

JB:pdk
9/25/86
7:ORD2.

ORDINANCE

113093

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2
3
4 AN ORDINANCE relating to annexation, land use and zoning;
5 annexing to The City of Seattle portions of Section 32,
6 Township ~~26~~²⁴ North, Range 4 East, W.M., and Sections 5 and
7 6, Township 23 North, Range 4 East, W.M., in King County;
8 adding new Plats 302 E and 303 W to the Official Land Use
9 Map and amending Plat 78 W, Page 183 thereof to zone the
10 annexed property in the Commercial 2 Zone (C2/65'), and
11 accepting a Property Use and Development Agreement in
12 connection therewith.

13
14 WHEREAS, a petition has been filed for annexation to the
15 city of certain contiguous property hereinafter described
16 (Comptroller's File No. 290891) which petition complies in all
17 respects to the requirements of Chapter 35.13.125-160 RCW; and

18
19 WHEREAS, said petition proposes establishment of the
20 Commercial 2 Zone (C2/65') for the real property hereinafter
21 described; and

22
23 WHEREAS, two public hearings have been held upon said
24 petition after due notice and posting as required by Chapter
25 35.13.140 RCW; and

26
27 WHEREAS, the City Council has determined to grant said
28 petition, to annex said property and to establish the initial
zoning; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the following described property be and
the same is hereby annexed to the City as of the effective
date of this ordinance, and on and after said date the same
shall be and become a part of the City of Seattle and be
embraced within the boundaries thereof under the provisions of
Chapter 35.13 RCW:

1
2 A portion of the southwest quarter of Section 32,
3 Township 24 North, Range 4 East, W.M., in King
4 County, Washington. Also a portion of the northeast
5 quarter of the northeast quarter of Section 6, and
6 the northwest quarter of Section 5, Township 23
7 North, Range 4 East, W.M., in King County
8 Washington.

9 Beginning at the corner common to said Sections 31,
10 32, 6 and 5; thence west along the north line of
11 said Section 6, for 654.11 feet; thence south
12 05°28'00" west for 30.07 feet to a point being the
13 northeasterly corner of the land conveyed to the
14 Housing Authority of the County of King, recorded
15 under Auditor's File No. 4413217; thence south
16 along the east line of said tract of land for 1174
17 feet; more or less to the north margin of S.W.
18 100th Street; thence east along said north margin
19 for 686.29 feet to the east line of said Section 6;
20 thence north along said east line for 186.07 feet;
21 thence south 88°38'48" east for 95 feet; thence
22 north 88°33'05" east for 94.68 feet to the west
23 margin of Occidental Avenue S.; thence north along
24 said margin, for 87.52 feet to the southerly line
25 of Parcel "B", conveyed under Auditor's File No.
26 8002200456; thence southeast, along said southerly
27 line, for 37.12 feet; thence northeast along said
28 southerly line for 537.72 feet; thence north
23°10'47" east, for 6.66 feet to the westerly
Margin of Myers Way South; thence easterly to the
intersection of the easterly margin of Myers Way
south and the southerly margin of the City of
Seattle transmission right of way; thence south
along said easterly margin to the north margin of
South 100th Street; thence east along said north
margin to the westerly margin of SR-509 as
condemned in King County Cause No. 670900; thence
northwesterly, northeasterly, and northwesterly
along said westerly margin to the north line of
Section 5; thence west along said north line to the
westerly margin of Myers Way South; thence
northwesterly along said west margin 880 feet more
or less to the north line of Parcel "C", conveyed
under Auditor's File No. 8002200456; thence north
88°38'49" west, for 168.73 feet along said north-
erly line to a point on the west line of said
Section 32; thence south along said section line
846.47 feet to the point of beginning.

23 Section 2. That new Plats 302 E and 303 W are added to
24 the Official Land Use Map adopted by Ordinance 110669, and
25 that Plat 78 W, Page 183 thereof is amended, to zone the
26 aforesaid property to Commercial 2 (C2/65') zone as shown on
27 Exhibit "A", and the City Clerk is directed to place a copy of
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said Exhibit "A" in a volume entitled "Zoning Map Amendments", all as contemplated in C.F. No. 290891.

Section 3. 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. 290891 by which said owners agree to certain restrictions and conditions upon the use and development of said property, 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 4..... 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 29th day of September, 1986, and signed by me in open session in authentication of its passage this 29th day of September, 1986.

[Signature]
President..... of the City Council.

Approved by me this 6th day of October, 1986.

[Signature]
Mayor.

Filed by me this 6th day of October, 1986.

Attest: *[Signature]*
City Comptroller and City Clerk.

(SEAL)

Published.....

By *[Signature]*
Deputy Clerk.

PUBLISH DO NOT PUBLISH
CITY ATTORNEY _____

ORD. 113093

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

January 23, 1987

FILED
CITY OF SEATTLE
JAN 26 AM 10:04
CLERK

King County Council
King County Courthouse
Seattle, WA 98104

Re: Ordinances 113093 and 113271
Annexation of Duwamish Heights

Honorable Members:

In accordance with RCW 35.13.150 we transmit herewith certified copies of Ordinances 113093 and 113271 annexing to Seattle certain property in Section 32, Township 24 North, Range 4 East, W. M. and Sections 5 and 6, Township 23 North, Range 4 East, W. M., in King County, Washington. The legal description in the earlier Ordinance (113093) was erroneous, and the later Ordinance (113271) corrects the description to conform to the proposal considered and approved by the Seattle City Council and the Boundary Review Board.

The Washington State Boundary Review Board for King County approved the proposal on November 25, 1986 by declining to invoke jurisdiction over the annexation. A copy of this letter of that date is enclosed.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By: *Gordon F. Crandall*
GORDON F. CRANDALL
Assistant City Attorney

King County Council
402 King County Courthouse
Seattle, WA 98104

Received 1-26-87
Helene Maciulski
Annexation Clerk
GFC:jrs

Enclosure

cc: Seattle City Clerk
cc: Duwamish Heights
Joint Venture
c/o Val Rupicks

King County Council
402 King County Courthouse
Seattle, WA 98104

JB:pdk
9/25/86
7:ORD

86/11/25
RECD F
CRSHSL

#0659 E
8.00
****8.00

BY THE CLERK OF
RECORDS &
KING COUNTY

LATE FILE

w/ Ord

113093 3

8611250659

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AN ORDINANCE relating to annexation, land use and zoning; annexing to The City of Seattle portions of Section 32, Township ~~26~~²⁴ North, Range 4 East, W.M., and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County; adding new Plats 302 E and 303 W to the Official Land Use Map and amending Plat 78 W, Page 183 thereof to zone the annexed property in the Commercial 2 Zone (C2/65'), and accepting a Property Use and Development Agreement in connection therewith.

WHEREAS, a petition has been filed for annexation to the city of certain contiguous property hereinafter described (Comptroller's File No. 290891) which petition complies in all respects to the requirements of Chapter 35.13.125-160 RCW; and

WHEREAS, said petition proposes establishment of the Commercial 2 Zone (C2/65') for the real property hereinafter described; and

WHEREAS, two public hearings have been held upon said petition after due notice and posting as required by Chapter 35.13.140 RCW; and

WHEREAS, the City Council has determined to grant said petition, to annex said property and to establish the initial zoning; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the following described property be and the same is hereby annexed to the City as of the effective date of this ordinance, and on and after said date the same shall be and become a part of the City of Seattle and be embraced within the boundaries thereof under the provisions of Chapter 35.13 RCW:

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A portion of the southwest quarter of Section 32, Township 24 North, Range 4 East, W.M., in King County, Washington. Also a portion of the northeast quarter of the northeast quarter of Section 6, and the northwest quarter of Section 5, Township 23 North, Range 4 East, W.M., in King County Washington.

Beginning at the corner common to said Sections 31, 32, 6 and 5; thence west along the north line of said Section 6, for 654.11 feet; thence south 05°28'00" west for 30.07 feet to a point being the northeasterly corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File No. 4413217; thence south along the east line of said tract of land for 1174 feet; more or less to the north margin of S.W. 100th Street; thence east along said north margin for 686.29 feet to the east line of said Section 6; thence north along said east line for 186.07 feet; thence south 88°38'48" east for 95 feet; thence north 88°33'05" east for 94.68 feet to the west margin of Occidental Avenue S.; thence north along said margin, for 87.52 feet to the southerly line of Parcel "B", conveyed under Auditor's File No. 8002200456; thence southeast, along said southerly line, for 37.12 feet; thence northeast along said southerly line for 537.72 feet; thence north 23°10'47" east, for 6.66 feet to the westerly Margin of Myers Way South; thence easterly to the intersection of the easterly margin of Myers Way south and the southerly margin of the City of Seattle transmission right of way; thence south along said easterly margin to the north margin of South 100th Street; thence east along said north margin to the westerly margin of SR-509 as condemned in King County Cause No. 670900; thence northwesterly, northeasterly, and northwesterly along said westerly margin to the north line of Section 5; thence west along said north line to the westerly margin of Myers Way South; thence northwesterly along said west margin 880 feet more or less to the north line of Parcel "C", conveyed under Auditor's File No. 8002200456; thence north 88°38'49" west, for 168.73 feet along said northerly line to a point on the west line of said Section 32; thence south along said section line 846.47 feet to the point of beginning.

Section 2. That new Plats 302 E and 303 W are added to the Official Land Use Map adopted by Ordinance 110669, and that Plat 78 W, Page 183 thereof is amended, to zone the aforesaid property to Commercial 2 (C2/65') zone as shown on Exhibit "A", and the City Clerk is directed to place a copy of

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said Exhibit "A" in a volume entitled "Zoning Map Amendments", all as contemplated in C.F. No. 290891.

Section 3. 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. 290891 by which said owners agree to certain restrictions and conditions upon the use and development of said property, 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.)

8611250659

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this 19th day of November 1986

NORWARD J. BROOKS
Comptroller and City Clerk

By: Margaret Carter
Deputy Clerk

Return to:

NORWARD J. BROOKS CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104

Section 4..... 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 29th day of September, 1986,
and signed by me in open session in authentication of its passage this 29th day of September, 1986.
[Signature]
President..... of the City Council.

Approved by me this 6th day of October, 1986.
[Signature]
Mayor.

Filed by me this 6th day of October, 1986.

Attest: Norward J. Brooks
City Comptroller and City Clerk.

By: Margaret Carter
Deputy Clerk.

(SEAL)

Published.....

PUBLISH DO NOT PUBLISH
CITY ATTORNEY _____

*Action: Application
of Brooks*

NORWARD J. BROOKS Seattle City Comptroller RECEIVED						
NOV 12 1986						
	ADM	ADCT	CLK	SYS	AUD	FIN
ACT			<input checked="" type="checkbox"/>			
INFO	<input checked="" type="checkbox"/>					

THE CITY OF SEATTLE

LAW DEPARTMENT
MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104
AREA CODE 206 TELEPHONE 625-2402
DOUGLAS N. JEWETT, CITY ATTORNEY

ORD.# 113093

November 10, 1986

Honorable Norward Brooks
City Comptroller & Clerk
The City of Seattle

Re: Ordinance 113093

Dear Mr. Brooks:

Ordinance 113093 was passed by the City Council and approved by the Mayor on October 6, 1986. The ordinance related to annexation of certain property at the South City limits, in "portions of Section 32, Township 24 North, Range 4 East, W.M. and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County."

The title to the ordinance incorrectly states that some of the property to be annexed is in Township 26 North rather than Township 24 North. The body of the ordinance correctly identifies the property as in Township 24 North.

To correct any misapprehension that may have been conveyed by this typographical error, we recommend that the error be corrected on the ordinance and in your indices, and that the ordinance as corrected be republished with a brief explanation of the error. We do not think its necessary for the City Council to re-adopt the ordinance under the circumstances here. 5 McQuillin, Municipal Corporations (3rd Ed. Rev.) § 14.10.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By *Gordon F. Crandall*
GORDON F. CRANDALL
Senior Assistant

GFC:rlh
cc: City Council
Val Rupieks, Duwamish Heights
Joint Venture
King County Boundary Review Board
John Braden, DCD

CORRECTION NOTICE

City of Seattle Ordinance No. 113093 submitted to Daily Journal of Commerce on October 8, 1986, and published on Friday, October 10, 1986, incorrectly states in the title that some of the property to be annexed is in Township 26 North rather than Township 24 North. The correct title should read as shown below.

ORDINANCE

113093

AN ORDINANCE relating to annexation, land use and zoning; annexing to The City of Seattle portions of Section 32, Township ~~26~~²⁴ North, Range 4 East, W.M., and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County; adding new Plats 302 E and 303 W to the Official Land Use Map and amending Plat 78 W, Page 183 thereof to zone the annexed property in the Commercial 2 Zone (C2/65'), and accepting a Property Use and Development Agreement in connection therewith.

