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The City of

AN ORDINANCE relating to land use and zoning; amending Plat 221E, page 8 of the Official Land Use Map to rezone certain property located at the southwest corner of Northeast 145th Street and 30th Avenue Northeast from Residential, Single Family, 7200 (SF 7200) Zone to Residential, Multi-Family, Low-rise 1 and Low-rise 3 (L1, L3) Zones and accepting a Property Use and Development Agreement in connection therewith. (Petition of Lake City Associates; C.F. No. 292030.)

Honorable President:

Your Committee on Land

to which was referred the within Co report that we have considered the s

Do Pass.

COMP. FILE No. _____

Introduced: MAY 2 1983	By: <u>Land Use Committee</u>
Referred: MAY 2 1983	To: <u>Land Use</u>
Referred:	To:
Referred:	To:
Reported: JUL 18 1983	Second Reading: JUL 18 1983
Third Reading: JUL 18 1983	Signed: JUL 18 1983
Presented to Mayor: JUL 19 1983	Approved: JUL 28 1983
Returned to City Clerk: JUL 28 1983	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	NO Sustained:

REC'D OMBE JUL 19 1983

Amend
The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

President:

Committee on Land Use

was referred the within Council Bill No. 103641

that we have considered the same and respectfully recommend that the same:

Pass.

[Handwritten Signature]

Committee Chair

RECEIVED
MAY 27 2003
ORD. 111222

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS INSTRUMENT, executed this date in favor of The City of Seattle, a municipal corporation (herein called "City"), by the undersigned owners of the within-described property (herein called "Owners"):

W I T N E S S E T H:

WHEREAS, Owners are persons owning a fee simple and/or having a substantial beneficial interest in the following described real property (herein called the "Property"):

PARCEL 1 - L3

Lots 1 and 2, Block 9, Seattle Suburban Home Tracts, except the South 90 feet of Lot 2.

PARCEL 2 - L1

The South 90 feet of Lot 2, Block 9, Seattle Suburban Home Tracts. 03/06/07 #0997 B
situate in the City of Seattle, RECD F 5.00
King County, Washington; and CASHSL *****5.00
22

WHEREAS, a petition (C.F. 292030) was filed with the City to rezone the property from Multiple Residence, Low Density (RM-800) to Residential, Multi-family, Low-rise 1 and Low-rise 3, (L1, L3) pursuant to the provisions of the Land Use Code, and the Urban Development and Housing Committee recommended to the City Council that the petition be granted subject to the execution and recording of an agreement with the City pertaining to certain uses and development of the Property in order to ameliorate the adverse impact of unrestricted use and development in the L1 and L3 Zones;

NOW, THEREFORE, Owners hereby covenant, bargain and agree on behalf of themselves, their heirs, successors and assigns, that if the Property is rezoned to the L1 and L3 Zone:

1. That any use or development of the Property shall be subject to the following condition:

1% EXCISE TAX NOT REQUIRED
King Co. Records Division

D. Reinke, Deputy

RECORDED THIS DAY

JUN 7 2 24 PM '03

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

8306070997

8306070997

- (a) Owner will provide a setback of twenty feet on the south and east sides of Parcel 1 and a setback of fifteen feet on the west side of Parcel 1.
- (b) Owner will provide a setback of fifteen feet on the west side of Parcel 2 for 122 feet north of Owner's south property line.
- (c) Averaging of the setbacks will not be allowed.
- (d) Owner will provide landscaping of any development on the Property consistent with the Landscape Standard of the Department of Construction and Land Use in accordance with plans approved by the Land Use Division of said Department.

2. This Agreement shall be recorded in the records of King County and the covenants hereof shall be deemed to attach to and run with the Property and shall be binding upon the Owners, their heirs, successors and assigns, and shall apply to after-acquired title of the Owners of the Property.

3. This Agreement may be amended or modified by agreement between the Owners and the City; provided such amended agreement shall be approved by the legislative authority of the City by ordinance. Nothing in this Agreement shall prevent the City Council from making such further amendments to the Land Use Code as it may deem necessary in the public interest. Nothing in this Agreement is intended to authorize any use or dimension not otherwise permitted in the L1 or L3 Zones.

4. This Agreement is made for the benefit of the City and for the benefit of owners of property within 300 feet of the Property, and either the City or any such property owner may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

5. It is further expressly agreed that in the event any covenant or condition or restriction hereinabove contained or

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property to ameliorate the adverse impact of uses and develop-
ment otherwise permitted in the L1 and L3 Zones upon private
property in the vicinity, is hereby accepted, and the City
Clerk is hereby authorized and directed to deliver copies of
the same to the Director of Construction and Land Use and the
Community Development Director.

(To be used for all Ordinances except Emergency.)

