

After recording please return

to the City of Woodinville

13203 N.E. 175th, 98072

ORDINANCE NO. 110

Woodinville as 98072

ORIGINAL

RECEIVED

JAN 18 1995

City of Woodinville

AN ORDINANCE OF THE CITY OF WOODINVILLE, WASHINGTON, VACATING A PORTION OF 148TH AVENUE NE, PROVIDING FOR COMPENSATION AND FIXING A TIME WHEN THE SAME SHOULD BECOME EFFECTIVE.

WHEREAS, owners of property have presented a petition requesting vacation of a portion of 148th Avenue NE in Woodinville, Washington; and

WHEREAS, the City Council did by Resolution No. 87, adopted on November 28, 1994, set January 9, 1995 as the date for a public hearing on the proposed vacation; and

WHEREAS, owners of the property will be dedicating 5384 square feet of property from the Falcon Point Short Plat process, and

WHEREAS, the City's SEPA Responsible Official has determined previously that there will be no significant adverse environmental impacts as a result of the proposed vacation, and the City Council concurs in such determination, **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The following described portion of right-of-way is hereby vacated, reserving to the City and its franchisees an easement for construction, reconstruction and maintenance of such reserved uses over that portion of the vacated right-of-way. Said right-of-way to be vacated is located within the City of Woodinville, Washington, and is described on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full. The Council determines that the City shall be compensated for the vacated portion of 148th Avenue NE with \$1741.00 and the exchange of right-of-way in the Falcon Point Short Plat which is located within the City of Woodinville, Washington.

Section 2. The City Clerk/Treasurer is hereby directed to file a certified copy of this ordinance with the King County Department of Records and Elections upon receipt of clear title and statutory warranty deed for said exchanged right-of-way.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

9504100672

9.00
11:58:00 AM KING COUNTY RECORDS 003 WMT

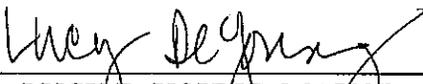
950410-0672 11:58:00 AM KING COUNTY RECORDS 003 WMT 9.00

ORIGINAL

Section 4. Effective Date. This ordinance, being an exercise of power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title which is approved by the City Council.

PASSED BY THE CITY COUNCIL OF THE CITY OF WOODINVILLE THIS 13TH DAY OF FEBRUARY, 1995.

APPROVED:



LUCY DeYOUNG, MAYOR

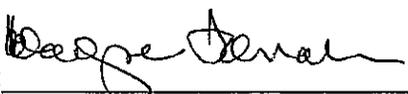
ATTEST/AUTHENTICATED:



JAMES K. KATICA
CITY CLERK/TREASURER

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By: 

WAYNE TANAKA

FILED WITH THE CITY CLERK: February 14, 1995
PASSED BY THE CITY COUNCIL: February 13, 1995
PUBLISHED: February 20, 1995
EFFECTIVE DATE: February 25, 1995
ORDINANCE NO. 110

9504100672

ORIGINAL

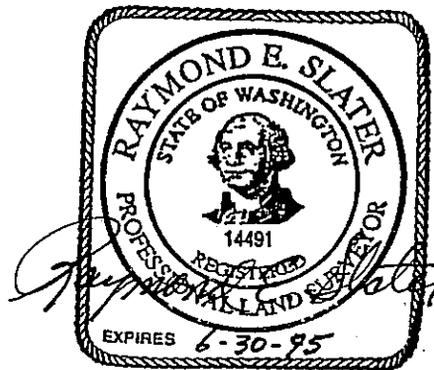
EXHIBIT "A" (Rizzuto portion only)

That portion of the Northeast quarter of the Southeast quarter of Section 3, Township 26 North, Range 5 East, W.M., described as follows:

Beginning at the Northeast corner of the South half of the Northeast quarter of the Northeast quarter of the Southeast quarter of said Section 3; thence S 0°32'12" W along the centerline of 148th Ave. N.E. 328.11 feet to the beginning of a non-tangent curve the radius point of which bears S 33°24'14" E for 120.00 feet; thence counter-clockwise along said curve having a radius of 120.00 feet through a central angle of 19°59'34" an arc distance of 41.87 feet to the Westerly margin of 148th Ave., N.E.; thence N 0°32'12" E along said Westerly margin 357.29 feet to a point which bears N 88°56'11" W from the point of beginning; thence S 88°56'11" E 30.00 feet to the point of beginning;

Situate in the City of Woodinville, County of King, State of Washington.

SUBJECT TO an easement in favor of the City of Woodinville for ingress, egress, utilities and storm drainage over, under, across, through and upon the Southerly 15.00 feet of the above described portion of 148th Ave. N.E. as measured radially to the Southerly line thereof.



9504100672

1-19-95