11/14/86
Margaret Carter, Deputy Clerk

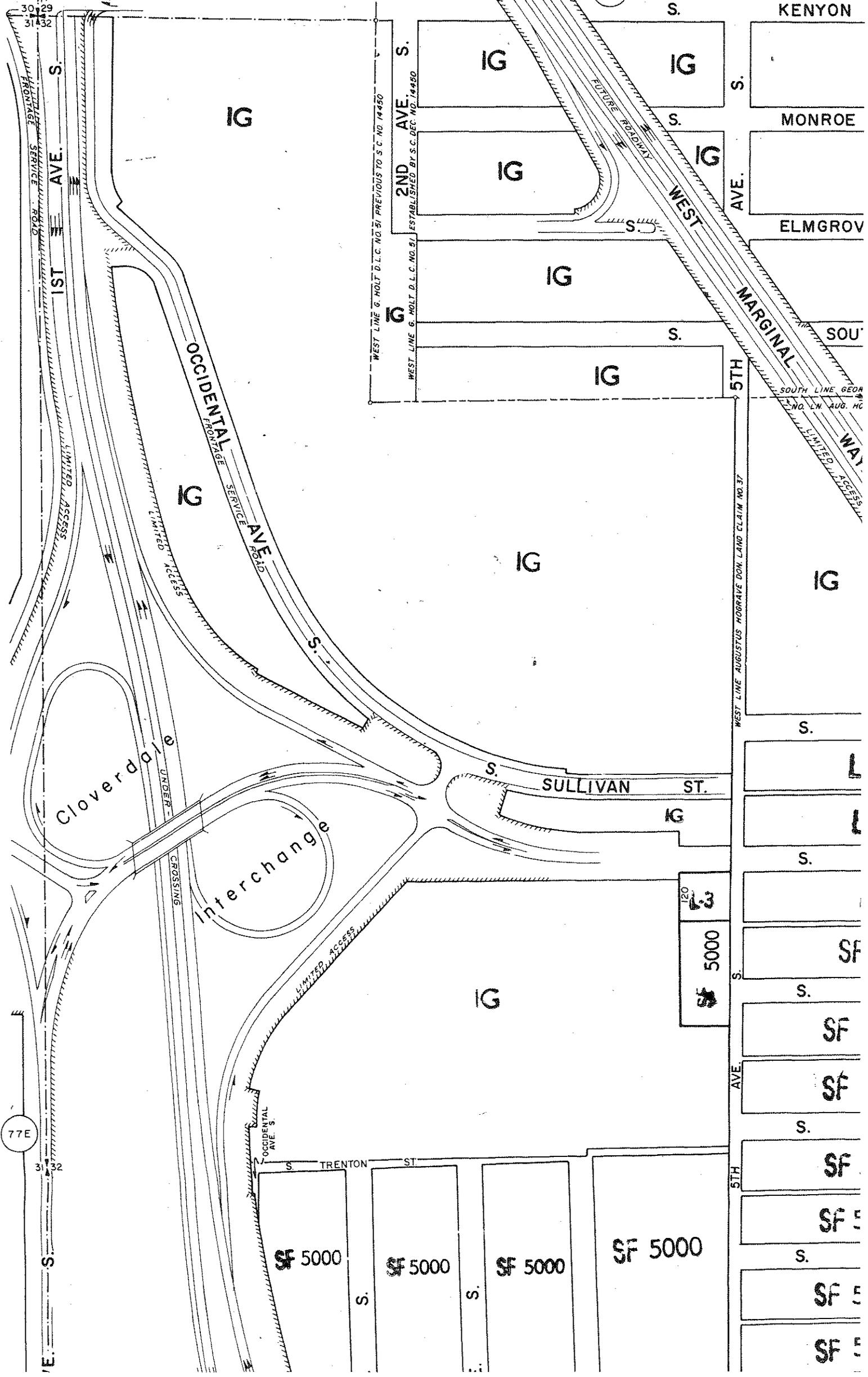
11/19/86

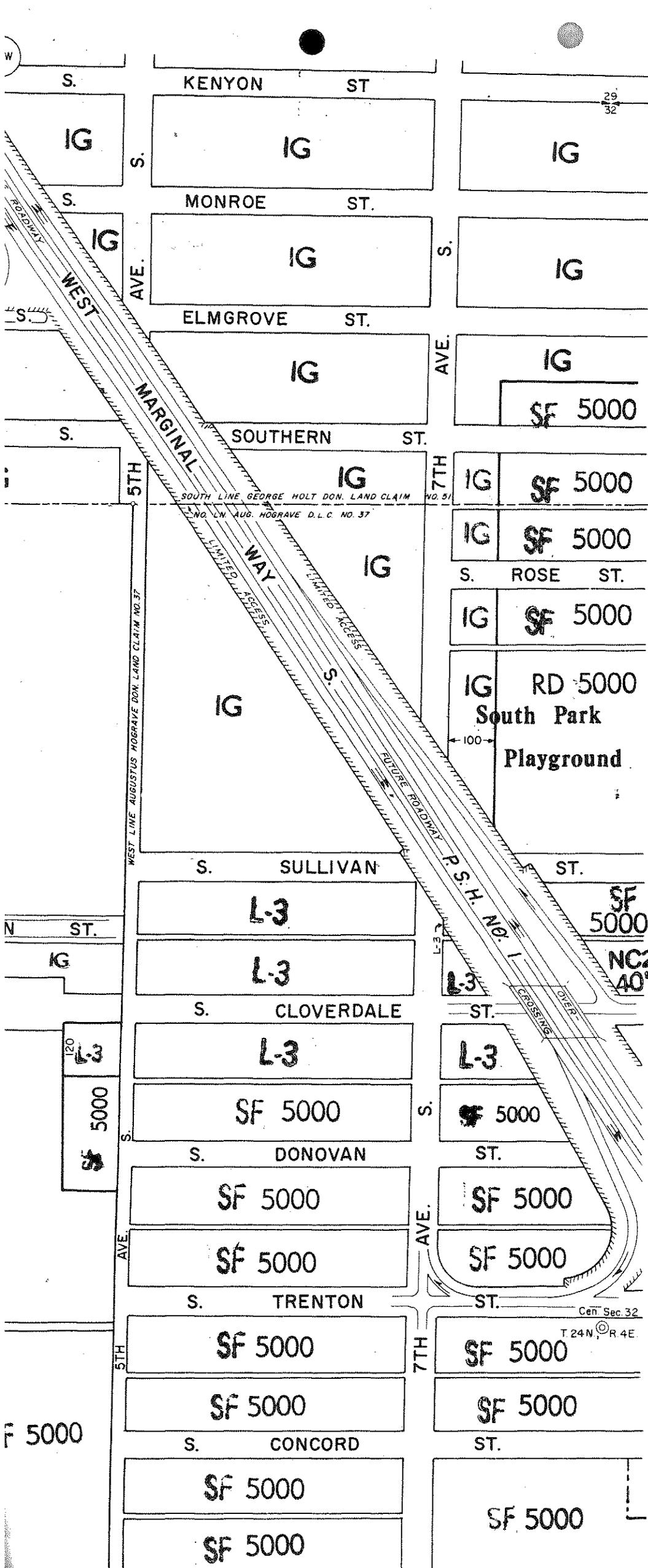
CONTRACT

Ken Mar, Construction and
Land-use did not submit
Maps until November 19, 1986.

K2781

me





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32

5TH

7TH

WEST LINE AUGUSTUS HOGRAVE DON. LAND CLAIM NO. 37

SOUTH LINE GEORGE HOLT DON. LAND CLAIM NO. 51

NO. LN. AUG. HOGRAVE D.L.C. NO. 37

LIMITED ACCESS
WAY

LIMITED ACCESS

FUTURE ROADWAY

L-3

SF 5000

NC2
40'

SF 5000

Cent Sec. 32
T 24 N, R 4 E

SF 5000

120
L-3
SF 5000

L-3

77E

31732

S. 1ST AVE.

31732
645

OCCEIDENT AVE. S.

S. TRENTON ST.

SF 5000

SF 5000

SF 5000

SF 5000

S. AVE.

S. AVE.

S. HENDERSON ST.

S. HENDERSON ST.

S. HENDERSON ST.

SF 5000

SF 5000

SF 5000

2ND

3RD

S. S. S. S.

AMH

1 - 1 - 0N

K

S. BARTON ST.

S. BARTON ST.

S. AVE.

4TH

SEATTLE CORPORATE LIMIT

SF 5000

S.
SF 50
SF 50
S.
SF 50
SF 50
S.
SF 50
SF 50
S. LN. AVE. HOORAVE D.L.C.

MEYERS WAY

C2
65'

CONTRACT
C.F. 290891

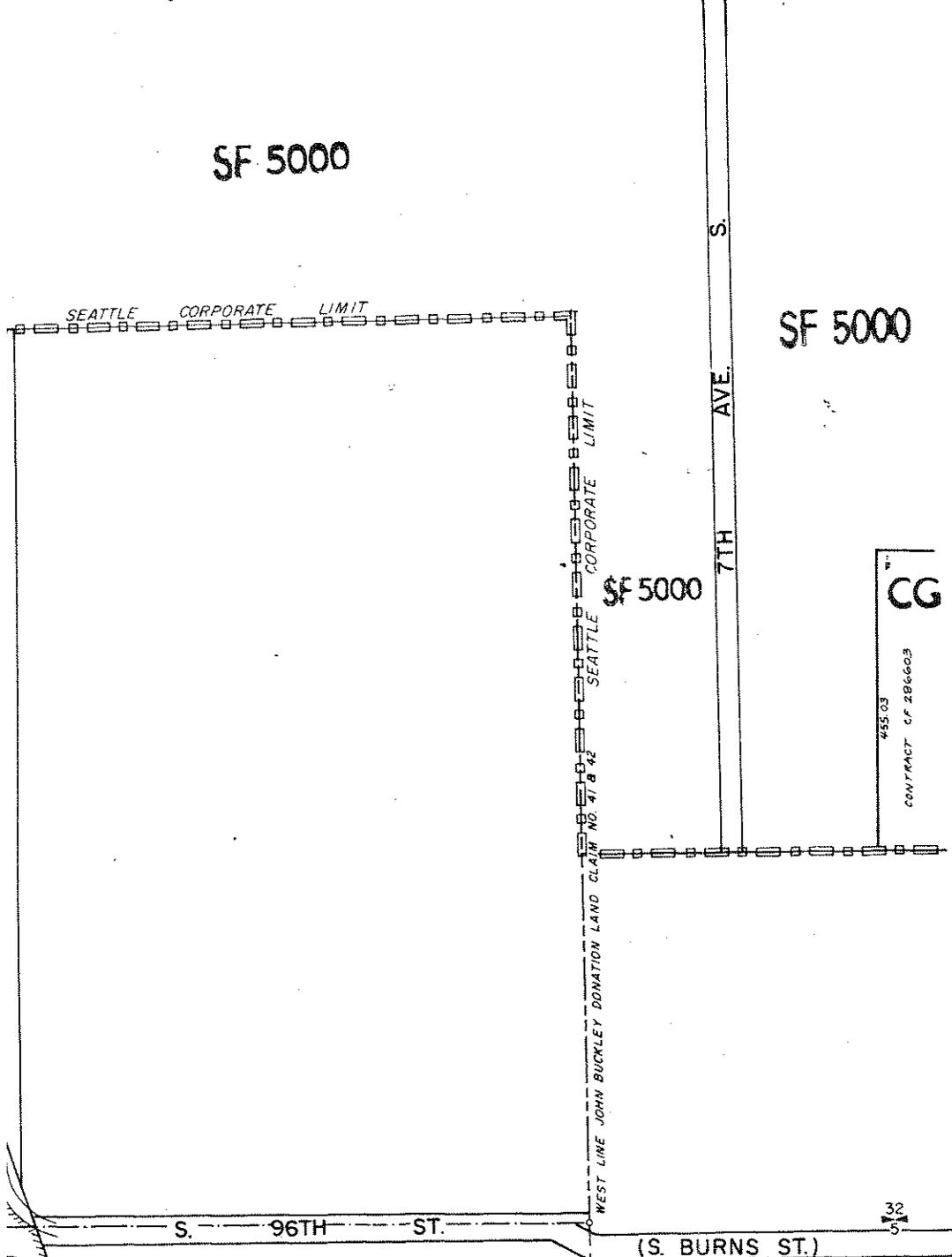
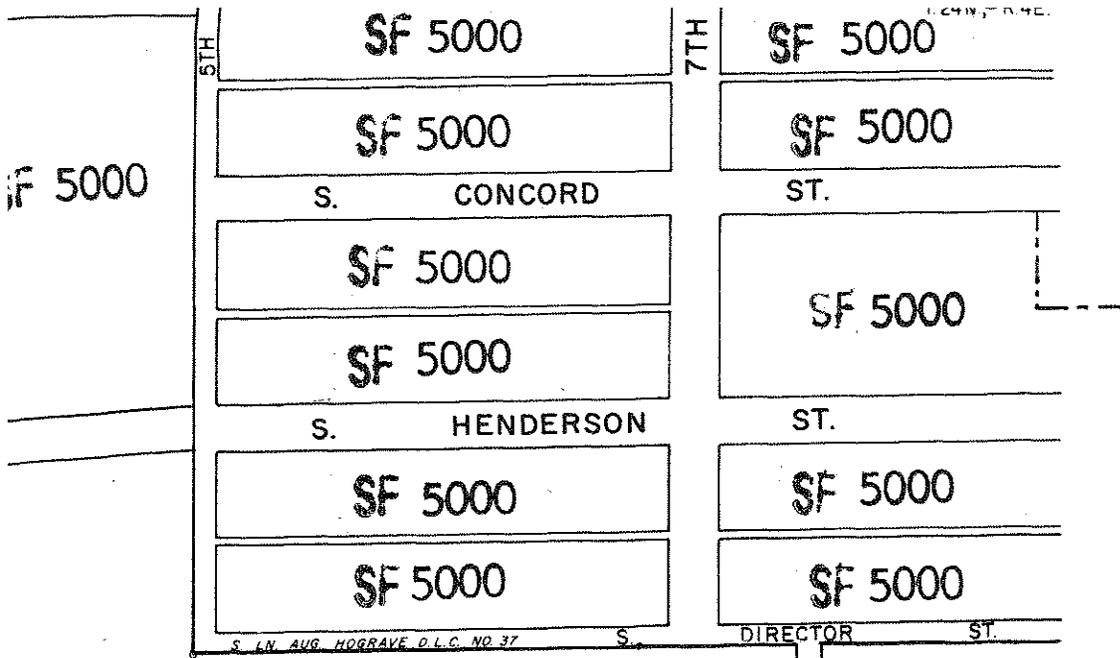
SCALE: 1 INCH = 200 FEET