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 18th day of July, 1983, and signed by me in open session in authentication of its passage this 18th day of July, 1983. *James W. Williams* President of the City Council.

Approved by me this 28th day of July, 1983. *Charles Roper* Mayor.

Filed by me this 28th day of July, 1983. *Gene Hill* Attest: City Comptroller and City Clerk.

(SEAL)

Published By *Theresa Dunbar* Deputy Clerk.

ED for Record at Reque
CITY OF SEATTLE
912 MUNICIPAL BUILDING
SEATTLE, WASHINGTON 98104

8027

RECEIVED
MAY 27 1983

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PARCEL 1 - L3

Lots 1 and 2, Block 9, Seattle Suburban Home Tracts, except the South 90 feet of Lot 2.

PARCEL 2 - L1

The South 90 feet of Lot 2, Block 9, Seattle Suburban Home Tracts, situate in the City of Seattle, King County, Washington; and

83,06/07 #0997
RECD F 5.00
CASHSL ****5.00
22

WHEREAS, a petition (C.F. 292030) was filed with the City to rezone the property from Multiple Residence, Low Density (RM-800) to Residential, Multi-family, Low-rise 1 and Low-rise 3, (L1, L3) pursuant to the provisions of the Land Use Code, and the Urban Development and Housing Committee recommended to the City Council that the petition be granted subject to the execution and recording of an agreement with the City pertaining to certain uses and development of the Property in order to ameliorate the adverse impact of unrestricted use and development in the L1 and L3 Zones;

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1% EXCISE TAX NOT REQUIRED
King Co. Records Division

By D Reinke, Deputy

RECORDED THIS DATE

JUN 7 2 24 PM '83

BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

8306070997

8306070997

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4. This Agreement is made for the benefit of the City and for the benefit of owners of property within 300 feet of the Property, and either the City or any such property owner may institute and prosecute any proceeding at law or in equity to enforce this Agreement.

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ORDINANCE 111222

AN ORDINANCE relating to land use and zoning; amending Plat 221E, page 8 of the Official Land Use Map to rezone certain property located at the southwest corner of Northeast 145th Street and 30th Avenue, Northeast from Residential, Single Family, 7200 (SF 7200) Zone to Residential, Multi-Family, Low-rise 1 and Low-rise 3 (L1, L3) Zones and accepting a Property Use and Development Agreement in connection therewith. (Petition of Lake City Associates; C.F. No. 292030.)

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Plat 221E, page 8 of the Official Land Use Map is amended to rezone from Residential, Single Family, 7200 (SF 7200) Zone to Residential, Multi-Family, Low-rise 1 and Low-rise 3, (L1, L3) the following described real property:

PARCEL 1 - L3

Lots 1 and 2, Block 9, Seattle Suburban Home Tracts, except the South 90 feet of Lot 2.

PARCEL 2 - L1

The South 90 feet of Lot 2, Block 9, Seattle Suburban Home Tracts.

situate in the City of Seattle, King County, Washington.

as shown on Exhibit "A", and the City Clerk is directed to place a copy of said Exhibit "A" in a volume entitled "Zoning Map Amendments", all as contemplated in C.F. 292030.

Section 2. That the Property Use and Development Agreement which was submitted to the City by the owners of the property described in Section 1 hereof, recorded in the records of the Director of Records and Elections of King County, and filed in C.F. 292030 by which said owners agree to certain restrictions upon the use and development of said

RECORDED THIS DAY
AUG 1 3 25 PM '83
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY
CS 19.2

8308010855

1 property to ameliorate the adverse impact of uses and develop-
2 ment otherwise permitted in the L1 and L3 Zones upon private
3 property in the vicinity, is hereby accepted, and the City
4 Clerk is hereby authorized and directed to deliver copies of
5 the same to the Director of Construction and Land Use and the
6 Community Development Director.

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Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 18th day of July, 1983
and signed by me in open session in authentication of its passage this 18th day of July, 1983.
Janetta Williams
President of the City Council.

Approved by me this 28th day of July, 1983.
Charles Perpet
Mayor.

Filed by me this 28th day of July, 1983.
Gene Hill
Attest: City Comptroller and City Clerk.

(SEAL)

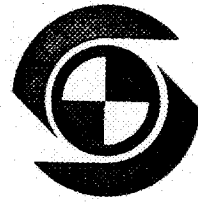
Published

By *Theresa Dunbar*
Deputy Clerk.

