



**CITY OF KIRKLAND**  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033  
425.587-3225 - [www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Eric Shields, AICP, Planning Director  
**Date:** September 30, 2011  
**Subject:** Annexation Boundary Adjustment

**RECOMMENDATION**

Adopt the proposed ordinance to adjust the northern Kirkland city limit created with the Juanita/ Fill Hill/ Kingsgate Annexation, bringing into the City a small portion of street right of way.

**BACKGROUND DISCUSSION**

Following the annexation of the Juanita/ Finn Hill/ Kingsgate area, an irregularity in the new northern City boundary was discovered. A small portion of street right of way (ROW) where NE 155<sup>th</sup> Street connects with 116<sup>th</sup> Ave NE was inadvertently excluded from the annexation due to the fact that the area was originally part of the adjacent I-405 ROW (see attached map). The excluded ROW abuts and provides access to three single family lots that are now within the City of Kirkland. Consequently, it would be preferable for the ROW to also be within the City.

The City of Bothell will soon start the process of annexing the now unincorporated areas immediately to the north and west of the subject ROW. Bothell officials agree that the ROW should more appropriately be in the City of Kirkland, and would like to have the boundary adjustment made before their annexation is submitted for Boundary Review Board consideration.

We have discussed this matter with King County officials who have agreed to process a boundary adjustment through a simplified procedure available only to rights of way. The procedure involves the City Council adopting the proposed ordinance and the County Council adopting a similar ordinance. The County ordinance will be prepared and scheduled for consideration following City Council adoption of the ordinance.

### Potential Boundary Adjustment To The City of Kirkland

-  City of Kirkland (Ordinance 4229; June 1, 2011)
-  State of Washington (WDOT) right of way
-  King County or City of Kirkland public street (right of way)
-  Area under consideration for addition to City of Kirkland