C.F. 290891

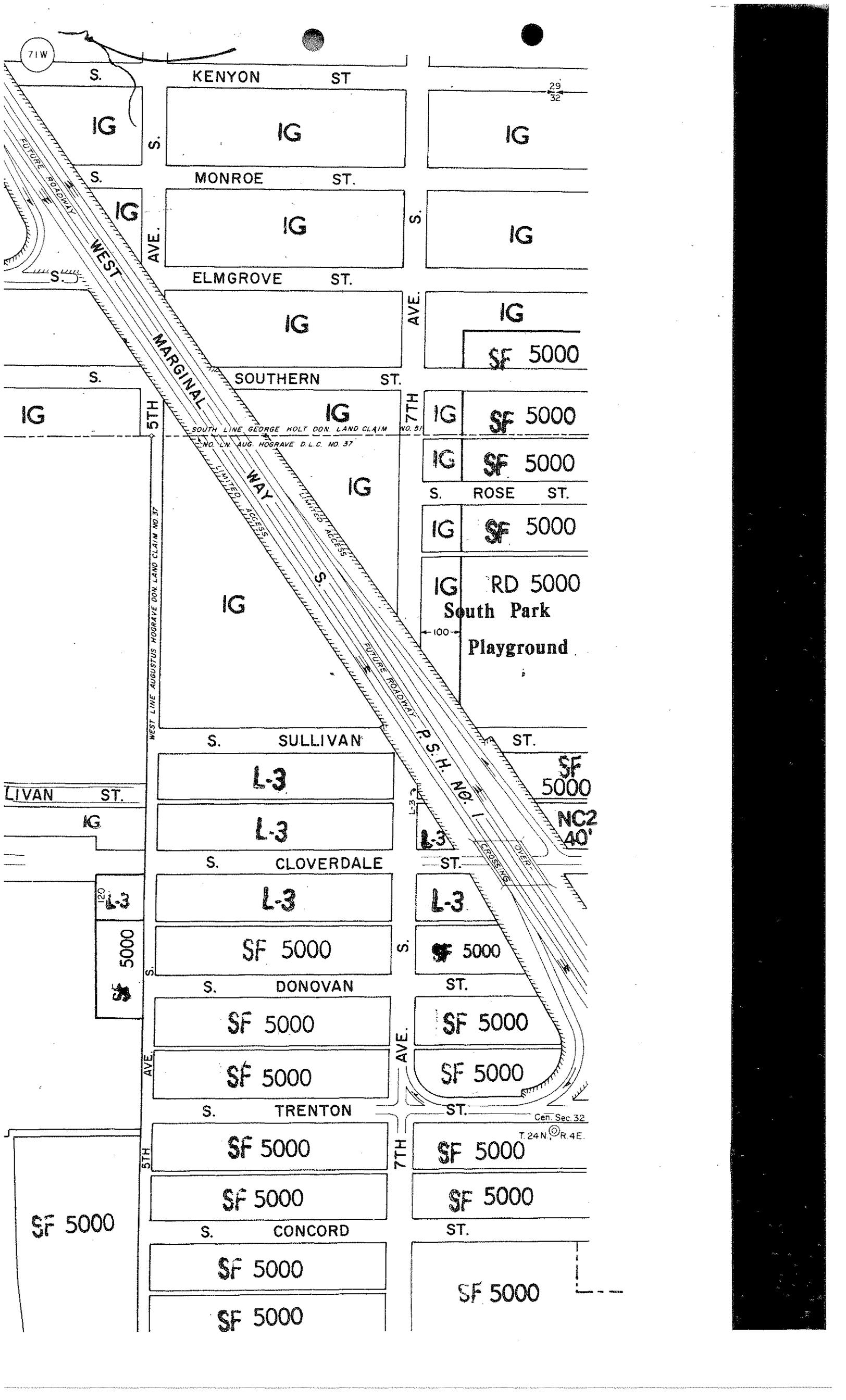
303W

ORD. 113093

183 Eff. date



3W ORD. 113093 CONTRACT
 83 Eff. date 11/5/86



71W

S. KENYON ST

IG

IG

IG

S. MONROE ST.

IG

IG

IG

ELMGROVE ST.

IG

IG

SF 5000

S. SOUTHERN ST.

IG

IG

IG

SF 5000

SOUTH LINE GEORGE HOLT DON. LAND CLAIM NO. 51
NO. LN. AUG. HOGRAVE D.L.C. NO. 37

IG

SF 5000

S. ROSE ST.

IG

SF 5000

IG RD 5000

South Park
Playground

S. SULLIVAN ST.

L-3

SF 5000

LIVAN ST.

IG

L-3

L-3

NC2
40'

S. CLOVERDALE ST.

L-3

L-3

L-3

S. DONOVAN ST.

SF 5000

SF 5000

SF 5000

SF 5000

SF 5000

S. TRENTON ST.

SF 5000

SF 5000

Gen. Sec. 32
T. 24N., R. 4E.

S. CONCORD ST.

SF 5000

SF 5000

SF 5000

SF 5000

SF 5000

SF 5000

77E

31 32

1ST AVE. S.

OCCIDENT AVE.

TRENTON ST.

SF 5000

SF 5000

SF 5000

SF 5000

S. AVE.

S. AVE.

SF 5000

HENDERSON ST.

SF 5000

SF 5000

2ND

3RD

S. AVE.

SF 5000

S. BARTON ST.

SEATTLE CORPORATE LIMIT

NO. 1 K-1 HWY.

4TH

MEYERS WAY

C2

65'

CONTRACT C.F. 290891

31 32
6 45

S. 96TH S.

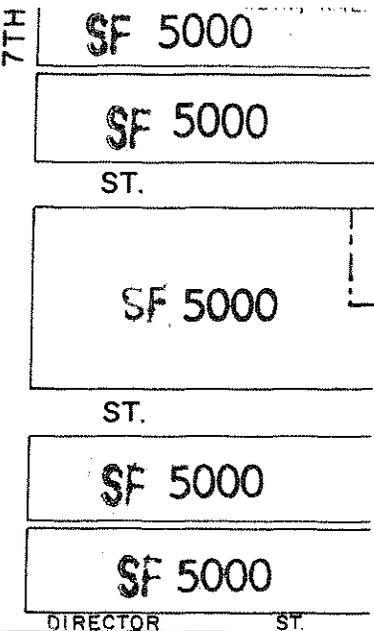
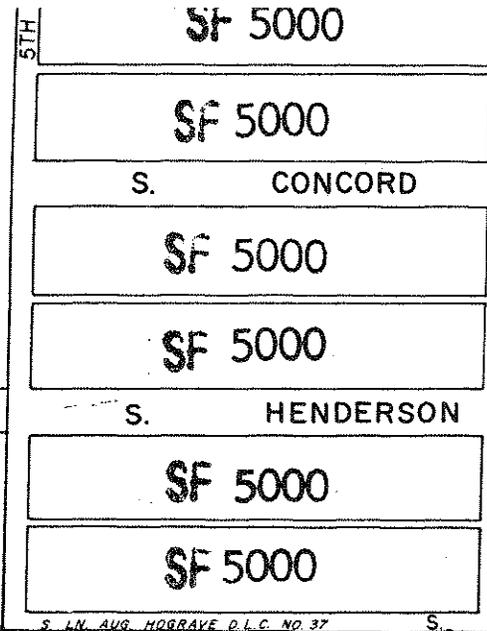
303W

SCALE: 1 INCH = 200 FEET

C.F. 290891

1203
183 ORD. 113093 C
Eff. date

SF 5000



SF 5000

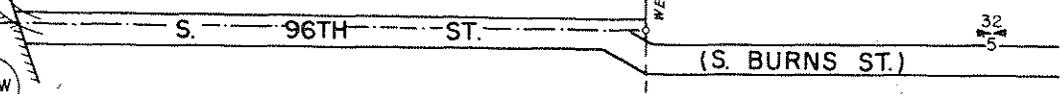
SF 5000

SF 5000

CG

455 03
CONTRACT OF 286603

RECORDED IN THE CITY OF SEATTLE
NOV 19 AM 9 56
1986



33 ORD. 11203
 113093 CONTRACT
 Eff. date 11/5/86

303W

W 1/2 5-23-4

78W

31 32
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C2
65'

CONTRACT
C.F. 290891

CITY OF SEATTLE TRANSMISSION LINE

RIGHT OF WAY

SEATTLE

CORB MYERS

BURIEN

FREEMWAY

LIMITED ACCESS

STATE

OCCIDENTAL AVE. S.

2ND AVE. S.
3RD AVE. S.

LIMIT

LIMITED ACCESS

S 100TH ST

2ND AVE. S.

WAY

S 102ND ST

PIPE LINE

S 102ND ST

OCCIDENTAL

3RD AVE. S.

4TH AVE. S.

302E

S 104TH ST

(RYAN ST)

AVE. S.

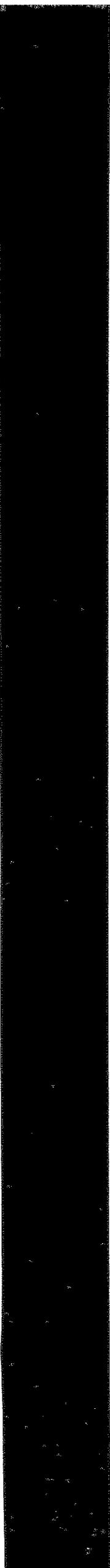
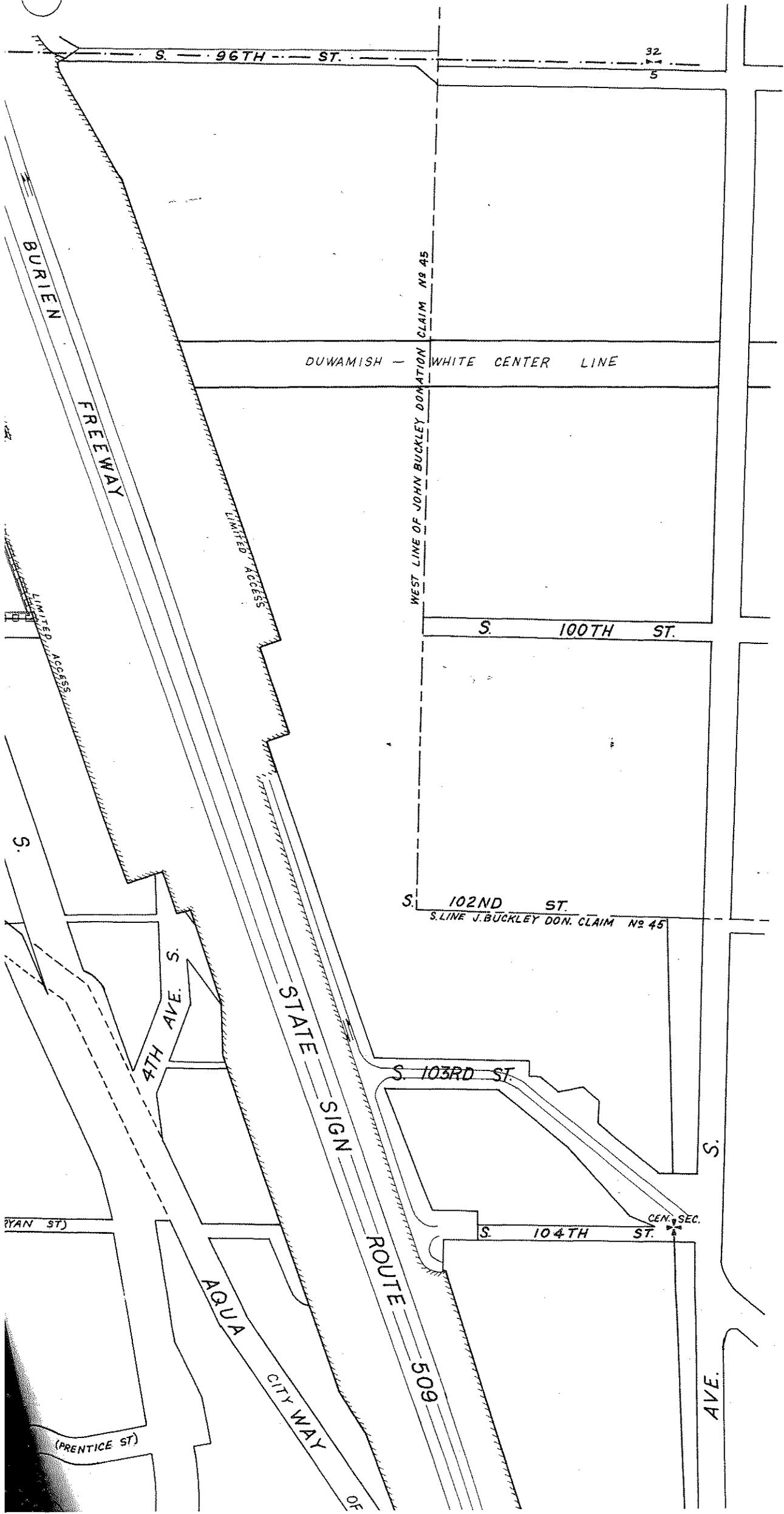
AVE. S.

