

0020.150.148
:JEH
10/09/95

ORIGINAL

ORDINANCE NO. 1871

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, VACATING THE VALLEY VIEW INDUSTRIAL PARK PLAT, INCLUDING THE N.E. 100TH COURT RIGHT-OF-WAY AND PEDESTRIAN AND EQUESTRIAN TRAIL TRACT A, SUBJECT TO CONDITIONS, RV94-002.

WHEREAS, the City has received an application for the vacation of the Valley View Industrial Park signed by all parties with an ownership interest in the plat, and

WHEREAS, in accordance with Section 20F.20.150(25) of the Community Development Guide and RCW 58.17, the City Council held a public hearing on the proposed plat vacation commencing on October 17, 1995 and ending on January 16, 1996, and after considering all testimony given at the public hearing, determined to approve the plat vacation, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Finding as to Public Use. Pursuant to Section 20F.20.150(25), the Council hereby finds that the public interest and use would not be served by retaining the 40 foot public road dedication provided for in the original plat, since the use of the platted property is proposed to be changed to a single, private use, i.e., the Overlake Christian Church, thus eliminating the need for public access to separate lots. The Council further finds that retention of the pedestrian and equestrian trail Tract A would not serve the public interest and use as

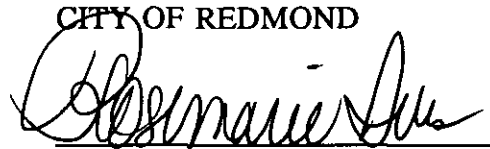
relocation of the trail in conjunction with the development of the Overlake Christian Church will adequately provide for the City's trail needs and the impacts of the Overlake Christian Church Project. The Council finds that retention of the sanitary sewer easement granted by the plat is necessary for continued public use and to serve the public interest, as well as to provide sewerage service to the proposed Overlake Christian Church development.

Section 2. Vacation of Plat. The Valley View Industrial Park Plat, including the N.E. 100th Court right-of-way and the pedestrian and equestrian trail (Tract "A") but excluding the sanitary sewer easement, is hereby vacated pursuant to Section 20F.20.150(25) and RCW 58.17, subject to the conditions set forth on the attached Exhibit A.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect upon Overlake Christian Church's satisfaction of all conditions set forth on Exhibit A, which date shall be no sooner than five (5) days after passage and publication of an approved summary of this ordinance consisting of the title, and no later than nine (9) months from the date of adoption of this ordinance. If said conditions are not satisfied by Overlake Christian Church within said nine (9) month period, then this ordinance shall be automatically repealed and of no further force or effect. If said conditions are satisfied by Overlake Christian Church with the

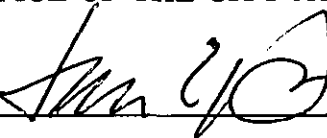
said nine (9) month period, the City shall record a copy of this ordinance, together with a certification that all such conditions have been complied with, in the official records of King County, Washington.

CITY OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	January 11, 1996
PASSED BY THE CITY COUNCIL:	January 16, 1996
SIGNED BY THE MAYOR:	January 16, 1996
PUBLISHED:	January 24, 1996
EFFECTIVE DATE:	See Section 4 for terms
ORDINANCE NO. _____	1871

EXHIBIT A

Ordinance No. 1871 and Case RV-94-002 to vacate the Valley View Industrial Park Plat, including the NE 100th Court right-of-way, and a Pedestrian and Equestrian Tract shall be subject to the following conditions which must be completed the property owner, Overlake Christian Church, prior to recording:

- A. The pedestrian and equestrian trail (tract "A") shall be relocated, designed and constructed by the applicant from Willows Road to the Sammamish River trail. The applicant shall grant a new easement for the trail and bond for its construction.
- B. The applicant shall purchase and install hornbeam (*Carpinus betulus* "Fastigata") 30' on center, 2"-3" caliper, 10 feet to 12 feet in height, matched specimens, balled and burlapped along the north boundary of the trail as realigned within or adjacent to the Puget Sound Power and Light Company Transmission Line corridor.
- C. The applicant shall compensate the City of Redmond for road right-of-way in NE 100th Court in the amount of one-half (1/2) of the appraised value of the area vacated as further depicted in Exhibit B.
- D. The applicant shall grant a 20 foot sewer and sewer access road easement, generally adjacent to the north property line, from the east edge of the Plat to the west edge of the Plat.
- E. The applicant shall construct the 16 inch sanitary sewer main which was required as a condition of the Valley View Industrial Plat. Unless completed prior to recording, a performance bond shall be provided which would guarantee the construction of this main within two years of Plat and right-of-way vacation.
- F. The applicant shall grant to the City a 100 foot wide easement for the Sammamish River Trail to replace the easement granted as part of the Plat.
- G. This plat vacation will only proceed in the event the Overlake Christian Church receives approval of its General Development Permit, GDP93-010.

