

ORIGINAL

WP0570C-ORD
02/29/96

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4858

AN ORDINANCE determining the public advantage in vacating a portion of 104th Avenue S.E., lying north of S.E. 10th Street in the City of Bellevue, Washington, and vacating the same.

WHEREAS, the City Council did on the 22nd day of May, 1995, pass Resolution No. 5881, fixing the time and place for a hearing to consider the vacation of a portion of 104th Avenue S.E., lying north of S.E. 10th Street 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 be served or damaged by change of the use of vacation thereof; and

WHEREAS, a hearing was held upon the said petition on the 21st day of June, 1993, 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 therefore would serve the public good; and objections thereto being made by owners of private abutting property; and

WHEREAS, Section 14.35.130 of the Bellevue City 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 104th Avenue S.E., lying north of S.E. 10th Street in the City of Bellevue, Washington is hereby vacated:

That portion of the Northwest quarter of Section 5, Township 24 North, Range 5 East, W.M., in King County, Washington described as follows:

Beginning at the Southwest corner of Block 12, C.R. Myers First Addition to Moorland, as recorded in Volume 5 of Plats, Page 5; thence Westerly along the westerly extension of the Southerly line thereof to a line 30.00 feet Easterly and parallel with the centerline of 104th Avenue S.E. (County Road No. 1305, Wm. Rain

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Road), as measured at right angles to said centerline; thence Northerly along said parallel line to the Westerly line of said Block 12; thence Southerly along said Westerly line to the Point of Beginning; and containing 1,990 square feet, more or less.

PROVIDED, however, the City of Bellevue reserves and establishes a six-foot-wide public pedestrian easement over the western edge of the above described 1,990 square-foot parcel.

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.

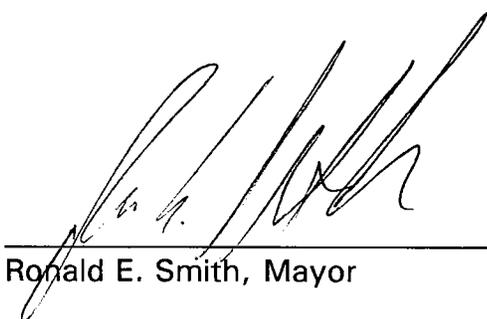
Section 3. This Ordinance shall take effect and be in force five days after legal publication.

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PASSED by the City Council this 18th day of March, 1996, and signed in authentication of its passage this 18th day of March, 1996.

(SEAL)



Ronald E. Smith, Mayor

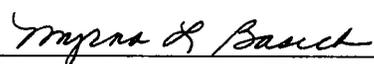
Approved as to form:

Richard L. Andrews, City Attorney



Patrice C. Cole, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published March 22, 1996