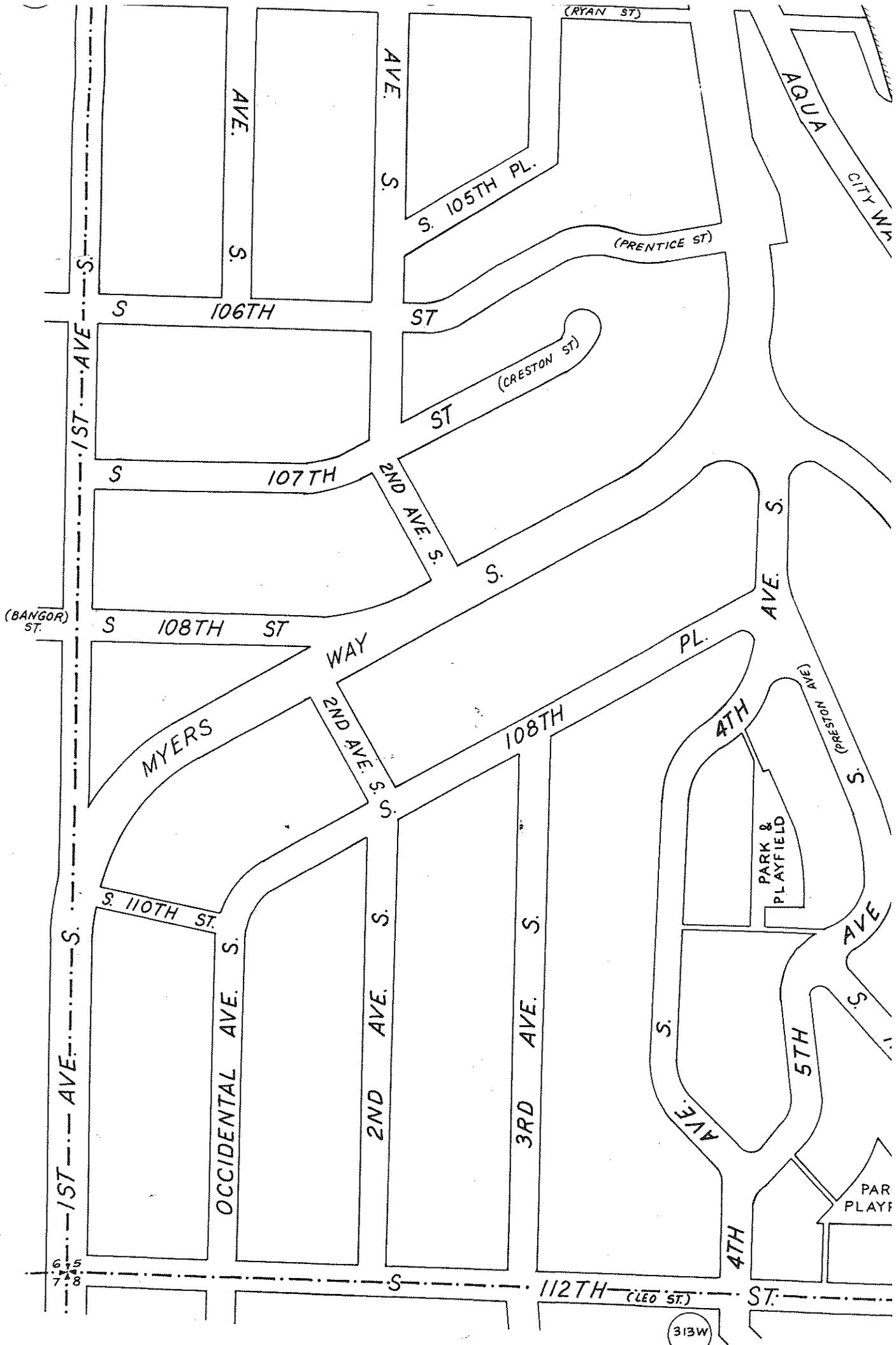
S 105TH PL.

(PRENTICE ST)

AQUA

CITY WA.

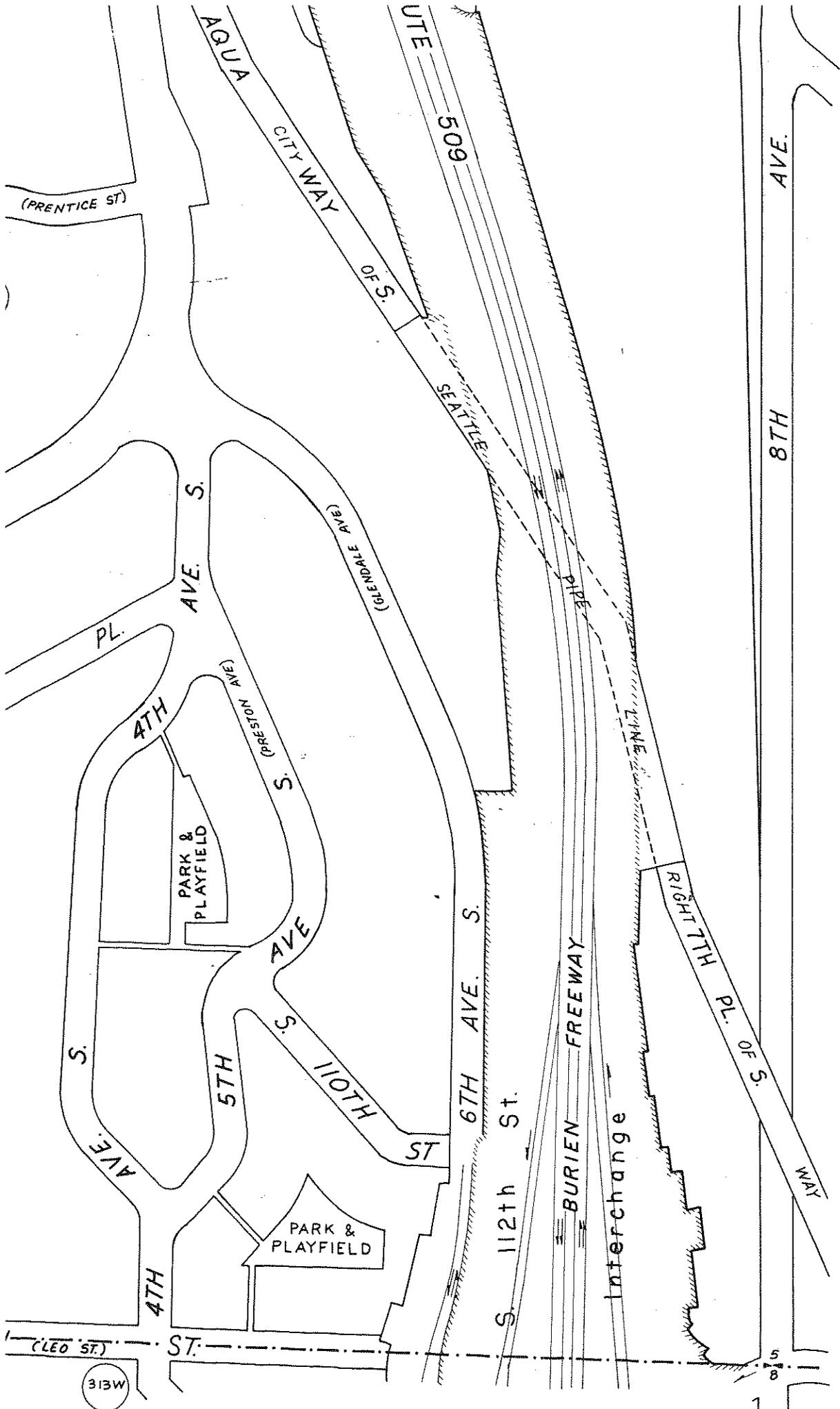




C.F. 290891

ORD. 113091
206 Eff. da

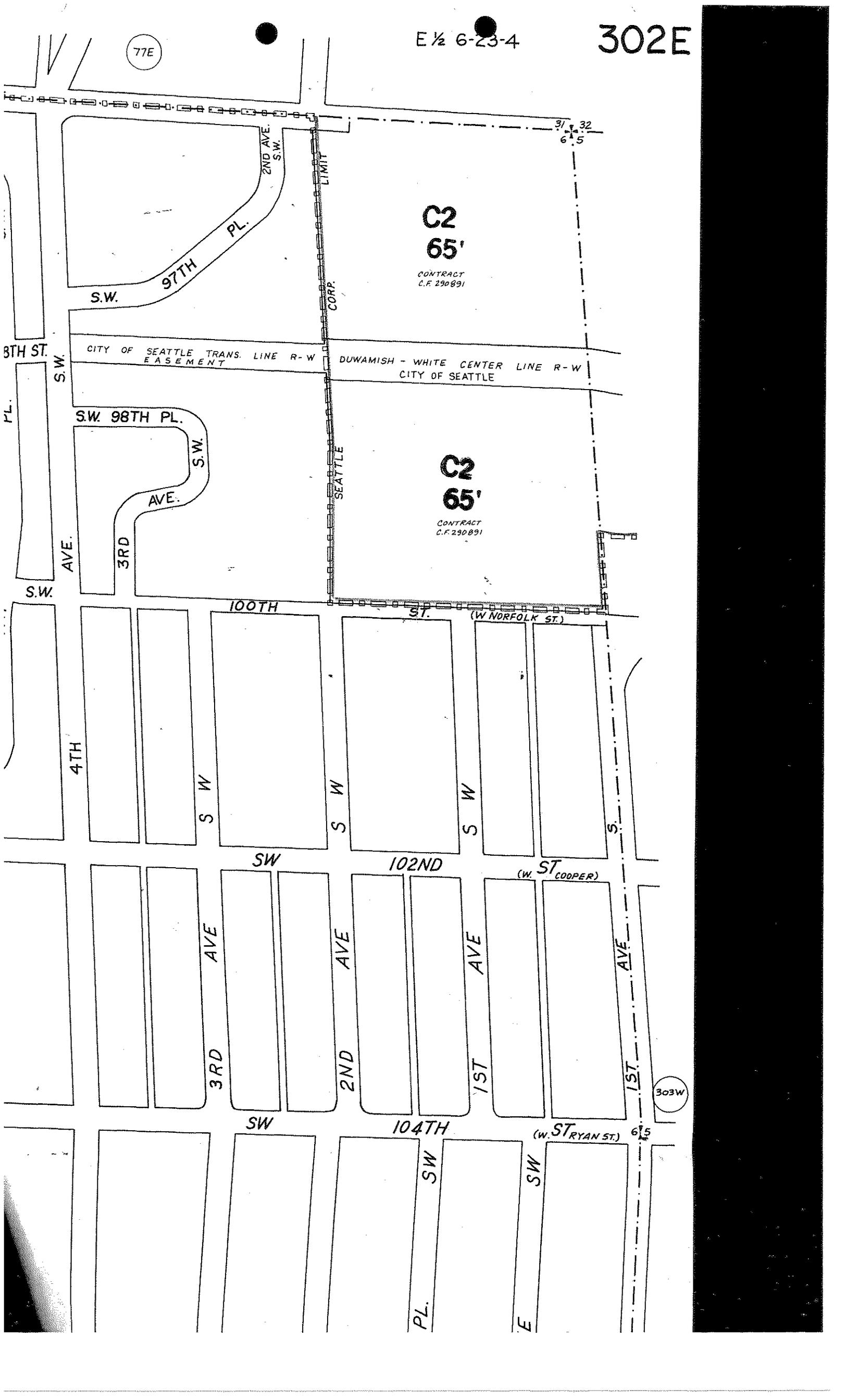
SCALE: 1 INCH = 200 FEET



ORD. 113093
 206 Eff. date

CONTRACT
 11/5/86

77E



C2
65'

