1042-ORD
09/10/08

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5836

AN ORDINANCE annexing to the City of Bellevue a 20.6-acre site, known as the Jentry-Graber Annexation, located at the south end of Lakemont Boulevard in the Newcastle Subarea PAA by Direct Petition under RCW 35A.14.420.

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

WHEREAS, thereafter sufficient petitions for annexation were filed with the City Council pursuant to RCW 35A.14.420, signed by the owners of not less than 50 percent of the area of the property for which annexation is petitioned and signed by not less than 50% of the registered voters residing in the area of the property for which annexation is petitioned, seeking annexation to the City of Bellevue of contiguous property known as the Jentry-Graber Annexation located at the south end of Lakemont Boulevard in the Newcastle Subarea PAA; and

WHEREAS, the King County Boundary Review Board has chosen to waive its jurisdiction as per RCW 36.93.100 over the proposed annexation and the proposed annexation is thereby deemed approved by the Board on August 23, 2008; and

WHEREAS, a proposed zoning regulation was established for the area to be annexed pursuant to Ordinance No. 3840 adopted on October 26, 2987, classifying the area to be annexed R-1 and R-3.5; and

WHEREAS, the City Council fixed September 15, 2008, at the hour of 8:00 p.m. as the date and time for a public hearing on said proposed annexation and caused notice of such hearing to be published and posted in accordance with the law, and the hearing having been held on that date and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed annexation having been heard by the Council; and

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

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

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

Section 1. The following described property located at the south end of Lakemont Boulevard in the Newcastle Subarea PAA is hereby annexed to the City of Bellevue, Washington:

Jentry-Graber Annexation Description

That portion of the East half of Section 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of the Northeast quarter of said Section 26; thence North 1°04'35" East along the West line thereof 100.00 feet to the **True Point of Beginning**; thence South 16°27'31" East 445.05 feet to the South line of the North 324.00 feet of the Southeast quarter of said Section 26; thence South 88°46'03" East along said South line to a point 215.00 feet East of the West line of said Southeast quarter; thence South 32°02'50" East 425.85 feet to the South line of the North 680.00 feet of said Southeast quarter; thence South 88°46'03" East along said South line to the Easterly margin of Newcastle-Coal Creek Road (Edward Leifhelm Co. Road No. 1223); thence Northerly along said Easterly margin to the Northwest corner of Lot 1, King County Short Plat No. 981081, as filed under Recording No. 8310250821; thence Easterly along the North line thereof and the Easterly extension of said North line to the East line of the Northwest quarter of said Southeast quarter; thence Northerly along said East line and the East line of the Southwest quarter of the Northeast quarter of said Section 26 to the North line of the South 332.50 feet of said Northeast quarter; thence Westerly along said North line to the Westerly margin of Lakemont Boulevard S.E. (Newcastle-Coal Creek Road); thence Southerly along said Westerly margin to the North line of the South 100.00 feet of said Northeast quarter; thence Westerly along said North line to the **True Point of Beginning**.

Section 2. This ordinance shall take effect and the property described in Section 1 of this ordinance shall become part of the City of Bellevue five days from the date of passage of this ordinance pursuant to the requirements of RCW 35A.14.300.

Section 3. Upon annexation, the property described in Section 1 of this ordinance shall be assessed and taxed at the same rate and on the same basis as other property within the City is assessed and taxed to pay for any outstanding

ORIGINAL

indebtedness of the City, which indebtedness has been approved by the voters, was contracted for or incurred prior to, or was existing at, the date of annexation.

Section 4. The property described in Section 1 of this ordinance is classified City of Bellevue R-1 and R-3.5 pursuant to the proposed zoning regulation adopted by the City Council pursuant to Ordinance No. 3840.

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

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

Passed by the City Council this 15th day of September, 2008 and signed in authentication of its passage this 15th day of September, 2008.

(SEAL)

Grant S. Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Mary Kate Berens, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published September 18, 2008