

0097-ORD  
07/15/97

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5010

AN ORDINANCE determining the public advantage in vacating all or a portion of 110th Place NE between NE 10th Street and NE 11th Street and vacating the same subject to the fulfillment of certain conditions.

WHEREAS, the City Council passed Resolution No 6105 on June 16, 1997, fixing the time and place of a hearing to consider the vacation of a portion or all of 110th Place NE between NE 10th Street and NE 11th Street , all within the City of Bellevue, Washington and vacating the same subject to the fulfillment of certain conditions; and

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

WHEREAS, a public hearing was held upon said petition before the City Council on the 21st day of July, 1997 at the time and place fixed in said resolution and notice; and

WHEREAS, following said hearing, the City Council by motion found that the vacation of all or a portion of said street, to the extent described in the petition therefore, would serve the public good, and directed staff to bring back an ordinance vacating such street or portion thereof with the stipulation that said vacation be subject to the reservation of necessary public utility easements and recording thereof by the abutting property owners and subject also to the payment of compensation by the respective abutting property owners in accordance with Section 14.35.130 of the Bellevue City Code; and

WHEREAS, upon payment of compensation by the respective abutting property owner(s) in accordance with Section 14.35.130 of the Bellevue City Code and fulfillment of all other conditions established herein for such vacation, such street or a portion thereof shall be vacated and the City Manager or his designee is directed to execute a declaration of vacation consistent with this ordinance and record the same with the King County Office of Elections and Records and to take any other action necessary to vacate such street or portion thereof; now, therefore,

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

Section 1. The following portion of 110th Place NE between NE 10th Street and NE 11th Street is hereby vacated subject to the fulfillment of all conditions set forth in Section 2 of this ordinance:

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That portion of 110th Avenue Northeast lying south of the south margin of northeast 11th Street as shown on the plat of McCormick's Addition to Bellevue as recorded in Volume 50 of plats, page 67, records of King County, Washington, and lying north of the north margin of Northeast 10th Street, more particularly described as follows:

Beginning at the northwest corner of Block 2 of said McCormick's Addition to Bellevue and the intersection of the south margin of said Northeast 11th Street and the east margin of said 110th Avenue Northeast; thence south  $01^{\circ}14'06''$  west, along said east margin, 230.16 feet to the north margin of said northeast 10th Street and a point on a 1,971.50 foot radius curve whose radius point bears north  $00^{\circ}00'41''$  east; thence westerly along said curve and north margin through a central angle of  $00^{\circ}52'19''$  an arc distance of 30.00 feet to the west margin of said 110th Avenue Northeast; thence north  $01^{\circ}14'06''$  east, along said west margin, 230.86 feet to the south margin of said Northeast 11th Street; thence south  $88^{\circ}13'56''$  east, along said south margin, 30.00 feet to the point of beginning.

**Reserving necessary utility easements.**

Section 2. The City Manager or his designee is directed to execute a declaration of vacation consistent with the provisions of this ordinance and to record the same with the King County Office of Elections and Records and to take any other action necessary to vacate such street or portion thereof upon evidence of satisfactory completion of all conditions of such vacation including but not limited to reservation and recording of necessary public utility easements, payment of compensation to the extent and in the amount required by Section 14.35.130 of the Bellevue City Code or comparable compensation acceptable to the City and payment of all costs of acquisition services needed to convey title including the costs of final survey, appraisals, recording fees, escrow, title insurance, processing fees and any other costs related to the purchase of the property, except as otherwise agreed by the parties.

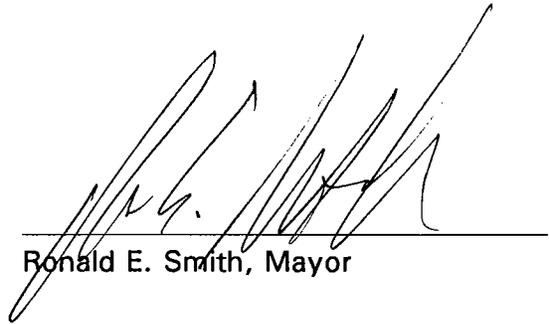
Section 3. The City Clerk is hereby directed to record a certified copy of this ordinance with the Department of Records and Elections of King County.

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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 21st day of July, 1997, and signed in authentication of its passage this 21st day of July, 1997.

(SEAL)



Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Patrice C. Cole, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published July 25, 1997