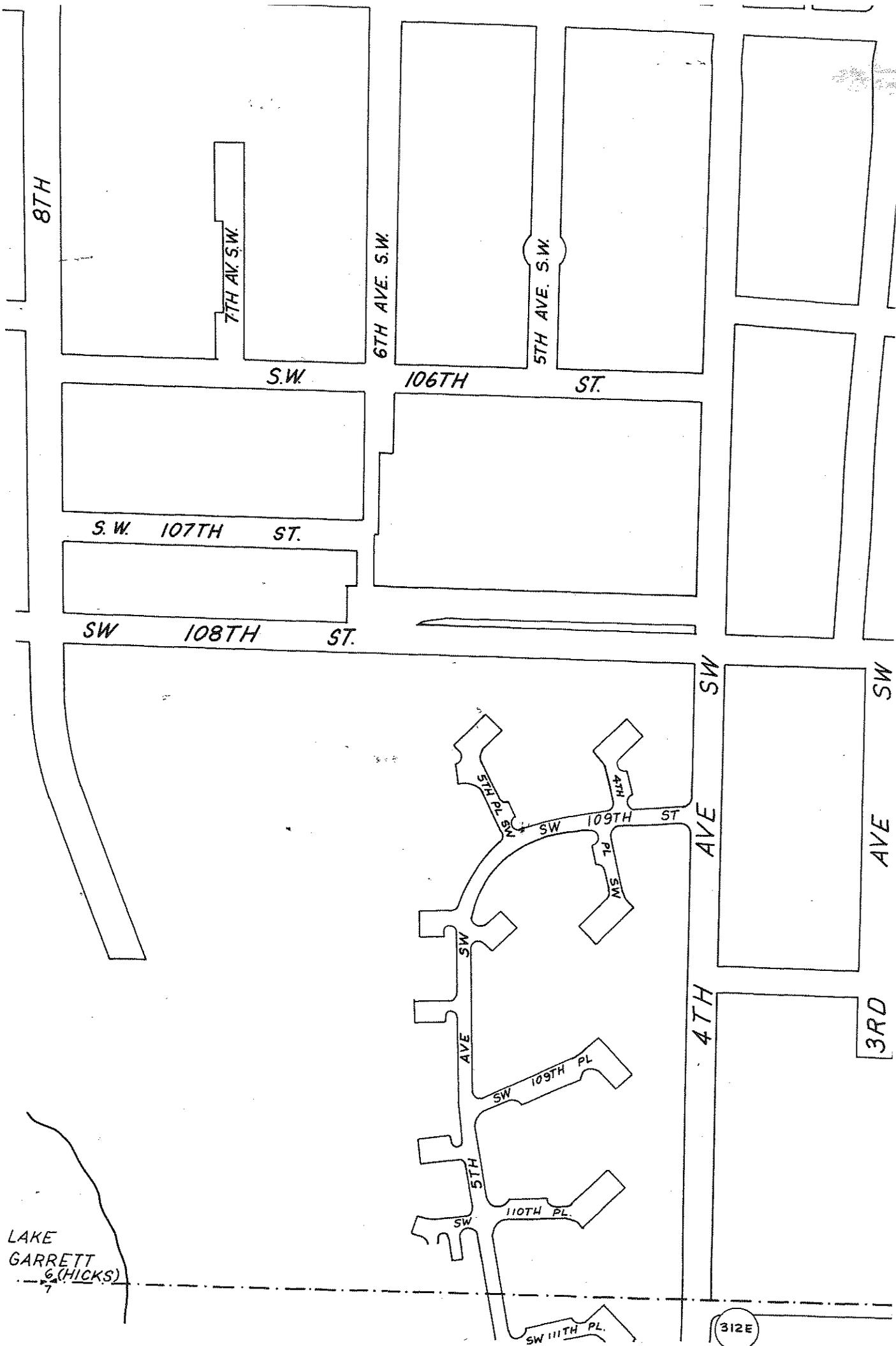
CONTRACT
C.F. 290891

C2
65'

CONTRACT
C.F. 290891

303W

615



C.F. 290891

205 ORD. 112093
 Eff. dat.



05 ORD. 112093 CONTRACT
 Eff. date 11/5/86
 SCALE: 1 INCH = 200 FEET

ORD # 1130 93

C-571

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
.....
Correction Notice
.....
Ordinance No. 113093
.....
was published on November 17, 1986

City of Seattle

CORRECTION NOTICE

City of Seattle Ordinance No. 113093 submitted to Daily Journal of Commerce on October 8, 1986, and published on Friday, October 10, 1986, incorrectly states in the title that some of the property to be annexed is in Township 26 North rather than Township 24 North. The correct title should read as shown below.

ORDINANCE 113093

AN ORDINANCE relating to annexation, land use and zoning; annexing to The City of Seattle portions of Section 32, Township 24 North, Range 4 East, W.M., and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County; adding new Plats 302 E and 303 W to the Official Land Use Map and amending Plat 78 W, Page 183 thereof to zone the annexed property in the Commercial 2 Zone (C2/65'), and accepting a Property Use and Development Agreement in connection therewith.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, November 17, 1986.
(C-571-X)

V. Rain

Subscribed and sworn to before me on
November 17, 1986

Richard C. Jones
Notary Public for the State of Washington,
residing in Seattle.

City of Seattle

ORDINANCE 113093

ORDINANCE relating to annexation, land use and zoning; annexing to The City of Seattle portions of Section 32, Township 26 North, Range 4 East, W.M., and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County; adding new Plats 302 E and 303 W to the Official Land Use Map and amending Plat 78 W, Page 183 thereof to zone the Map and annexed property in the Commercial 2 Zone (C2/65'), and accepting a Property Use and Development Agreement in connection therewith.

WHEREAS, a petition has been filed for annexation to the City of certain contiguous property hereinafter described (Comptroller's File No. 290891) which petition complies in all respects to the requirements of Chapter 35.13.125-160 RCW; and

WHEREAS, said petition proposes establishment of the Commercial 2 Zone (C2/65') for the real property hereinafter described; and

WHEREAS, two public hearings have been held upon said petition after due notice and posting as required by Chapter 35.13.140 RCW; and

WHEREAS, the City Council has determined to grant said petition, to annex said property and to establish the initial zoning; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the following described property be and the same is hereby annexed to the City as of the effective date of this ordinance, and on and after said date the same shall be and become a part of the City of Seattle and be embraced within the boundaries thereof under the provisions of Chapter 35.13 RCW:

A portion of the southwest quarter of Section 32, Township 24 North, Range 4 East, W.M., in King County, Washington. Also a portion of the northeast quarter of the northeast quarter of Section 6, and the northwest quarter of Section 5, Township 23 North, Range 4 East, W.M., in King County Washington.

Beginning at the corner common to said Sections 31, 32, 6 and 5; thence west along the north line of said Section 6, for 654.11 feet; thence south 05°28'00" west for 30.07 feet to a point being the northeasterly corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File No. 4413217; thence south along the east line of said tract of land for 1174 feet; more or less to the north margin of S.W. 100th Street; thence east along said north margin for 686.29 feet to the east line of said Section 6; thence north along said east line for 186.07 feet; thence south 88°38'48" east for 95 feet; thence north 88°33'05" east for 94.68 feet to the west margin of Occidental Avenue S.; thence north along said margin, for 87.52 feet to the southerly line of Parcel "E", conveyed under Auditor's File No. 8002200456; thence southeast, along said southerly line, for 37.12 feet; thence northeast along said southerly line for 537.72 feet; thence north 23°10'47" east, for 6.66 feet to the westerly Margin of Myers Way South; thence easterly to the intersection of the easterly margin of Myers Way south and the southerly margin of the City of Seattle transmission right of way; thence south along said easterly margin to the north margin of South 100th Street; thence east along said north margin to the westerly margin of SR-509 as condemned in King County Cause No. 670900; thence northwesterly, northeasterly, and northwesterly along said westerly margin to the north line of Section 5; thence west along said north line to the westerly margin of Myers Way South; thence northwesterly along said west margin 880 feet more or less to the north line of Parcel "C", conveyed under Auditor's File No. 8002200456; thence north 88°38'49" west, for 168.73 feet along said northwesterly line to a point on the west line of said Section 32; thence south along said section line 116.47 feet to the point of beginning.

Section 2. That new Plats 302 E and 303 W are added to the Official Land Use Map adopted by Ordinance 110669, and that Plat 78 W, Page 183 thereof is amended, to zone the aforesaid property to Commercial 2 (C2/65') zone 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.P. No. 290891.

Section 3. 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.P. 290891 by which said owners agree to

by the appropriation and transfer, hereby made of the following sums, or so much thereof as may from the named funds to the appropriate expenditure the Engineering Operating Fund: Cumulative Reserve Hundred Thirty-Four Thousand Dollars (\$334,000) Three Hundred Thirty-Three Thousand Dollars (\$ Sewer Fund: Three Hundred Thirty-Three Tho (\$533,000). The appropriations from the latter for utility purposes, not contemplated in the pre 1986 Budget. The City Comptroller is authorized t City Treasurer to pay the necessary warrants and sary transfers.

Section 2. Any act consistent with the auth to the effective date of this ordinance is heret confirmed.

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

Passed by the City Council the 29th day of September, 1986, and signed authentication of its passage this 29th day of September, 1986.

SAM SMITH, President of the City Council.

Approved by me this 6th day of October, 1986.

CHARLES ROYER, Mayor.

Filed by me this 6th day of October, 1986.

Attest: NORWARD J. BROOKS, City Comptroller and City Clerk.

(Seal) By MARGARET CARTER, Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk Date of official publication in Daily Journal of Commerce, Seattle, October

City of Seattle

ORDINANCE 113097

AN ORDINANCE relating to the Engineering Department reconstruction activities for the North Station Corridor Transportation Plan; hiring of a consultant; and making appropriate Engineering Department Operating and Emergency

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Director of recommended by the Mayor in the attachments her of Engineering is authorized to begin reconstruction for the North Kingdome/Union Station Corridor Plan and to hire expert or consultant services. For such purposes, the expenditure allowance budget of the Engineering Department is increased

Table with 2 columns: Program Category, Object of Expenditure. Row 1: 3400 - Office for Planning, 53000 - Other Services Charges

and the sum of Sixty Thousand Dollars (\$60,000) thereof as may be necessary, is hereby appropriated from the Engineering Department Operating Fund. The Emergency Operating Fund shall be reimbursed by the transfer hereby made and authorized of a like amount from the Emergency Fund. The City Comptroller is authorized the City Treasurer to pay the necessary warrants and necessary transfers.

Section 2. Any act consistent with the authorization to the effective date of this ordinance is hereby confirmed.

Section 3. WHEREAS, the appropriation of funds to meet actual necessary expenditures of the Engineering Department has been made due to causes reasonably have been foreseen at the time of the 1986 Budget; Now, Therefore, in accordance with the reason of the facts stated above and the evidence declared to exist, this ordinance shall be immediately upon the approval or signing of the Mayor or passage over his veto, as provided in the City.

Passed by by three-fourths vote of all the members of the City Council 1986, and signed by me in open session in authentication of its passage this

SAM SMITH, President of the City Council.

Approved by me this 6th day of October, 1986.

CHARLES ROYER, Mayor.

AN ORDINANCE relating to zoning; annexing to The City of Seattle portions of Section 32, Township 26 North, Range 4 East, W.M., and Sections 5 and 6, Township 23 North, Range 4 East, W.M., in King County; adding new Plats 302 E and 303 W to the Official Land Use Map and amending Plat 78 W, Page 183 thereof to zone the annexed property in the Commercial 2 Zone (C2/65'), and accepting a Property Use and Development Agreement in connection therewith.