EXHIBIT A TO ORDINANCE NO. 1871

EXHIBIT B

(to EXHIBIT A)

Ordinance No. 1871

1 OF 2

VALLEY VIEW INDUSTRIAL PARK

SECTIONS 2 AND 3, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.
CITY OF REDMOND, KING COUNTY, WASHINGTON

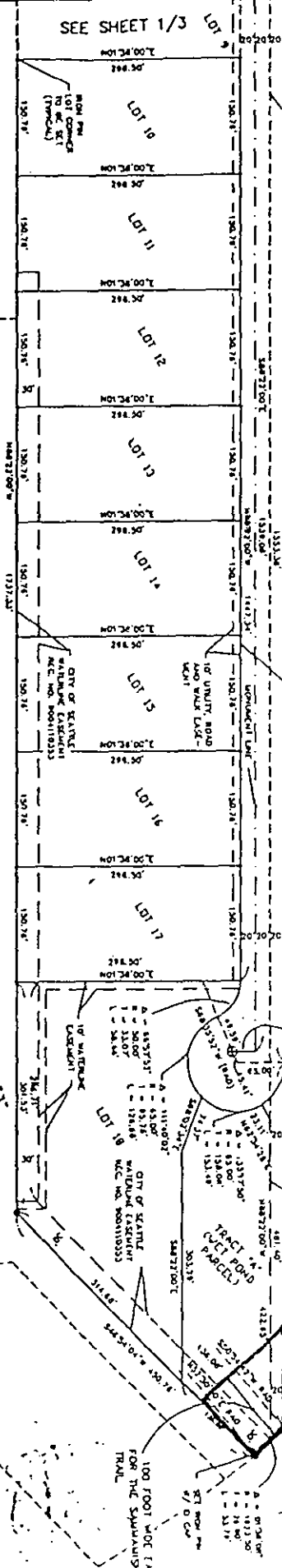
UNPLATTED

70 FOOT WIDE CITY OF REDMOND PEDESTRIAN AND FORESTRY TRAIL FROM WILLOWS ROAD TO SNAWWHUSCH RIVER

NE 100th COURT

ROAD = 1/2" CORNER = 1/16"

DEPICTS BASED UPON KCAS 58872.00 T. ALONG THE NEARIN LINE OF SECTION 2

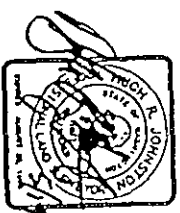


LOT 10
RD 95-55-85-22
RD 811090555

P.S.P. & L. CO. TRANSMISSION LINE R.O.W.

