CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2010-277

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, VACATING UNOPENED THOMAS ALEXANDER ROAD (AKA COUNTY ROAD No. 867 AND AKA OLD MONOHAN ROAD)

WHEREAS, on September 15, 2009 and October 6, 2009, the Sammamish City Council adopted Resolution Nos. R2009-382 and R2009-388, respectively, initiating consideration of vacation of unopened Thomas Alexander Road (aka County Road No. 867 and aka Old Monohan Road) lying easterly of and between the 1100 through 1400 blocks of East Lake Sammamish Parkway SE (further described hereinafter); and

WHEREAS, on October 20th and November 3rd, 2009 and January 5th and January 19th, 2010, public hearings were held and public testimony taken regarding vacation of said unopened right of way; and

WHEREAS, the owners of Assessor’s Tax Parcel Nos. 062401904102, 062406904706, 062406900209 and 052406902909 have agreed to execute an “Easement for Ingress and Egress and Provision of Utilities with Road Maintenance Agreement” with, and in favor of, each other, including across their respective portions of the vacated Thomas Alexander Road right of way, if any; and

WHEREAS, the City Council finds there are sufficient grounds for the vacation of said right-of-way, and that vacation thereof would be in the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Street Vacation. The following described portions of City right-of-way are hereby vacated:

THAT PORTION OF UNOPENED THOMAS ALEXANDER ROAD SE (AKA COUNTY ROAD NO. 867 AND AKA OLD MONOHAN ROAD) LYING EASTERLY OF THE EASTERLY RIGHT-OF-WAY MARGIN OF OPEN AND IMPROVED EAST LAKE SAMMAMISH PARKWAY SE AND BEING FURTHER DESCRIBED AS BEING LOCATED IN THE 1100 THROUGH 1400 BLOCKS OF EAST LAKE SAMMAMISH PARKWAY SE ADJACENT TO THE FOLLOWING PROPERTIES:

KING COUNTY ASSESSOR’S PARCEL Nos. 0624069087, 0624069109,
0624069047, 0624069002, 0624069068 AND 0624069041, ALL AS DEPICTED ON THE ATTACHED DRAWING LABELED ATTACHMENT A.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 2\textsuperscript{nd} DAY OF FEBRUARY 2010.

CITY OF SAMMAMISH

\[\text{Signature}\]
Donald J. Gerend, Mayor

ATTEST/AUTHENTICATED:

\[\text{Signature}\]
Melanie Anderson, City Clerk

Approved as to form:

\[\text{Signature}\]
Bruce L. Disend, City Attorney

Filed with the City Clerk: October 17, 2009
Public Hearing: October 20, 2009
First Reading: October 20, 2009
Public Hearing: November 3, 2009
Public Hearing: January 5, 2010
Public Hearing: January 19, 2010