WHEREAS, a petition has been filed for annexation to the city of certain contiguous property hereinafter described (Comptroller's File No. 290891) which petition complies in all respects to the requirements of Chapter 35.13.125-160 RCW; and

WHEREAS, said petition proposes establishment of the Commercial 2 Zone (C2/65') for the real property hereinafter described; and

WHEREAS, two public hearings have been held upon said petition after due notice and posting as required by Chapter 35.13.140 RCW; and

WHEREAS, the City Council has determined to grant said petition, to annex said property and to establish the initial zoning; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the following described property be and the same is hereby annexed to the City as of the effective date of this ordinance, and on and after said date the same shall be and become a part of the City of Seattle and be embraced within the boundaries thereof under the provisions of Chapter 35.13 RCW:

A portion of the southwest quarter of Section 32, Township 24 North, Range 4 East, W.M., in King County, Washington. Also a portion of the northeast quarter of the northeast quarter of Section 6, and the northwest quarter of Section 5, Township 23 North, Range 4 East, W.M., in King County Washington.

Beginning at the corner common to said Sections 31, 32, 6 and 5; thence west along the north line of said Section 6, for 654.11 feet; thence south 05°28'00" west for 30.07 feet to a point being the northeasterly corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File No. 4413217; thence south along the east line of said tract of land for 1174 feet; more or less to the north margin of S.W. 100th Street; thence east along said north margin for 686.29 feet to the east line of said Section 6; thence north along said east line for 186.07 feet; thence south 88°38'48" east for 95 feet; thence north 88°33'05" east for 94.68 feet to the west margin of Occidental Avenue S.; thence north along said margin, for 87.52 feet to the southerly line of Parcel "B", conveyed under Auditor's File No. 8002200456; thence southeast, along said southerly line, for 37.12 feet; thence northeast along said southerly line for 537.72 feet; thence north 23°10'47" east, for 6.66 feet to the westerly Margin of Myers Way South; thence easterly to the intersection of the easterly margin of Myers Way south and the southerly margin of the City of Seattle transmission right of way; thence south along said easterly margin to the north margin of South 100th Street; thence east along said north margin to the westerly margin of SR-509 as

condemned in King County Cause No. 670900; thence northwesterly, northeasterly, and northwesterly along said westerly margin to the north line of Section 5; thence west along said north line to the westerly margin of Myers Way South; thence northwesterly along said west margin 880 feet more or less to the north line of Parcel "C", conveyed under Auditor's File No. 8002200456; thence north 88°38'49" west, for 168.73 feet along said northerly line to a point on the west line of said Section 32; thence south along said section line 846.47 feet to the point of beginning.

Section 2. That new Plats 302 E and 303 W are added to the Official Land Use Map adopted by Ordinance 110669, and that Plat 78 W, Page 183 thereof is amended, to zone the aforesaid property to Commercial 2 (C2/65') zone 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. No. 290891.

Section 3. 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. 290891 by which said owners agree to certain restrictions and conditions upon the use and development of said property, 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.

Section 4. 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 29th day of September, 1986, and signed by me in open session in authentication of its passage this 29th day of September, 1986.

SAM SMITH,
President of the City Council.

Approved by me this 6th day of October, 1986.

CHARLES ROYER,
Mayor.

Filed by me this 6th day of October, 1986.

Attest: NORWARD J. BROOKS,
City Comptroller and City Clerk.

(Seal) By MARGARET CARTER,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, October 10, 1986. (C-510-X)

Affidavit of Publication

C-510X

City of Seattle

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 113093

was published on October 10, 1986

B. Blair
Subscribed and sworn to before me on

October 10, 1986

Robert C. Jones
Notary Public for the State of Washington,
residing in Seattle.

JB:pdk
9/9/86
7:AGRL.
9-19-86

COPY

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 or having a substantial beneficial interest in the following described real property (herein called the "Property"):

A portion of the Southeast Quarter of the Southeast Quarter of Section 31 and the southwest Quarter of Section 32, Township 24 North, Range 4 East, W.M., in King County, Washington. Also a portion of the Northeast quarter of the Northeast Quarter of Section 6, and the Northwest Quarter of the Northwest Quarter of Section 5, Township 23 North, Range 4 East, W.M., in King County, Washington.

Beginning at the corner common to said Sections 31, 32, 6 and 5; thence North $88^{\circ}23'50''$ West, along the north line of said Section 6, for 654.11 feet; thence South $05^{\circ}28'00''$ West for 30.07 feet to a point being the northeasterly corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File No. 4413217; thence South $05^{\circ}44'05''$ East, along said east line for 794.75 feet; thence South $01^{\circ}30'25''$ East, along said east line for 378.91 feet to the north line of S.W. 100th Street; thence South $89^{\circ}44'08''$ East, along said north line for 686.29 feet to the east line of said Section 6; thence North $05^{\circ}44'05''$ West, along said east line for 186.07 feet; thence South $88^{\circ}38'48''$ East for 95 feet; thence North $89^{\circ}33'05''$ East for 94.68 feet; thence North $05^{\circ}44'05''$ West, for 87.52 feet to the southerly line of Parcel "B", conveyed under Auditor's File No. 8002200456; thence South $64^{\circ}57'53''$ East, along said southerly line, for 37.12 feet; thence North $75^{\circ}47'11''$ East along said southerly line for 537.72 feet; thence North $23^{\circ}10'47''$ East, for 6.66 feet to the westerly Margin of Myers Way South; thence North $34^{\circ}26'27''$ West, for 47.54 feet along said westerly margin, to the beginning of a curve to the right, having a radius of 1,000.37 feet; thence



northerly along said 1,000.37 foot radius curve through a central angle $18^{\circ}56'12''$, an arc distance of 330.63 feet along said westerly margin to a point 43.83 feet distant southwesterly when measured at right angles from the R-line survey of secondary State Highway No. I-K (Myers Way South), as condemned for state highway under proceedings had in King County Superior Court Cause No. 670900, at Highway Engineers Station R 0+50; thence South $71^{\circ}42'58''$ West for 1.17 feet to a point 45.00 feet distant southwesterly when measured at right angles from the aforementioned Highway Engineers Station 0+50; thence North $47^{\circ}05'41''$ West, for 114.13 feet, along the westerly margin of said secondary highway No. I-K, to a point 100.00 feet distant southwesterly when measured at right angles from said R-line at Highway Engineers Station R 1+50; thence North $18^{\circ}17'02''$ West 1,284.34 feet to the north line of Parcel "C", conveyed under Auditor's File No. 8002200456; thence North $88^{\circ}38'49''$ West, for 168.73 feet along said northerly line to a point on the west line of said Section 32; thence South $01^{\circ}06'49''$ West for 209.46 feet, along said west line to the southeast corner of that property conveyed to the Municipality of Metropolitan Seattle by deed recorded under King County Recording No. 7611010750; thence North $88^{\circ}23'50''$ West, for 590.63 feet along the south line of said deed to METRO, to the easterly margin of Second Avenue S.W., said point lying on a curve, concave to the southeast, having a radius of 300.00 feet, the radial bearing at said point is North $61^{\circ}20'49''$ West; thence southerly along said 300.00 foot radius curve, through a central angle of $27^{\circ}35'54''$, an arc distance of 144.50 feet to a point of tangency with the east margin of said Second Avenue S.W.; thence South $01^{\circ}03'17''$ West for 468.58 feet, along said east margin, to the north margin of S.W. Roxbury Street; thence South $88^{\circ}23'50''$ East, for 624.14 feet, along said north margin, to the east line of Section 31; thence South $01^{\circ}06'49''$ West for 30.00 feet, along said east line, to the Point of Beginning.

EXCEPT that portion condemned by the City of Seattle for Transmission Line Right-of-Way under proceedings had in King County Superior Court Cause No. 553110;

TOGETHER WITH Parcel "B" of Short Subdivision No. 78-212 of the City of Seattle recorded under King County Recording No. 7901020608; and revision recorded under Auditor's File No. 8107020401;

BEING a portion of the Southeast Quarter of the Southeast Quarter of Section 31, Township 24 North, Range 4 East, W.M., in King County, Washington;

TOGETHER WITH those portions of Government Lot 5 of said Section 5, lying westerly of the westerly margin of S.R. 509, as condemned under proceedings had in King County Superior Court Cause No. 670900 and lying easterly of Myers Way South, and lying northerly of S.W. 100th Street;

EXCEPT that portion condemned by the City of Seattle for Transmission Line Right-of-Way under proceedings had in King County Superior Court Cause No. 553110; and

WHEREAS, a petition (C.F. No. 290891) was filed with the City to annex a portion of the Property to the City and to zone it to Commercial 2 zone (C2/65') pursuant to the provisions of the Land Use Code, subject to the execution and recordation of an agreement with the City pertaining to such uses and development of the Property in order to minimize any adverse environmental impact following the future use and development of the annexed Property and to ensure further improvement of the local traffic situation as provided by the City; and

WHEREAS, after a public hearing the Urban Redevelopment Committee voted to accept the petition and recommended to the City Council, that the Property be annexed and zoned, subject to the execution and recording of the aforesaid agreement with the City;

Now, Therefore, Owners hereby covenant, bargain and agree on behalf of themselves and their heirs, successors and assigns:

1. That they will comply with the following conditions if the property is annexed and zoned as requested in

C.F. No. 290891:

(a) Owners understand and agree they may be required to provide or pay the cost of traffic mitigation measures made necessary by improvement of the Property as part of the Master Use Permit process.

These measures may include:

1. Curbs, gutters, sidewalks and drainage improvements along the frontage of the Property on Myers Way South.
 2. A two lane left-turn facility from Myers Way South to the Property, including necessary signals.
 3. A free right-turn lane to the Property from Myers Way South.
 4. An analysis of the queuing capacity of First Avenue South as it enters Cloverdale Street, and a fair share of improvements to First Avenue South if storage is found to be inadequate.
 5. Improvements at the Myers Way South/Olsen Place Southwest intersection to facilitate southbound right turns to Olsen Place Southwest.
 6. Owners agree not to protest creation of an improvement district for the First Avenue South Bridge but reserve the right to contest the amount of the assessment to the Property.
- (b) Owners agree to be responsible for the development and maintenance of sufficient utility systems (including sewer, storm drains, watermain, street lighting etc.) within the Property. Specific requirements will be determined during the master use permit process.
- (c) Owners understand and agree that additional environmental documentation may be required for a master use permit which proposes development in excess of that proposed in the environmental impact statement for the annexation.

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 apply to after acquired title of the Owners of the Property. The primary responsibility for performing the conditions of this agreement shall be vested in Owners, but any subsequent owner shall also be bound thereby if Owners do not perform said conditions.

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.

STATE OF Washington
COUNTY OF Whatcom) ss.

I certify that I know or have satisfactory evidence that NOREEN RUPEIKS and VALENTINS RUPEIKS signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 9/20/86

Lanna Kay Beech
NOTARY PUBLIC in and for the State of
Washington
residing at Maple Falls
My appointment expires 9/25/89

STATE OF Washington
COUNTY OF Whatcom) ss.

I certify that I know or have satisfactory evidence that GARY CROMWELL signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 9/20/86

Lanna Kay Beech
NOTARY PUBLIC in and for the State of
Washington
residing at Maple Falls
My appointment expires 9/25/89

1 JB:pdk
2 9/9/86
3 7:ORDI.

4
5 ORDINANCE _____

6 AN ORDINANCE relating to annexation, land use and zoning;
7 annexing to The City of Seattle portions of Section 32,
8 Township 26 North, Range 4 East, W.M., and Sections 5 and
9 6, Township 23 North, Range 4 East, W.M., in King County;
10 adding new Plats 302 E and 303 W to the Official Land Use
11 Map and amending Plat 78 W, Page 183 thereof to zone the
12 annexed property in the Commercial 2 Zone (C2/65'), and
13 accepting a Property Use and Development Agreement in
14 connection therewith.

