

ORIGINAL

LCM:jrv
01/11/84

ORDINANCE NO. 1171

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE CITY'S OFFICIAL LAND USE PLAN MAP AND ZONING MAP WITH RESPECT TO CERTAIN PROPERTIES COMMONLY KNOWN AS THE REDMOND CENTER BUSINESS PARK PROPERTY AND THE WINTON PROPERTY, DGA-83-12, BY REVISING THE LAND USE PLAN MAP DESIGNATION OF SAID PROPERTY FROM INDUSTRY TO BUSINESS PARK AND REVISING THE ZONING MAP BY RECLASSIFYING THE PROPERTY FROM LIGHT INDUSTRY TO BUSINESS PARK.

WHEREAS, the Redmond Planning Commission held a public hearing for the purpose of considering a proposed amendment to the City's Land Use Plan Map and Zoning Map designated DGA-83-12, and following said public hearing the Planning Commission forwarded its recommendations and rationale therefore to the City Council, and

WHEREAS, the City Council has reviewed the Planning Commission recommendation and rationale at a public meeting, and has determined that the proposed Land Use Plan Map and Zoning Map amendments should be made, subject to the conditions set forth hereinafter, now, therefore,

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

Section 1. The Land Use Plan and Land Use Plan Map adopted by Section 20B.90.040 of the Redmond Municipal Code and Community Development Guide are hereby amended to change the designation of certain property commonly known as the Redmond Center Business Park property and the Winton property, the legal descriptions of which are set forth on Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full, from Land Use Plan designation "Industry" to Land Use Plan designation "Business Park".

Section 2. The Official Zoning Map adopted by Section 20C.10.030 of the Redmond Municipal Code and Community Development Guide is hereby amended to change the zoning classification of the property commonly known as the Redmond Center Business Park property, and the property commonly known as the Winton property, the legal descriptions of which are set forth on Exhibit A, attached hereto, from Light Industry (LI) to Business Park (BP), provided that this action shall be subject to the conditions set forth in the following section of this ordinance.

Section 3. The City Council hereby finds that the transportation improvements consisting of the N.E. 85th Street Bridge and 154th Avenue N.E. proposed to be constructed pursuant to City of Redmond LID No. 83-ST-46, are necessary to provide proper access and vehicle circulation for business park development on the properties affected by this ordinance. Accordingly, no building permit for any structure proposed to house a land use permitted in the Business Park zone shall be issued prior to award of the first contract for construction of the improvements to be constructed pursuant to LID No. 83-ST-46.

Section 4. The Director of Planning and Community Development is hereby instructed to effectuate the changes to the Land Use Plan Map and Zoning Map set forth in this ordinance.

Section 5. The rationale of the Planning Commission set forth in the memorandum dated November 15, 1983, and the analysis and conclusions set forth in the memorandum from the Technical Committee dated October 19, 1983, attached hereto as Exhibits B and C, respectively, are hereby adopted as the findings and conclusions of the City Council as if set forth in full.

Section 6. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after its passage and publication by posting as provided by law.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY *Jerry C. Martin*

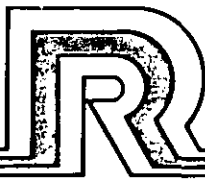
FILED WITH THE CITY CLERK: January 12, 1984
PASSED BY THE CITY COUNCIL: January 17, 1984
POSTED: January 19, 1984
EFFECTIVE DATE: January 24, 1984
ORDINANCE NO. 1171

LEGAL DESCRIPTION

That portion of the northeast quarter of the southwest quarter of Section 2, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the east line of the west 30 feet of said subdivision with the south line of the north 1006 feet thereof; thence S $00^{\circ}45'26''$ W along said east line 267.15 feet to the north line of the south 40 feet of said subdivision; thence S $88^{\circ}11'10''$ E along said north line 1120.93 feet to the west line of the east 160 feet of said subdivision; thence N $00^{\circ}29'27''$ E along said west line 268.67 feet to the south line of the north 1006 feet of said subdivision; thence N $88^{\circ}15'45''$ W along said south line 1119.60 feet to the point of beginning.