Seattle Engineering Department

Charles Royer, Mayor
Eugene V. Avery, City Engineer

Room 910, Seattle Municipal Building, Seattle, Washington 98104



Letter of Transmittal

TO: Mr. Tim Hill, City Comptroller	DATE July 6, 1983	JOB NO. 8027
	RE: Property Use and Development	
	Agreement - Seattle Suburban	
	Home Tracts	
ATTN: Ms. Virginia Miller, Asst. City Clerk		

GENTLEMEN:

- WE ARE SENDING YOU ATTACHED UNDER SEPARATE COVER VIA _____ THE FOLLOWING ITEMS:
- SHOP DRAWINGS PRINTS REPRODUCIBLE PLANS SPECIFICATIONS
- COPY OF LETTER _____

Copies	Date	Number	DESCRIPTION AND REMARKS
			Property Use and Development Agreement
1			K. C. RECORDING # 8306070997
			Please file with C. F. 292030 which pertains to that real property located at Lots 1 and 2, Block 9, Seattle Subburdan Home Tracts.
			Please notify this office of the number assigned by noting same on the duplicate copy attached hereto.
			Engineering Dept., Property and Court Services, Mail Stop 01-09-01.

THESE ARE TRANSMITTED AS CHECKED BELOW:

- FOR APPROVAL APPROVED AS SUBMITTED RESUBMIT _____ COPIES FOR APPROVAL
- FOR YOUR USE APPROVED AS NOTED SUBMIT _____ COPIES FOR DISTRIBUTION
- AS REQUESTED RETURNED FOR CORRECTIONS RETURN _____ CORRECTED PRINTS
- FOR REVIEW AND COMMENT For filing PRINTS RETURNED AFTER LOAN TO US

COPIES TO:

→ Councilman Paul Kraabel ←
Director, DCLU
Director, DCD

Signed Deane Hannafelt
Title Title Examiner

221E

216 E

185TH ST

NE

SF 7200 L3
 CONTRACT 1986
 NE 143RD ST
 SF 7200
 NE 143RD PL

SF 7200
 NE

SF 7200 L-3
 CONTRACT 1986
 L1 & L3
 CONTRACT MR CF 2030

SF 7200 BC
 CONTRACT CF 208960
 CG
 CONTRACT CF 282712
 CG

SF 7200 L-2
 CG
 CG
 LAKE CITY WAY NE
 AVE NE

143RD ST

NE

SF 7200
 SF 7200
 AVE NE

SF 7200
 SF 7200
 AVE NE
 26TH AVE
 25TH AVE

SF 7200 L-3
 MR
 CG
 MR
 MR
 AVE NE

MR
 CG
 MR
 AVE NE

MR
 CG
 MR
 AVE NE

140TH ST

NE

SF 7200
 SF 7200
 AVE NE

SF 7200
 SF 7200
 AVE NE
 27TH AVE
 28TH AVE
 30TH AVE

SF 7200
 MR
 CG
 MR
 AVE NE

MR
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MR
 CG
 MR
 AVE NE

4939

CITY COUNCIL TRANSMITTAL

C. F. # 292030

TO:

Doug Jewett, City Attorney
ATTN: Gordon Crandall

Date Sent:

March 22nd, 1983

Reply Requested By:

ASAP

FROM:

Paul Kraedel

Subject: Petition of Lake City Associates to remove
from R2000 to L1 and L3, Lots 1 and 2, Block 9,
Seattle Suburban Home Tracts, et al, and the south
90 feet of Lot 2, Block 9, Seattle Suburban Home
Tract, located at the southeast corner of 96th
Avenue N.E. and N.E. 145th Street.

Review and Return File With Your Answer to Sender

ACTION **required**

Review and Answer Petitioner, Return File and Copy of Answer to Sender

Review and Make Recommendations, Return File and Recommendations to Sender
() In Duplicate

Prepare Legislation and Return File to Sender

XXXX

Additional Information:

Crack for PC
Signature

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

..... Ordinance No. 111222

..... was published on August 2, 1983

.....
Subscribed and sworn to before me on

..... August 2, 1983

.....
Notary Public for the State of Washington
residing in Seattle.

AN ORDINANCE relating to land use and zoning; amending Plat 221E, page 8 of the Official Land Use Map to rezone certain property located at the southwest corner of Northeast 145th Street and 30th Avenue Northeast from Residential, Single Family, 7200 (SF 7200) Zone to Residential, Multi-Family, Low-rise 1 and Low-rise 3 (L1, L3) Zones and accepting a Property Use and Development Agreement in connection therewith. (Petition of Lake City Associates; C.F. No. 292030.)

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The South 90 feet of Lot 2, Block 9, Seattle Suburban Home Tracts.

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Passed by the City Council the 18th day of July, 1983

and signed by me in open session in authentication of its passage this 18th day of July, 1983

James D. Hill
President of the City Council

Approved by me this 23rd day of July, 1983

Charles Porter
Mayor

Filed by me this 28th day of July, 1983

Tim Hill
Attest: City Comptroller and City Clerk

(SEAL)

Tracie D. ...
Deputy Clerk