

09-23-87
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3831

AN ORDINANCE determining the public advantage in vacating portions of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E. in the City of Bellevue, Washington, and vacating the same subject to reservation of easements.

WHEREAS, the City Council adopted Resolution No. 3961 on January 25, 1982, fixing the time and place for a hearing to consider the vacation of a portion of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E. 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 12th day of February, 1982, 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, Resolution No. 4044 was passed by the City Council on September 7, 1982 authorizing execution of installment agreements for the payment of compensation to the City for the vacation of those portions of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E. to be vacated; and

WHEREAS, the payment requirements of said installment agreements have been complied with and all required compensation has been received by the City for those portions of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E. to be vacated as provided therein; now, therefore,

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

Section 1. The following described portions of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E. in the City of Bellevue are hereby vacated:

09-23-87
2668c

PARCEL NO. VC-K1299A:

A portion of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E.: Beginning at the southwest corner of Lot 1 in Evan's Bellevue Addition as per plat thereof recorded in Volume 48 of Plats, Page 81, in the Records and Elections Division in King County, Washington; thence South 00°01'59" West 20.01 feet along the west line, prolonged, of said lot to the center line of said N.E. 3rd Street; thence North 88°11'12" West 100.00 feet along said center line to the east margin, prolonged, of 111th Avenue N.E.; thence North 00°01'59" East 20.01 feet along said east margin, prolonged, to the south line, prolonged, of said Lot 1; thence South 88°11'12" East 100.00 feet along said south line, prolonged, to the point of beginning and containing 2,000 square feet, more or less.

PROVIDED, however, the City of Bellevue reserves and establishes an easement over, under and through the South 10.00 feet of the above described 2,000-square foot parcel for public utility facilities until such time as replacement easements, if needed, have been dedicated to and accepted by the City.

ALSO PROVIDED, however, the City of Bellevue reserves an easement over, under and through the West 10.00 feet of the above described 2,000-square foot parcel for sidewalks and utilities.

AND PROVIDED, however, the existing storm drainage system within said N.E. 3rd Street shall not be disturbed, disrupted or modified without approval of the Storm Drainage Utility.

ALSO RESERVING easements for existing utility lines for Puget Sound Power and Light Company and Pacific Northwest Bell Telephone Company until such time said companies obtain easements or replacement easements for said existing lines.

PARCEL NO. VC-K1299D:

A portion of N.E. 3rd Street between 111th Avenue N.E. and 112th Avenue N.E.: Beginning at the northeast corner of Lot 4 in Evan's Bellevue Addition as per plat thereof recorded in Volume 48 of Plats, Page 81, in the Records and Elections Division in King County, Washington; thence North 88°11'12"

09-23-87
2668c

West 162.08 feet along the north line of said lot to the northwest corner of said lot; thence North $00^{\circ}01'59''$ East 20.01 feet along the west line, prolonged, of said lot to the centerline of said N.E. 3rd Street; thence South $88^{\circ}11'12''$ East 162.10 feet along said center line to the east line, prolonged, of said lot; thence South $00^{\circ}04'37''$ West 20.01 feet along said east line, prolonged, to the point of beginning and containing 3,242 square feet, more or less.

PROVIDED, however, the City of Bellevue reserves and establishes an easement over, under and through the North 10.00 feet of the above described 3,242 - square foot parcel for public utility facilities until such time as replacement easements, if needed, have been dedicated to and accepted by the City.

ALSO PROVIDED, however, the City of Bellevue reserves an easement over, under and through the West 10.00 feet of the above described 3,242 - square foot parcels for sidewalks and utilities.

AND PROVIDED, however, the existing storm drainage system within said N.E. 3rd Street shall not be disturbed, disrupted or modified without approval of the Storm Drainage Utility.

ALSO RESERVING easements for existing utility lines for Puget Sound Power and Light Company and Pacific Northwest Bell Telephone Company until such time said companies obtain easements or replacement easements for said existing lines.

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.

09-23-87
2668c

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

PASSED by the City Council this 5th day of October, 1987, and signed in authentication of its passage this 5th day of October, 1987.

(SEAL)

Nan P. Campbell
Nan P. Campbell, Mayor Pro tem

Approved as to form:

Richard L. Andrews, City Attorney

[Signature]
Richard L. Kirkby, Assistant City Attorney

Attest:

[Signature]
Marie K. O'Connell, City Clerk

Published October 10, 1987