The north 19 feet of the Southwest quarter of the Southwest quarter of Section 33, Township 25 North, Range 5 East, lying westerly of 118th Avenue Southeast and Easterly of the Northern Pacific Railway Company Right-of-Way; per Plat of Wilburton as recorded in Volume 11 of Plats, on Page 97, Records of King County, Washington.

is vacated, provided however that:

- 1) Access will be preserved for emergency services for existing and future structures; and

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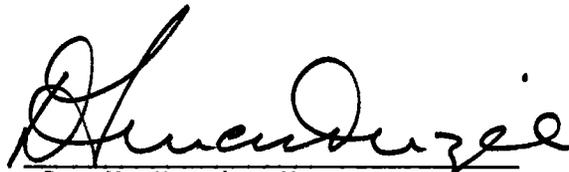
2) The City reserves a pedestrian walkway easement along the south border of the property.

Section 2. The administration is hereby directed to record a certified copy of this ordinance with the records department of King County.

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

PASSED by the City Council this 17th day of April, 1989, and signed in authentication of its passage this 17th day of April, 1989.

(SEAL)


Don MacKenzie, Mayor pro tem

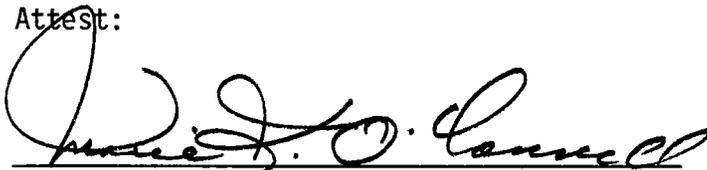
Approved as to form:

Richard L. Andrews, City Attorney



Scott McKee, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

Published April 20, 1989