15 WHEREAS, a petition has been filed for annexation to the
16 city of certain contiguous property hereinafter described
17 (Comptroller's File No. 290891) which petition complies in all
18 respects to the requirements of Chapter 35.13.125-160 RCW; and

19 WHEREAS, said petition proposes establishment of the
20 Commercial 2 Zone (C2/65') for the real property hereinafter
21 described; and

22 WHEREAS, two public hearings have been held upon said
23 petition after due notice and posting as required by Chapter
24 35.13.140 RCW; and

25 WHEREAS, the City Council has determined to grant said
26 petition, to annex said property and to establish the initial
27 zoning; Now, Therefore,

28 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the following described property be and
the same is hereby annexed to the City as of _____ and on
and after said date the same shall be and become a part of the
City of Seattle and be embraced within the boundaries thereof
under the provisions of Chapter 35.13 RCW:

1 A portion of the Southwest quarter of Section
2 32, in Township 24 North, Range 4 East, W.M., also
3 a portion of the Northeast quarter of the Northeast
4 quarter of Section 6, in Township 23 North, Range 4
5 East, W.M., and also a portion of the Northwest
6 Quarter of the Northwest Quarter and a portion of
7 the Northeast Quarter of the Northwest Quarter of
8 Section 5, Township 23 North, Range 4 East, W.M.,
9 with reference to that certain document recorded in
10 Auditor's File Number 8103319002 under Recorded
11 Surveys, Volume 27, Pages 63 and 63-A, all situate
12 in the County of King, State of Washington, more
13 particularly described as follows:

8 Beginning at the corner common to said
9 Sections 31, 32, 6 and 5; thence west along the
10 north line of said Section 6, for 654.11 feet;
11 thence south $05^{\circ}28'00''$ West for 30.07 feet to a
12 point being the northeasterly corner of the land
13 conveyed to the Housing Authority of the County of
14 King, recorded under Auditor's File Number 4413217;
15 thence south $05^{\circ}44'05''$ east, along the east line of
16 the Housing Authority of King County, for 794.75
17 feet; thence south $01^{\circ}30'25''$ east along said east
18 line, for 378.91 feet to the north line of SW 100th
19 Street; thence south $89^{\circ}44'08''$ east, along said
20 north line, for 686.29 feet to the east line of
21 said Section 6; thence north $05^{\circ}44'05''$ west, along
22 said east line for 186.07 feet; thence south
23 $88^{\circ}38'48''$ east, for 95 feet; thence north $89^{\circ}33'05''$
24 east for 94.68 feet; thence north $05^{\circ}44'05''$ west
25 for 87.52 feet to the southerly line of Parcel "B",
26 conveyed under Auditor's File No. 8002200456;
27 thence south $64^{\circ}57'53''$ east, along said northerly
28 line, for 37.12 feet; thence north $75^{\circ}47'11''$ east,
along said northerly line for 537.72 feet; thence
north $23^{\circ}10'47''$ east, for 6.66 feet to the westerly
margin of Myers Way South; thence north $83^{\circ}40'32''$
east, on a line that bisects the right-of-way of
said Myers Way South to the easterly margin of said
right-of-way, a distance of 102.40 feet; thence
south $34^{\circ}26'27''$ east along said easterly margin,
143.58 feet to the beginning of a concave curve to
the right, having a radius of 762.60 feet; thence
southerly along said 762.60 foot radius curve
consuming a central angle of $16^{\circ}02'00''$, an arc
distance of 213.40 feet, to a point of tangency
along said easterly margin; thence south $18^{\circ}24'27''$
east 167.88 feet to a point common to said easterly
margin of Myers Way South and the north margin of
South 100th Street; thence south $88^{\circ}30'48''$ east
along said north margin 159.75 feet to a point on
the west margin of State Road Number 1 K as
constructed per Engineers Plans, Sheets 7 through 9
inclusive, approved December 17, 1957, and for
purposes of this description hereafter referred to
as S.R. 509; thence continuing south $88^{\circ}30'48''$ east
along a line bisecting the right-of-way of said
S.R. 509, coming to a point on the easterly

1 right-of-way line of S.R. 509, said point lying 200
2 feet distant northeasterly when measured at right
3 angles from the east lane of said S.R. 509 at
4 Highway Engineers' Station 305+59.52; thence
5 northwesterly along said east margin of said S.R.
6 509 to a point on the north line of the Northwest
7 Quarter of the Northwest Quarter, Section 5,
8 Township 23 North, Range 4 East, W.M., lying 97.46
9 feet distant northeasterly when measured at right
10 angles from said east lane, said S.R. 509, at
11 Highway Engineers' Station 318+77.06, said point
12 further referenced as a point lying on the south
13 line of the Southwest Quarter of the Southwest
14 Quarter, Section 32, Township 24 North, Range 4
15 east, W.M.; thence continuing northwesterly along
16 said easterly margin, said S.R. 509, to a point
17 195.00 feet distant northeasterly when measured at
18 right angles from said east lane, said S.R. 509, at
19 Highway Engineers' Station 333+06.28; said point
20 lying on the north line of the Southwest Quarter of
21 the Southwest Quarter of said Section 32,
22 representing the present southerly boundary line of
23 the corporate limit of the Municipality of
24 Metropolitan Seattle; thence south 88° 24' 39" west
25 along said north line of the Southwest Quarter of
26 the Southwest Quarter, said Section 32, 961.97 feet
27 to the northwest corner of said Southwest Quarter,
28 said Section 32; thence south 01° 06' 49" west
along the west line of said Southwest Quarter, said
Section 32, a distance of 1,333.01 feet to the TRUE
POINT OF BEGINNING.

Section 2. That new Plats 302 E and 303 W are added to
the Official Land Use Map adopted by Ordinance 110669, and
that Plat 78 W, Page 183 thereof is amended, to zone the
aforesaid property to Commercial 2 (C2/65') zone 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. No. 290891.

Section 3. 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. 290891 by which said owners agree to
certain restrictions and conditions upon the use and develop-
ment of said property, is hereby accepted, and the City Clerk

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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 ⁴..... 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..... day of....., 19, and signed by me in open session in authentication of its passage this..... day of....., 19

President..... of the City Council.

Approved by me this..... day of....., 19

Mayor.

Filed by me this..... day of....., 19

Attest:.....
City Comptroller and City Clerk.

(SEAL)

Published.....

By.....
Deputy Clerk.

Your
Seattle
Community Development



David Moseley, Director
Charles Royer, Mayor

August 4, 1986

The Honorable Sam Smith
President
Seattle City Council
City of Seattle

Via: Office of Management and Budget
Attention: Sarah Welch

Dear Council President Smith:

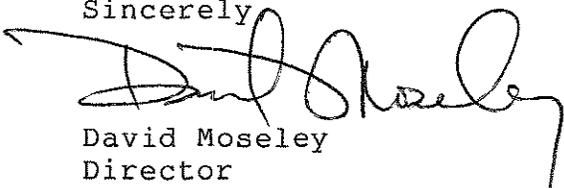
Subject: Central Heights Annexation (C.F. 290891)

The Department of Community Development has completed its review of the proposed Central Heights annexation. The attached report presents the Mayor's Recommendation regarding the annexation. We are prepared to present a summary of our recommendation to the Urban Redevelopment Committee at the public hearing scheduled for August 8, 1986, at 9:00 A.M.

In summary, we recommend that the City proceed with the proposed annexation, and that the City Council authorize the Executive to prepare a Notice of Intent for submittal to the King County Boundary Review Board. We have determined that the benefits to the City from the proposed annexation in terms of tax revenues and job creation will be substantial. All of the direct costs of providing services to the site will be borne by the proponents, and the City has the capacity to serve the site. We have also determined that a zoning designation of C-2 would be consistent with the City's commercial area policies and have recommended the zoning for the site be so designated.

As you are aware, the Central Heights annexation proposal was significantly delayed pending the resolution of the previous South Park/Duwamish annexation. We feel strongly that the City would benefit from the annexation, and we strongly urge you to act favorably on this proposal. If you have any questions regarding this issue, please contact John Braden at 625-5738.

Sincerely


David Moseley
Director

An equal employment opportunity - affirmative action employer.

DM:jbm

Yesler Bldg., 400 Yesler Way, Seattle, Washington 98104-2696 (206) 625-4537

Attachment

Mayor's Recommendation for
Central Heights Annexation
(C.F. 290891)

Proposed Action

The property owners have submitted a petition for annexation of the site into the City of Seattle. The City has completed an Environmental Impact Statement for the proposed action, which evaluated alternative zoning designations for the site. The action proposed is City acceptance of the petition and direction to prepare a Notice of Intent for submittal to the King County Boundary Review Board (BRB). If the BRB approves the annexation, the area would be incorporated into the City of Seattle.

The approximate 91 acre annexation site is located on the southern border of Seattle, one mile east of White Center at Olsen Place Southwest and Myers Way South. To the immediate east is SR 509 which in the vicinity extends from the First Avenue Bridge to Burien, Washington. The property is located in Sections 31 and 32 of Township 24 North, Range 4 East of W.M., in King County; and Sections 5 and 6 of Township 23 North, Range 4 East of W.M. in King County. A complete and lengthy legal description of all boundaries can be found on page 182 of the FEIS for the Central Heights Business Park. This DCD document was completed in April of 1986.

The site can now be characterized as a nearly depleted borrow pit surrounded by cut slopes which contribute to its present instability and underutilization. Potentially, the site as a sand pit has five years of productive life. There are steep natural slopes on the western and southern edges of the property. To the immediate north is a Metro Park and Ride lot.

The entire annexation petition includes four adjoining properties. They include the following:

	<u>No. of Acres</u>
Central Heights Property	41.00
Gary Cromwell Property	.71
Myers Way South Right-of-Way	5.61
State Route 509 Right-of-Way	43.30
	<u>90.62 Acres</u>

The overall Central Heights property totals 51.91 acres with 10.91 acres already within the City. The remaining acreage (41 acres) is currently under King County jurisdiction and is a major portion of this proposed annexation.

A focal point for the property and key to the future development of the overall site is the location of a central knoll area which contains 1.3 million cubic yards of sand. This area constitutes approximately 20% of the overall site. Because of the topography of the area, the entire site is actually topographically isolated and distinct from adjacent neighborhoods.

Under existing conditions, the annexation site straddles the City-County line and with the exception of one residence (to the south), the area is vacant and undeveloped.

Zoning

The County's portion (in the immediate annexation area and south) is currently zoned RS 7200 and could be used for residential purposes. To the west, the dominant zone is RM 2400, which includes an 86 acre King County Housing Authority project. North of the annexation area, in the vicinity of the West Seattle reservoir, the City of Seattle has zoned land parcels single family 7200 (specifically west of Olson Place Southwest). Land east of SR 509 is generally used for industrial uses.

A substantial portion of surrounding land area is currently used for public purposes. This would include the 130 acre West Seattle reservoir, the 86 acre King County Housing Authority (HACK) project, the 562 space Metro Park and Ride lot, and the commercial Shurgard storage complex. The Metro Park and Ride lot is currently zoned RS 7200 and is operating under a conditional use permit.

The City of Seattle has been active in zoning concerns for a portion of the overall site since 1981. At that time, the City's Land Use and Transportation Project recommended the 10.91 acre portion of the subject site be designated "Mixed Use" as an interim zone to accommodate a mix of commercial and residential use. As of March 1986, this parcel is zoned C-2 with a height limitation of 65 feet.

Findings of a 1985 noise study by Errol Nelson indicate that portions of the overall site are inappropriate for housing because of noise levels brought about by arterial traffic, jet aircraft from the north-south flight patterns from Seattle-Tacoma Airport, and private aircraft in an east-west approach to Boeing Field.

Based on existing noise levels (tested from seven different locations both on and adjacent to the site), it was determined that noise levels get louder moving in a west to east direction on the property. Three of the seven stations reported high noise levels according to E.P.A. standards. The study was completed in July of 1985.

In 1984, the City of Seattle established (in the Land Use Policies for Neighborhood Commercial Areas), there were five site conditions essential for designation as a C-2 commercial district. They include: (1) good access from a principal arterial, (2) proximity to manufacturing or industrial zones, (3) presence of edges which buffer adjacent residential areas, (4) large lots which can accommodate heavy commercial/light industrial uses, and (5) limited pedestrian access. The properties of the area meet these conditions.

Utilities

A constraint to development is the Seattle City Light 100-foot-wide Duwamish/Delridge transmission line right-of-way. Located in the southern portion of the overall site, the right-of-way involves a four-acre area and allows only lease options for nonstructural uses. In similar cases, parking is a popular alternative.

Several utility and service improvements to the overall site and business park development will be needed. To provide adequate fire flows, a substantial number of 8- and 12-inch water mains would be installed. A permanent storm drainage system for this site will be required. A proposal has been presented to King County for storm water management on the site in conjunction with an application for a grading permit. This proposal is for an interim drainage system to serve until work is begun on the ultimate development of the site for a business park. The plan, as presented, will return the drainage from 135 acres west of the site in King County back to the historical watercourse and into a King County storm drain in South 196th Street. This will alleviate a problem that has existed due to diversion of this watercourse to the north and into the City's drainage system in the past. All costs for the storm drainage system will be paid by the developer.

The proposed business park development will require a sanitary sewer system and would be connected to the available sewer mains on Myers Way South (currently owned by Rainier Vista Sewer District). Solid waste pickup will also be required and could be serviced by either Seattle Disposal Company or Bayside Disposal.

Traffic Issues

Additional truck and automobile traffic generated by the proposed development will require street and site related improvements to mitigate the transportation impacts. Mitigating measures addressing the following issues are needed to insure the compatibility of the project with the area as a whole.

First Avenue South Bridge

Future construction of a four-lane bascule bridge potentially includes developer funding as one source of revenue. The applicant-owner of the Central Heights Annexation needs to agree to not contest future First Avenue South Bridge improvement assessments.

Ridesharing

Because of significant traffic projected by the development (11,000 trips a day for 700,000 GFA Business Park), ridesharing strategies should be developed and implemented by the applicant-owner. This will reduce traffic volumes and impacts to the street system.

