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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4429

AN ORDINANCE reclassifying approximately 5.68 acres of property located at 15057 Bel-Red Road on application of Silver Glen/Group Health (Ron Kasprisin).

WHEREAS, Ron Kasprisin applied to the City on behalf of Silver Glen/Group Health, a prospective purchaser, to rezone four contiguous parcels of property in divided ownership and comprising 5.68 acres of property located at 15057 Bel-Red Road; from R-30 to Office (O) with conditions; from Office (O) to R-30 with conditions; and to amend an existing concomitant zoning agreement; and

WHEREAS, on August 20, 1992 a public hearing was held on the rezone application before the Hearing Examiner Pro Tempore for the City of Bellevue pursuant to proper notice as required by law; and

WHEREAS, on September 2, 1992 the Hearing Examiner Pro Tempore recommended approval, with conditions, of the rezone 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 Pro Tempore and has determined that the public use and interest will be served by approving the reclassification of said properties; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City 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 Pro Tempore in support of his recommendation to the City Council approving the reclassification request with regard to the following property, described as combined Parcel A, consisting of Tax Lots 25, 51, 86 and 99 and located at approximately 15057 Bel-Red Road, as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Silver Glen/Group Health (Ron Kasprisin) for Reclassification of Property and Amendment to Concomitant Zoning Agreement, File No. REZ 91-10324":

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Parcel A (combined Tax Lots 25, 51, 86 and 99)

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

Beginning at the intersection of the East line of the West 1074.66 feet of said subdivision with the centerline of Northrup Road Revision No. 1431; thence Northeasterly along said centerline to the East line of the West 1134.66 feet of said subdivision; thence Southerly along said East line to the South line of the North 111.00 feet, as measured along the East line, of the Southeast quarter of the Southwest quarter of the Northwest quarter of said Section 26; thence Easterly along said South line to the East line of the Southwest quarter of the Northwest quarter of said Section 26; thence Southerly along said East line to the North line of the South half of the South half of the South half of the Southwest quarter of the Northwest quarter of said Section 26; thence Westerly along said North line to the East line of the West 1074.66 feet of the Southwest quarter of the Northwest quarter of said Section 26; thence Northerly along said East line to the Point of Beginning;

TOGETHER WITH the Northwest quarter of the Southwest quarter of the Southeast quarter of the Northwest quarter of said Section 26.

Section 2. The following described property designated as Parcel B (Tax Lot 25) and located at approximately 15057 Bel-Red Road is hereby reclassified from Office (O) to R-30 subject to the conditions that follow:

Parcel B (Tax Lot 25)

The South 111.00 feet of the North 222.00 feet, as measured along the East line, of the South half of the Southwest of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King county, Washington;

EXCEPT the West 1134.66 feet thereof.

This reclassification from Office (O) to R-30 is conditioned on full compliance by the owner(s) of said property and their heirs, assigns, grantees or successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by the prospective purchaser and the current owners of the property, which has been given Clerk's Receiving No. 18394 and which is adopted by reference into this ordinance as if it was fully set forth herein. This Concomitant Agreement shall replace and

supersede any prior concomitant zoning agreement to the extent said prior concomitant zoning agreement may be applicable to the property described in this Section 2.

Section 3. The following described property designated as Parcel C (portion of Tax Lot 51) and located at approximately 15057 Bel-Red Road is hereby reclassified from R-30 to Office (O) subject to the conditions that follow:

Parcel C (portion of Tax Lot 51)

The East 60.00 feet of the West 1134.66 feet of the North half of the Southwest quarter of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King county, Washington, lying Southerly of the centerline of Northrup Road Revision No. 1431;

TOGETHER WITH the North 11.00 feet of the East 60.00 feet of the West 1134.66 feet of the South half of the Southwest quarter of the Northwest quarter of said Section 26.

This reclassification from R-30 to Office (O) is conditioned on full compliance by the owner(s) of said property and their heirs, assigns, grantees or successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by the prospective purchaser and the current owners of the property, which has been given Clerk's Receiving No. 18394 and which is adopted by reference into this ordinance as if it was fully set forth herein. This Concomitant Agreement shall replace and supersede that certain Concomitant Zoning Agreement adopted pursuant to Ordinance No. 3836 and given Clerk's Receiving No. 13010 to the extent said prior Concomitant Zoning Agreement may be applicable to the property described in this Section 3.

Section 4. The following described property designated as Parcel D (combined Parcel A less Parcels B and C; comprised of Tax Lots 86, 99 and a portion of Tax Lot 51) and located at approximately 15057 Bel-Red Road is hereby reclassified from R-30 with conditions to R-30 subject to the revised conditions which follow:

Parcel D (combined Parcel A less Parcels B and C; comprised of Tax Lots 86, 99 and a portion of Tax Lot 51)

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

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Beginning at the intersection of the East line of the West 1074.66 feet of said subdivision with the centerline of Northrup Road Revision No. 1431; thence Northeasterly along said centerline to the East line of the West 1134.66 feet of said subdivision; thence Southerly along said East line to the South line of the North 111.00 feet, as measured along the East line, of the Southeast quarter of the Southwest quarter of the Northwest quarter of said Section 26; thence Easterly along said South line to the East line of the Southwest quarter of the Northwest quarter of said Section 26; thence Southerly along said East line to the North line of the South half of the South half of the South half of the Southwest quarter of the Northwest quarter of said Section 26; thence Westerly along said North line to the East line of the West 1074.66 feet of the Southwest quarter of the Northwest quarter of said Section 26; thence Northerly along said East line to the Point of Beginning;

TOGETHER WITH the Northwest quarter of the Southwest quarter of the Southeast quarter of the Northwest quarter of said Section 26.

EXCEPT:

The South 111.00 feet of the North 222.00 feet, as measured along the East line, of the South half of the Southwest of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King county, Washington;

EXCEPT the West 1134.66 feet thereof.

AND EXCEPT:

The East 60.00 feet of the West 1134.66 feet of the North half of the Southwest quarter of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King county, Washington, lying Southerly of the centerline of Northrup Road Revision No. 1431;

TOGETHER WITH the North 11.00 feet of the East 60.00 feet of the West 1134.66 feet of the South half of the Southwest quarter of the Northwest quarter of said Section 26.

This reclassification from R-30 with conditions to R-30 with revised conditions is conditioned on full compliance by the owner(s) of said property and their heirs, assigns, grantees or successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by the prospective purchaser and the current owners, which has been given

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Clerk's Receiving No. 18394 and which is adopted by reference into this ordinance as if it was fully set forth herein. This Concomitant Agreement shall replace and supersede that certain Concomitant Zoning Agreement adopted pursuant to Ordinance No. 3836 and given Clerk's Receiving No. 13010 to the extent said prior Concomitant Zoning Agreement may be applicable to the property described in this Section 4.

Section 5. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 19th day of October, 1992, and signed in authentication of its passage this 19th day of October, 1992.

(SEAL)

Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published October 23, 1992