

7-12-83
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3277

AN ORDINANCE approving the application of Puget Sound Power and Light Company for a Shoreline District conditional use and a substantial development permit for installation of a 115 kv high voltage distribution line across the Mercer Slough, as recommended by the Hearing Examiner.

WHEREAS, Puget Sound Power and Light Company has applied to the City for a Shoreline District conditional use and a substantial development permit for installation of a 115 kv high voltage distribution line across the Mercer Slough; and

WHEREAS, on August 6, 1981, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on April 15, 1983, the Hearing Examiner recommended to the City Council approval of said Shoreline District conditional use and substantial development permit and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter as set forth in "Findings and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of Puget Sound Power and Light Company for a Shoreline District Conditional Use, File No. HE-D 81-11."

Section 2. The City Council hereby approves the Shoreline District conditional use and the substantial development permit application of Puget Sound Power and Light Company for installation of a 115 kv high voltage distribution line across the Mercer Slough on property more particularly described as:

An easement for power transmission purposes over, across and under a strip of land in a portion of the South 16 acres of the Northwest quarter of the Southeast quarter and the South 16 acres of the Northeast quarter of the Southeast quarter of Section 5, and in a portion of the South 314.88 feet of the Northwest quarter of the Southwest quarter of Section 4, lying

7-12-83
3604G

Westerly of 118th Avenue S.E., all in Township 24 North, Range 5 East, W.M., City of Bellevue, King County, Washington, said strip of land, having 25 feet on each side of centerline, being described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 5; thence N $1035^{\circ}41'E$ along the West line thereof, 300.75 feet; thence S $88^{\circ}27'50"E$ 474 feet, more or less, to the Easterly margin of 112th Avenue S.E., and the point of beginning; thence continuing S $88^{\circ}27'50"E$ 1,513 feet, more or less, to the easterly margin of drainage ditch #12 right of way; the Northerly margin of said strip now being the South line of the North 200 feet of said South 16 acres of said N.E. quarter of said Southeast quarter, lying Easterly of said drainage ditch #12; thence continuing S $88^{\circ}27'50"E$ 662 feet, more or less, to the East line of said Section 5, at which point the North margin, being 25 feet North of centerline, is the North line of the South 314.88 feet of the Northwest quarter of the Southwest quarter of said Section 4; thence continuing S $88^{\circ}27'50"E$ 712.18 feet to the centerline of 118th Avenue S.E. less any portion thereof in said 118th Avenue S.E. AND EXCEPT any portion thereof, in said drainage ditch #12.

Provided this conditional use is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by Puget Sound Power and Light Company, which has been given Clerk's Receiving No. 8990, and which by this reference is fully incorporated herein.

Provided further that this approval of said conditional use is conditioned on full compliance by the owner or owners, developer and developers, and their heirs, assigns, grantees and successors in interest with the plans and attachments, conditions, commitments, reports and other documents relating to this conditional use, given Clerk's Receiving No. 8991, which are hereby by this reference fully incorporated herein.

Section 3. The conditional use granted herein is subject to all federal, state and local laws, rules and regulations, including but not limited to Bellevue Land Use Code Sections 20.30.875, 20.30.880 and 20.30.885.

Section 4. This ordinance shall be published by posting it in the

8-03-83
3604G

three official posting places of the City, and shall take effect and be in force five days after the date of posting.

PASSED by the City Council this 21st day of February 1984,
and signed in authentication of its passage this 21st day
of February 1984.

(SEAL)



Thomas J. Hansen Mayor Pro Tem

Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marte K. O'Connell, City Clerk

Published February 25, 1984