0 25 50 100 Feet

9/2011

**Future Annexation  
By City of Bothell**



Right of Way

State of Washington

116th Avenue NE

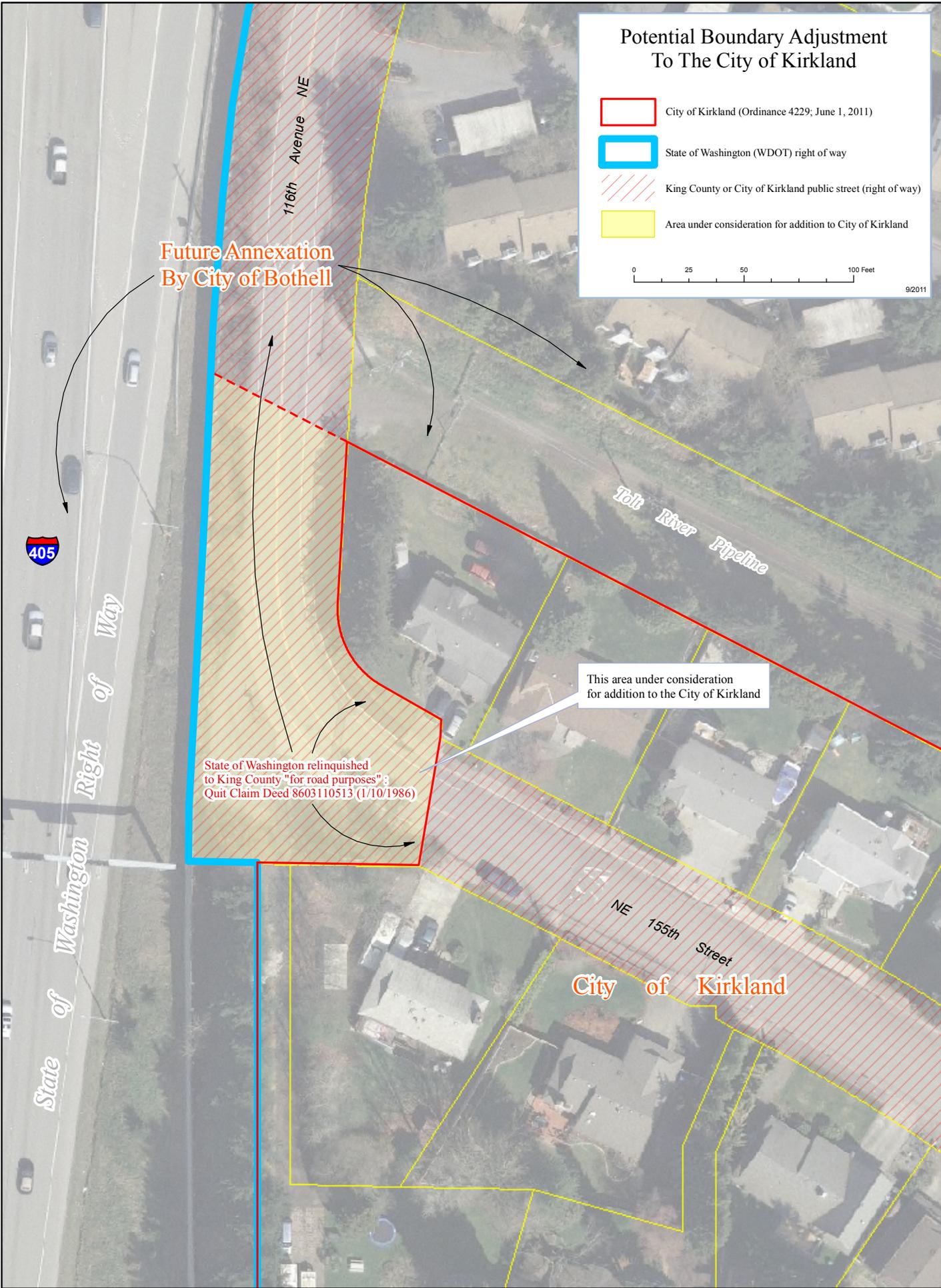
Tolt River Pipeline

This area under consideration for addition to the City of Kirkland

State of Washington relinquished to King County "for road purposes":  
Quit Claim Deed 8603110513 (1/10/1986)

NE 155th Street

City of Kirkland



ORDINANCE O-4324

AN ORDINANCE OF THE CITY OF KIRKLAND REVISING THE CITY BOUNDARIES TO INCLUDE PORTIONS OF NE 155<sup>TH</sup> STREET AND 116<sup>TH</sup> AVENUE NE

WHEREAS, it was discovered after the Juanita/Finn Hill/Kingsgate annexation that a small portion of right of way was excluded because it had been part of the I-405 corridor; and

WHEREAS, staff of King County, the City of Bothell and Kirkland agree the right of way should be within Kirkland's jurisdiction and not Bothell's because it serves Kirkland residences; and

WHEREAS, RCW 35.21.790 allows a city and county to revise corporate boundaries within a right of way by substitution of a right of way line by separate ordinance of each body so as to include the designated right of way within one jurisdiction, which is not subject to Boundary Review Board approval; and

WHEREAS, King County staff have stated that after the Kirkland City Council approves the ordinance, it will be submitted to the County Council for consideration,

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Upon approval of a similar ordinance or resolution by the King County Council, the corporate boundaries of the City of Kirkland shall be revised to include the following described portions of the NE 155<sup>th</sup> Street and 116<sup>th</sup> Avenue NE rights of way as depicted on the map attached as Exhibit A:

That portion of Sections 16 and 17, Township 26 North, Range 5 East W.M. in King County, Washington described as follows:

Beginning at the intersection of the east line of a tract land conveyed to King County by the State of Washington by the instrument recorded under 8603110513, records of King County, Washington and the southwesterly margin of the City of Seattle Tolt River Pipeline Right of Way;

Thence northwesterly, along the northwesterly extension of the said southwesterly margin, to the easterly margin of Primary State Highway No. 1 (SR-405) as depicted on the Record of Survey recording in Book 182 of Surveys, at Pages 251 through 259, records of King County, Washington

Thence south along said easterly margin of Primary State Highway No. 1 to the south line of said tract of land conveyed to King County;

Thence east along said south line of said tract to the east line of said tract;

Thence north along the east line of said tract to the Point of Beginning.

Section 2. The Official Zoning Map as designated by Section 10.20 of the Kirkland Zoning Code shall be amended to reflect incorporation of this right of way and shall include the right of way within the adjacent RSA 6 zone.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this Section, or the application of the provision to other persons or circumstances is not affected.

Section 5. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2011.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
MAYOR

Attest:

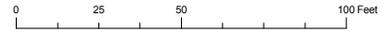
\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney

O-4324  
Exhibit A

City Boundary Adjustment  
Kirkland, Washington



9/2011

116th Avenue NE

Tolt River Pipeline

NE 155th Street

City of Kirkland

New City of Kirkland boundary

Existing City of Kirkland boundary

Right of way added to City of Kirkland

Existing City of Kirkland boundary



State of Washington Right of Way