LOT 2
RD 95-55-85-22
RD 811090555

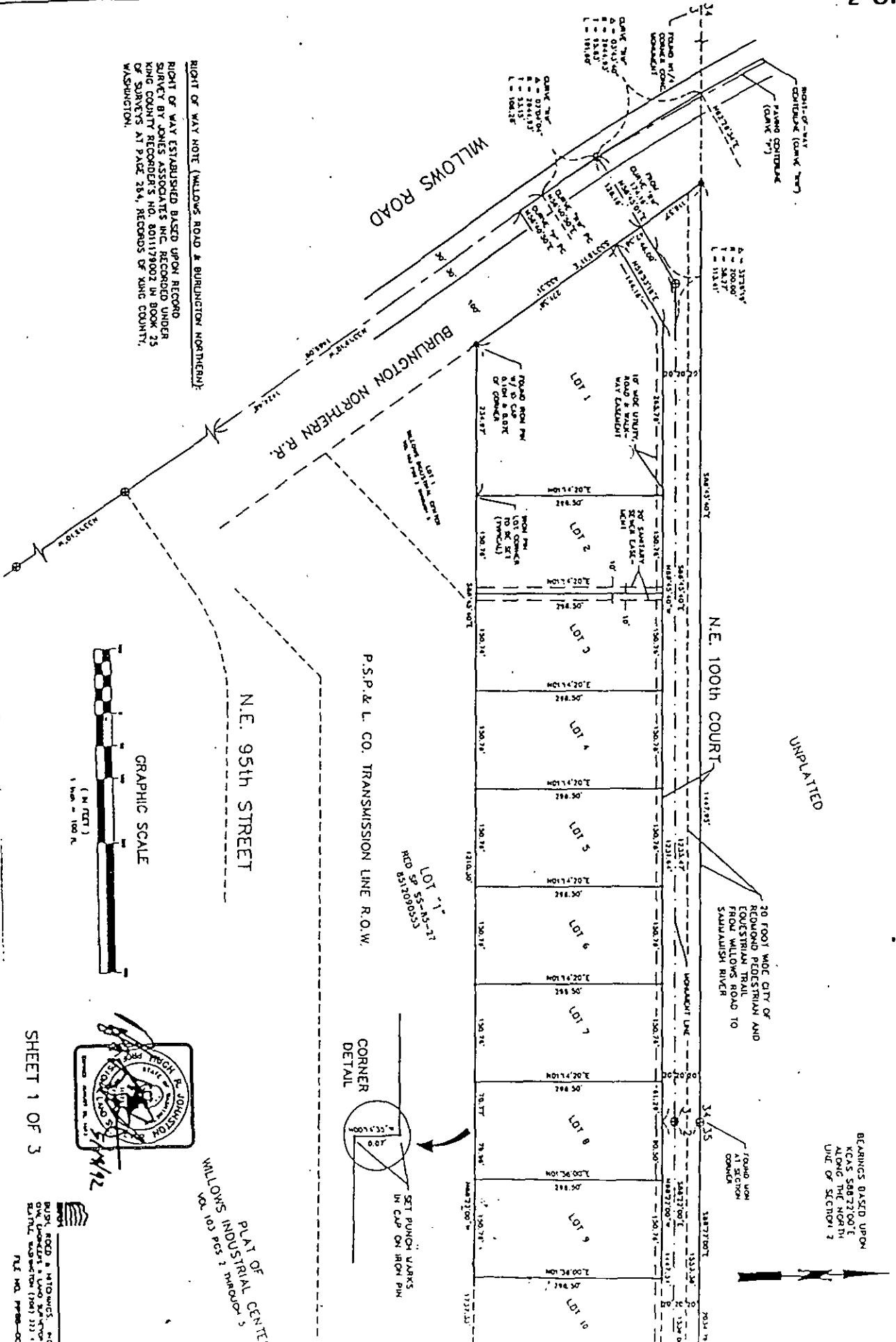
PLAT OF WILLOWS INDUSTRIAL CENTER
RD 95-55-85-22 THROUGH 5



SHEET 2 OF 3

RUSH, ROED & HODANICK, INC.
SURVEYORS
ONE DUNDAS STREET, SUITE 100
KING COUNTY, WASHINGTON 98003
TEL: 801-777-0000

VALLEY VIEW INDUSTRIAL PARK
SECTIONS 2 AND 3, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.
CITY OF REDMOND, KING COUNTY, WASHINGTON

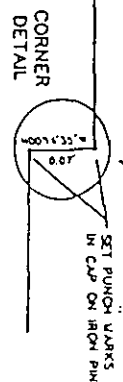


RIGHT OF WAY NOTE (WILLOWS ROAD & BURLINGTON NORTHERN)
RIGHT OF WAY ESTABLISHED BASED UPON RECORD SURVEY BY JONES ASSOCIATES INC. RECORDED UNDER KING COUNTY RECORDER'S NO. 8011178002 IN BOOK 25 OF SURVEYS AT PAGE 284, RECORDS OF KING COUNTY, WASHINGTON.

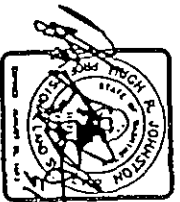
UNPLATED

BEARINGS BASED UPON
KCA'S 58872.00'E
ALONG THE NORTH
LINE OF SECTION 2

P.S.P. & L. CO. TRANSMISSION LINE R.O.W.



PLAY OF
WILLOWS INDUSTRIAL CENTER
FOR 101 PCS 1 THROUGH 5



BUSH, ROSS & ASSOCIATES, INC.
ONE LOCKHART & LIND ST. SEPT 1
REDMOND, WASHINGTON 98053-2111
P.L. NO. 1988-0007