

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5657

AN ORDINANCE annexing to the City of Bellevue a 1.34-acre site, known as the Tax Lots Triangle Annexation, located on the east side of 166<sup>th</sup> Ave SE and southwest of the Tax Lots/Cougar Ridge (Belvedere) development in the Newcastle Subarea PAA by Direct Petition under RCW 35A.14.420.

WHEREAS, petitioners, the owners of property constituting not less than 10 percent in area, prior to initiation of their petition, notified the City Council of their intention to commence annexation proceedings for the area described below, and the City Council met with said initiating owners and determined that the City would accept the proposed annexation petition, provided that existing City indebtedness shall be assumed by the area to be annexed; and

WHEREAS, thereafter a sufficient petition for annexation was filed with the City Council pursuant to RCW 35A.14.420, signed by the owners of a majority of the area of the property for which annexation is petitioned, seeking annexation to the City of Bellevue of contiguous property known as the Tax Lots Triangle Annexation located on the east side of 166<sup>th</sup> Ave SE and southwest of the Tax Lots/Cougar Ridge (Belvedere) development in the Newcastle Subarea PAA; and

WHEREAS, the King County Boundary Review Board has chosen to waive its jurisdiction as per RCW 36.93.110 over the proposed annexation and the proposed annexation is thereby deemed approved by the Board on December 20, 2005; and

WHEREAS, the existing land use district classification for the annexed property is King County R-1, and the City classification most closely representing that zoning is City of Bellevue R-1, which shall apply pending the adoption of a permanent classification; and

WHEREAS, Land Use Code 20.10.080 provides that newly annexed property shall promptly receive a City of Bellevue land use designation after completion of the rezone procedures in Part 20.30A of the Land Use Code; and

WHEREAS, upon annexation, the property will be subject to a Development Agreement, which includes limitations on uses of the property; and

WHEREAS the City Council adopted Ordinance No. 5654 on January 17, 2006 as part of the 2005 annual Comprehensive Plan Amendments, amending the PAA to include this site and establishing a Single Family-Low (SF-L) Comprehensive Plan designation; and

WHEREAS, the Development Agreement requires the owners of the property to promptly apply for a rezone consistent with the Comprehensive Plan designation, promptly upon annexation; and

WHEREAS, the City Council fixed March 6, 2006 at the hour of 8:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Procedures Code;

WHEREAS, all statutory requirements have been complied with, including those set forth in RCW Chapter 35A.14 inclusive and chapter 36.93 inclusive; now, therefore,

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

Section 1. The following described property located on the east side of 166<sup>th</sup> Ave SE and southwest of the Tax Lots/Cougar Ridge (Belvedere) development in the Newcastle Subarea PAA is hereby annexed to the City of Bellevue, Washington:

#### **Tax Lots Triangle Annexation Description**

That portion of the Southwest quarter of Section 25, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

**Beginning** at the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 25; thence Southerly along the East line thereof to the Northeasterly margin of 166th Way S.E. (Nike Site Access Road); thence Southeasterly along said Northeasterly margin to the South line of the North half of the Northeast quarter of the Southwest quarter of said Section 25; thence Westerly along said South line to the Southwesterly margin of said 166th Way S.E.; thence Northwesterly along said Southwesterly margin to the North line of the Southwest quarter of said Section 25; thence Easterly along said North line to the **Point of Beginning**.

Section 2. Upon annexation, said property shall be assessed and taxed at the same rate and on the same basis as other property within the City is assessed and taxed to pay for any outstanding indebtedness of the City, which indebtedness has been approved by the voters, was contracted for or incurred prior to, or was existing at, the date of annexation.

Section 3. The property described in Section 1 of this ordinance shall become part of the City of Bellevue on the effective date of this ordinance.

Section 4. The property described in Section 1 of this ordinance is reclassified from King County R-1 to City of Bellevue R-1. Such land use district classification shall be an interim classification and shall remain in effect until further action by the Council under Land Use Code Part 20.30A.

Section 5. The Comprehensive Plan of the City of Bellevue shall be deemed to apply to the annexed property from the effective date of this ordinance.

Section 6. A certified copy of this ordinance shall be filed with the King County Council of King County, Washington, in which county said property is located.

Section 7. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 6th day of March, 2006 and signed in authentication of its passage this 6th day of March, 2006.

(SEAL)

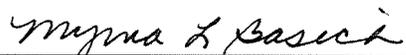
  
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Grant Degginger, Mayor

Approved as to form:

City Attorney's Office

  
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Lori M. Riordan, City Attorney

Attest:

  
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Myrna L. Basich, City Clerk

Published March 10, 2006