Internal and External Site Access

Adequate internal access and access to key arterial streets need to be located, designed, and constructed for safety and emergency access. Future access and street design plans will require Engineering Department approval. Considerations include street design criteria, separation of parking and loading areas, adequate truck loading space including loading berths, maneuvering allowances, and truck staging area on site. The applicant-owner will be responsible for funding all needed improvements to the street system on or adjacent to the site. A related issue that must be resolved at the time a use permit for future development is reviewed, is whether the streets and utility system within the development will be publicly or privately owned. Public ownership of these streets would have financial implications related to maintenance of the street and sidewalk surfaces and of utilities such as sewers, storm drains, watermains, and street lighting.

Traffic Control

The significant traffic generated by the proposal will likely require additional traffic control. This includes traffic signing and possible signal installation improvements. The specific traffic control requirements will be determined during the master use permit process. The applicant and owner will be financially responsible for any additional traffic control that is needed.

Revenue Projections and Impacts of the Proposed Annexation

As outlined in the FEIS, on pages IX and X, there are seven development options for the Central Heights property. Alternative A, the preferred option, would create \$1,333,600 in tax revenue from a 44 acre business park when completed. On a continuing year after year basis, this business park would generate \$259,660 in property tax. The proposal would also create 50 temporary construction positions during the buildout period and an estimated minimum permanent employment of 1300. The selected alternative offers the highest number of permanent job opportunities.

In addition to real property tax, the project will generate on an annualized basis \$414,000 in B&O Tax and an estimate Seattle share of \$170,000 from State Sales Tax. The above estimate is based on 1 million square foot of floor space assumed to be a practical limit for the subject site.

The associated costs with the overall site development would be borne by the developer.

Mayor's Recommendation

Recommendation 1: Zoning

The site is suitable for a business park development which requires C-2 zoning designation. Given the physical layout of the site, adjoining uses, five conditions established by LUTP for C-2 zoning designation, and the availability of utility and transportation facilities, the site is eminently suitable for the proposed development.

The C-2 zoning denotes an auto-oriented, primarily non-retail commercial area which provides a wide range of commercial activities serving a city-wide function. The proposed business park development (as stated in the FEIS) is 55.86 acres in size and includes The City Light right-of-way. The height limitation for the proposed development is 65 feet, which is well below the highest surrounding terrain line of the property to the west. As indicated in the FEIS, C-2 zoning would normally allow 100% coverage of the site. Because of topographical limitations and other constraints, it is proposed to retain about one-half of the site in open space. A practical limit of one million square feet including 700,000 square feet of floor space is a reasonable absorption of the site. A supplemental EIS would be required for any additional development proposed beyond the 700,000 square feet (GFA) addressed in the EIS.

Recommendation 2: Development Requirements

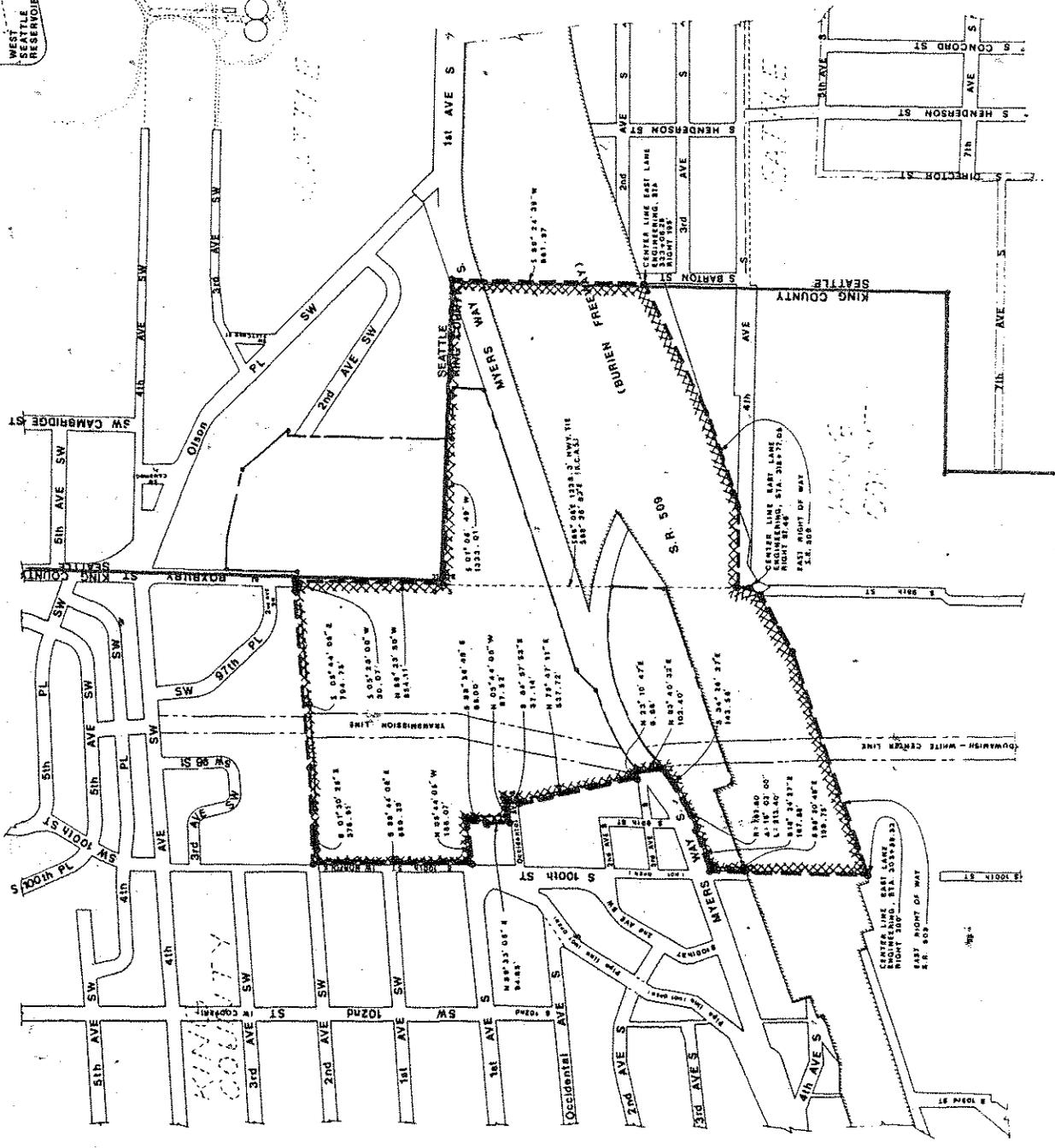
The developer is responsible for all costs associated with the development of the site. These possible costs include the previously mentioned areas of internal and external site access, traffic control, and transportation impact mitigation.

Conclusion

The Central Heights Annexation and rezone proposal is an excellent opportunity for the City to support the proposed business development in the City. The creation of permanent jobs and an increased tax base will contribute to the economic prosperity of Seattle. It is a longstanding project which has undergone due consideration and merits the City's support.

F&ED
46.11

WEST SEATTLE RESERVOIR



LEGEND:
 PROPOSED BOUNDARY
 PROPERTY LINE FOR CENTRAL HEIGHTS
 SEATTLE-KING COUNTY DIVISION LINE
 KING COUNTY
 SEATTLE

Scale: 1" = 200'
 North:
 Drawn: S.L.E.
 Approved: 10/15/93
 Project: 474
 Date: 2-15-1993



CENTRAL HEIGHTS
 BUSINESS PARK
 CENTRAL HEIGHTS ANNEXATION
 SEATTLE, WA.

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

Notice of Public Hearings

was published on July 24, 1986

R. Spicuzza

Subscribed and sworn to before me on

July 24, 1986

Barbara A. Arnold

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

City of Seattle

Public Hearings

Friday, August 4, at 9 a. m., and Friday, September 12, 1986, at 9 a. m., before the City Council.

The Seattle City Council will hold public hearings on the annexation and establishment of zoning for the following real property situated one mile east of White Center at Olson Place S. W. and Myers Way South at the southern city limits in King County, Washington:

A portion of the Southwest quarter of Section 32, in Township 24 North, Range 4 East, W. M., also a portion of the Northeast quarter of the Northeast quarter of Section 6, in Township 23 North, Range 4 East, W. M., and also a portion of the Northwest quarter of the Northwest quarter and a portion of the Northwest quarter of the Northwest quarter of Section 5, Township 23 North, Range 4 East, W. M., with reference to that certain document recorded in Auditor's File Number 8103319002 under Recorded Surveys, Volume 27, Pages 63 and 63-A, all situate in the County of King, State of Washington, more particularly described as follows:

Beginning at the corner common to said Sections 31, 32, 6 and 5; thence west along the north line of said Section 6, for 654.11 feet; thence south $05^{\circ} 28' 00''$ West for 30.07 feet to a point being the northeasterly corner of the land conveyed to the Housing Authority of the County of King, recorded under Auditor's File Number 4413217; thence south $05^{\circ} 44' 05''$ East, along the east line of the Housing Authority of King County, for 794.75 feet; thence south $01^{\circ} 30' 25''$ East along said east line, for 378.91 feet to the north line of SW 100th Street; thence south $89^{\circ} 44' 08''$ East, along said north line, for 686.29 feet to the east line of said Section 6; thence north $05^{\circ} 44' 05''$ West, along said east line for 186.07 feet; thence south $88^{\circ} 38' 48''$ East, for 95 feet; thence north $89^{\circ} 33' 05''$ East for 94.68 feet; thence north $05^{\circ} 44' 05''$ West for 87.52 feet to the southerly line of Parcel "B," conveyed under Auditor's File No. 8002200456; thence south $64^{\circ} 57' 53''$ East, along said northerly line, for 37.12 feet; thence north $75^{\circ} 47' 11''$ East, along said northerly line for 537.72 feet; thence north $23^{\circ} 10' 47''$ East, for 6.66 feet to the westerly margin of Myers Way South; thence north $83^{\circ} 40' 32''$ East, on a line that bisects the right-of-way of said Myers Way South to the easterly margin of said right-of-way, a distance of 102.40 feet; thence south $34^{\circ} 26' 27''$ East along said easterly margin, 143.58 feet to the beginning of a concave curve to the right, having a radius of 762.60 feet; thence southerly along said 762.60 foot radius curve consuming a central angle of $16^{\circ} 02' 00''$, an arc distance of 213.40 feet, to a point of tangency along said easterly margin; thence south $18^{\circ} 24' 27''$ East 167.88 feet to a point common to said easterly margin of Myers Way South and the north margin of South 100th Street; thence south $88^{\circ} 30' 48''$ East along said north margin 159.75 feet

to a point on the west margin of State Road Number 1 K, as constructed per Engineers Plans, Sheets 7 through 9 inclusive, approved December 17, 1957, and for purposes of this description hereafter referred to as S. R. 509; thence continuing south $88^{\circ} 30' 48''$ East along a line bisecting the right-of-way line of said S. R. 509, coming to a point on the easterly right-of-way line of S. R. 509, said point lying 200 feet distant northeasterly when measured at right angles from the east lane of said S. R. 509 at Highway Engineers' Station 305+59.52; thence northwesterly along said east margin of said S. R. 509 to a point on the north line of the Northwest quarter of the Northwest quarter, Section 5, Township 23 North, Range 4 East, W. M., lying 97.46 feet distant northeasterly when measured at right angles from said east lane, said S. R. 509, at Highway Engineers' Station 318+77.06, said point further referenced as a point lying on the south line of the Southwest quarter of the Southwest quarter, Section 32, Township 24 North, Range 4 East, W. M., thence continuing northwesterly along said easterly margin, said S. R. 509, to a point 195.00 feet distant northeasterly when measured at right angles from said east lane, said S. R. 509, at Highway Engineers' Station 333+06.28; said point lying on the north line of the Southwest quarter of the Southwest quarter of said Section 32, representing the present southerly boundary line of the corporate limit of the Municipality of Metropolitan Seattle; thence south $88^{\circ} 24' 39''$ West along said north line of the Southwest quarter of the Southwest quarter, said Section 32, 961.97 feet to the northwest corner of said Southwest quarter, said Section 32; thence south $01^{\circ} 06' 49''$ West along the west line of said Southwest quarter, said Section 32, a distance of 1,333.01 feet to the TRUE POINT OF BEGINNING.

The annexation and zoning proposal was submitted to the City by "Central Heights Joint Tenancy Venture," Val Rupeiks, project manager. Interested persons are invited to appear and voice approval or disapproval of the annexation and zoning.

The hearings will be in the City Council Chambers, 11th Floor, Seattle Municipal Building. A signup sheet for witnesses will be available at the door beginning at 8:45 a.m.

For further information concerning the proposed annexation and zoning, please contact Stewart Jones, 625-5783.

Date of publication, July 24, 1986.

(C-849)