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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3426

AN ORDINANCE approving amendment of the final development plan of the Planned Residential Unit Development located near I-405 west of 115th Place N.E. at N.E. 34th Street, as recommended by the Hearing Examiner.

WHEREAS, on July 5, 1983, the City Council passed Resolution No. 4205 approving the preliminary development plan of the Planned Residential Unit Development of A. G. Spanos Construction, Inc. on 14.5 acres located near I-405 west of 115th Place N.E. at N.E. 34th Street; and

WHEREAS, on August 15, 1983, the City Council passed Ordinance No. 3284 approving the final development plan of the Planned Residential Unit Development; and

WHEREAS, A. G. Spanos Construction, Inc. has applied for approval to amend the final development plan of the Planned Residential Unit Development; and

WHEREAS, on August 30, 1984, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, the Hearing Examiner has reviewed said amendment of the final development plan to determine whether said Planned Residential Unit Development is in conformance with the general purposes and policies of the Comprehensive Plan and meets the standards and specifications of the City; and

WHEREAS, on September 25, 1984, the Hearing Examiner recommended approval of the amendment of the final development plan of said Planned Residential Unit Development 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

ORIGINAL

10-15-84
0085c

and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of A. G. Spanos Construction, Inc. for Amendment of a PRUD Final Development Plan, File No. HE-B 82-2."

Section 2. The City Council hereby approves the amendment of the final plan of the Planned Residential Unit Development located near I-405 west of 115th Place N.E. at N.E. 34th Street, and more particularly described as follows:

> That portion of the south three-quarters of the south half of the northeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, lying easterly of the Northern Pacific Railway right-of-way, EXCEPT portion thereof described as follows:
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> Beginning at a point on the south line of said subdivision 50 feet easterly from, measured at right angles to the centerline of the said railroad right-of-way as located and staked out on April 2, 1904; thence north 24°20' west parallel to and 50 feet distant from said centerline a distance of 325 feet; thence easterly parallel to the south line of said subdivision to a point 184 feet easterly from said centerline measured at right angles thereto; thence south 24°20' east parallel to said centerline 325 feet to the south line of said subdivision; thence west along said south line to the point of beginning; ALSO EXCEPT the following:
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> Beginning at a point 295.98 feet west of the northeast corner of the south three-quarters of he southeast quarter of the northeast quarter of said section; thence south 0°16' east 229.30 feet; thence west 218.03 feet; thence north 17°45' west 240.76 feet, more or less, to the northerly line of said subdivision; thence east along said northerly line 291.43 feet to the point of beginning; EXCEPT State Highway No. 2-A and EXCEPT that portion thereof lying easterly of State Highway No. 2-A and EXCEPT county roads.

Provided said Planned Residential Unit Development continues to be 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 A. G. Spanos Construction, Inc., which has been given Clerk's Receiving No. 8488, and which by this reference is fully incorporated herein.

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication.

ORIGINAL

10-15-84
0085c

PASSED by the City Council this 22nd day of October, 1984, and signed in authentication of its passage this 22 day of October, 1984.

(SEAL)

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley, Assistant City Attorney

Attest:

Marie K. O'Connell, City Clerk

Published October 27, 1984