

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5188

AN ORDINANCE determining the public advantage in vacating a portion of NE 15<sup>th</sup> Street from about 290 feet east of 112<sup>th</sup> Avenue NE east to I-405 in the City of Bellevue, Washington, and vacating the same subject to certain conditions.

WHEREAS, the City Council did on November 8, 1999, pass Resolution No. 6371 fixing the time and place for a hearing to consider the vacation of a portion of NE 15<sup>th</sup> Street from about 290 feet east of 112<sup>th</sup> Avenue NE east to I-405 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 served or damaged by the change of such use by the vacation thereof, and

WHEREAS, a hearing was held upon the said petition on the 6<sup>th</sup> day of December, 1999 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; and

WHEREAS, said vacation also will be subject to the reservation of necessary public utility and walkway easements and subject also to 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 owners 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 portions 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 streets or portions thereof; now therefore,

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

Section 1. The following portion of NE 15<sup>th</sup> Street from about 290 feet east of 112<sup>th</sup> Avenue NE east to I-405 is hereby vacated subject to the fulfillment of all conditions set forth in Section 2 of this ordinance:

That portion of a 60.00 foot right-of-way known as N.E. 15<sup>th</sup> Street adjoining Lot 5, Burroughs' Eastside Addition, according to the plat thereof, recorded in Volume 44 of Plats, page 84, Records of King County, Washington;

TOGETHER WITH that portion of said N.E. 15<sup>th</sup> Street adjoining that portion of Lot 6 of Burroughs' Eastside Addition, lying Westerly of SR-405.

PROVIDED, however, the City of Bellevue reserves and establishes a 15-foot water, sewer and storm drainage easement, and further

PROVIDED, that the applicants provide recorded documents for the water, sewer and storm drainage easement.

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 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 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 passage and legal publication.

Passed by the City Council this 6<sup>th</sup> day of December 1999, and signed in authentication of its passage this 6<sup>th</sup> day of December, 1999.

(SEAL)

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Mike Creighton, Mayor

Approved as to form:  
Richard L. Andrews, City Attorney

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Patrice C. Cole, Assistant City Attorney

Attest:

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Myrna L. Basich, City Clerk  
Published December 10, 1999 \_\_\_\_\_