

WP0571C-ORD
02/29/96

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4859

AN ORDINANCE determining the public advantage in vacating a portion of SE 32nd Street lying east of 128th Avenue SE in the City of Bellevue, Washington, vacating the same and authorizing the City Manager to execute an appropriate deed to convey the property to King County Solid Waste Division.

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 SE 32nd Street lying east of 128th Avenue SE 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 of vacation thereof; and

WHEREAS, a hearing was held upon the said petition on the 26th day of June, 1995, 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, 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 SE 32nd Street lying east of 128th Avenue SE in the City of Bellevue, Washington is hereby vacated:

That portion of Southeast 32nd Street in Section 10, township 24 North, Range 5 East, W.M. more fully described as follows:

Beginning at the Southwest corner of Parcel 3, more fully described as the south 75 feet of Lot 31; Mercer Slough Garden Tracts, EXCEPT the west 70 feet, according to

the plat thereof recorded in Volume 3 of Plats, Page 91, Records of King County, Washington; and EXCEPT the south 15 feet thereof of SE 32nd Street; thence S 88° 33' 04" E 567.77 feet to the east line of said Mercer Slough Garden Tracts; thence S 01° 20' 28" W 30.00 feet to the Center-West 1/16 corner of Section 10; thence S 88° 33' 04" E 112.31 feet to the beginning of a non-tangent curve; thence southwesterly 93.78 feet along a 141.26-foot radius curve to the right, the chord of which bears S 72° 25' 52" W, 92.06 feet; thence N 88° 33' 04" W along the northern edge of Parcel 4, more fully described as Lot 2 of real property included in Boundary Line Adjustment No. 88-6830, recorded November 13, 1988, book 63 of Surveys at Pages 145, 145A, and 145B, Records of King County, Washington, to the intersection of the southerly extension of the westerly property line of Parcel 3, a line bearing S 01° 20' 44" W; thence N 01° 20' 44" W; thence N 01° 20' 44" E 60.00 feet to the point of beginning.

PROVIDED, however, the City of Bellevue reserves and establishes an easement over, under and through the above described 19,861-square foot parcel for public utility facilities until such time as replacement easements have been dedicated to and accepted by the City.

ALSO RESERVING easements for existing utility lines for Puget Sound Power and Light Company and Pacific Northwest Bell Telephone Company until such time as 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.

Section 3. The City Manager is hereby authorized to execute an appropriate deed to convey said property to King County Solid Waste Division, which deed includes reference to the water, sewer and utility easements above-referenced.

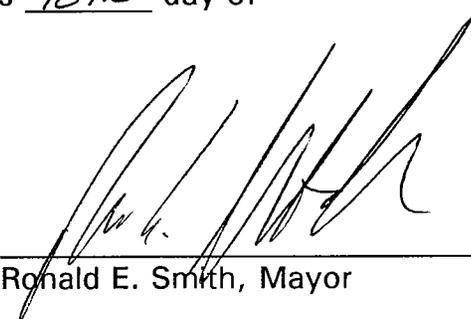
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Section 4. This Ordinance shall take effect and be in force five days after its passage and legal publication.

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

(SEAL)



Ronald E. Smith, Mayor

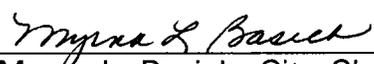
Approved as to form:

Richard L. Andrews, City Attorney



Patrice C. Cole, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published March 22, 1996