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9-15-87

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3836

AN ORDINANCE reclassifying approximately five acres of property located south of the Bellevue-Redmond Road about 300 feet west of the intersection of Bellevue- Redmond Road and N.E. 20th Street east of Highland Middle School in the City of Bellevue on application of Edward M. Grubbe; File No HE-A 86-11.

WHEREAS, the applicant, Edward Grubbe, as prospective purchaser, and Mark Swanson, Sigrid Joy McMaines, Bert J. McNae and Garrison E. and Mary Evelyn Deal, as current owners, filed an application for reclassification of approximately five acres of property from R-3.5 and O (Office) to R-30 which property is located south of the Bellevue-Redmond Road about 300 feet west of the intersection of Bellevue-Redmond Road and N.E. 20th Street east of Highland Middle School, in the City of Bellevue; and

WHEREAS, on June 4, 1987, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, the public hearing was continued to July 9, 1987 and concluded on July 23, 1987; and

WHEREAS, the record was held open until August 7, 1987 for response by the parties to a post-hearing letter submitted by a party, and

WHEREAS, on August 26, 1987, the Hearing Examiner recommended to the City Council conditional approval of said application, and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest would be served by reclassifying said property; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the Bellevue Environmental Procedures Code; 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 based thereon, 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

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City of Bellevue In the Matter of the Application of Ed Grubbe For a Reclassification, File No. HE-A 86-11.

Section 2. The following described property is hereby reclassified from R-3.5 and O (Office) to R-30 with conditions:

That portion of the South half of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 26;
thence North along the East line thereof to the North line of the South quarter of the Southeast quarter of the Southwest quarter of the Northwest quarter of said Section 26 and the TRUE POINT OF BEGINNING;
thence West along said North line to the East line of the West 1,074.66 feet of the Southwest quarter of the Northwest quarter of said Section 26;
thence North along said East line to the center line of Bellevue-Redmond Road;
thence Northeasterly along said center line to the East line of the West 1,134.66 feet of the Southwest quarter of the Northwest quarter of said Section 26;
thence South along said East line to the South line of the North 222.00 feet of the Southeast quarter of the Southwest quarter of the Northwest quarter of said Section 26;
thence East along said South line to the East line of the Southwest quarter of the Northwest quarter of said Section 26;
thence South along said East line to the TRUE POINT OF BEGINNING;
AND TOGETHER WITH the Northwest quarter of the Southwest quarter of the Southeast quarter of the Northwest quarter of said Section 26.

This reclassification from R-3.5 and O (Office) to R-30 is conditioned on full compliance by the owners and prospective purchaser of said property and their heirs, assigns, grantees or successors in interest, with the terms and conditions of that certain Concomitant Zoning Agreement executed by Edward Grubbe, as prospective purchaser, and Mark Swanson, Sigrid Joy McMaines, Bert J. McNae and Garrison E. and Mary Evelyn Deal, as current owners, which has been given Clerk's Receiving No. 13010 and which is adopted by reference into this ordinance as if it was fully set forth herein.

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Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 12th day of October, 1987, and signed in authentication of its passage this 12th day of October, 1987.

(SEAL)

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Marie K. O'Connell, City Clerk

Published November 3, 1987