(Contains 300,078 square feet, more or less, or approx. 6.88 acres).



MEMO TO : Christine T. Himes, Mayor
FROM : Kay L. Shoudy, Planning Director
DATE : November 15, 1983
SUBJECT : REDMOND CENTER BUSINESS PARK - DGA-83-12
RECOMMENDED ACTION: Motion to approve Land use plan amendment and rezone of Redmond Center Business Park - DGA-83-12 and direct the City Attorney to prepare the appropriate ordinance.

I. NARRATIVE SUMMARY OF MEETING

The public hearing on this item was lightly attended with only the applicants and their representatives testifying. The major issues raised included: 1) the changes that have occurred in the area since the land use designations were established; 2) that this area will become an entrance to the downtown; and 3) the increase likelihood of asthetically pleasing development with the Business Park designation.

The only perceived problems with the proposal was the issue of demand for the Business Park zoning and the potential of increasing the cost of the N.E. 85th Street Bridge LID as a result of the increased land values. The applicant indicated he would not be requesting increased compensation as a result of the land use change.

II. RECOMMENDATION AND RATIONALE

1. The Planning Commission voted 5 - 0 in favor of the Land Use Plan Map change from Industry to Business Park.
2. The Planning Commission then voted 5 - 0 in favor of changing the zoning map from Light Industry to Business Park.
3. The Planning Commission supported the proposal because they felt that the change would:
 - a. Provide the potential for more open space in the development of the area;
 - b. Increase the amount of employment adjacent to the City Center and Sammamish River;

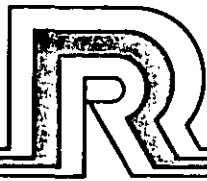
- c. Provide a better link to the various components that exist such as the City Hall and the Sammamish River Corridor;
- d. As a result of decreased site coverage allowed, it would reduce the hazards associated with the high earthquake potential of the area; and
- e. Due to the less intensive nature of the Business Park development it would be a more compatible land use to the City Center and result in a higher quality development.
- f. Because of recent events including the development of the Sammamish River Trail and the City Hall the current Light Industrial zoning is no longer appropriate for this area.

Margaret Doman Kay L. Shoudy
MARGARET DOMAN, Chairperson *dk.* KAY L. SHOUDY, Planning Director
Planning Commission

Report prepared by: Mike Cummings
MICHAEL A. CUMMINGS, Assistant Director

dk

Approved for Council agenda: A. Homer 11-9-83
Mayor Date



MEMO TO: Planning Commission
 FROM: Technical Committee
 DATE: October 19, 1983
 SUBJECT: Redmond Center Business Park - DGA-83-12

REQUESTED ACTION: Request to change the Land Use Plan Map from Industrial to Business Park and rezone the 16.23 acres to Business Park.

RECOMMENDED ACTION: Make a recommendation to the City Council to approve

- 1) the Land Use Plan Map amendment
- 2) the rezone

Note: The Planning Commission has the option to either deny, approve or approve with conditions the application.

FINDINGS/BACKGROUND

Applicants/Owners: Luis Guincher
 Pacific Business Developments
 13353 Bel-Red Road
 Bellevue, WA 98005

John Winton
 7800 N.E. 24th
 Bellevue, WA 98004

Application Date: September 15, 1983

Public Hearing Date: October 26, 1983

Location: Directly north of N.E. 85th Street between 152nd Avenue N.E. on the west and the Sammamish River on the east (see Exhibit A)

Parcel Size: Approximately 14.86 acres

Legal Descriptions: See Exhibit G

Current Land Use Designation:

- 20B.90.030(60) Industry - Industrial areas such as business and industrial parks that provide for the manufacturing, processing, assembling, storage and handling of products. Location criteria includes:
- . Proximity to arterial streets, freeways and railroads;
 - . Land suitability;
 - . Property phasing of urban services;
 - . Separation from incompatible land uses;
 - . Projected demand (community need).

Proposed Land Use Designation by Applicant:

20B.90.030(55) Business Park - Attractively designed, low density, campus-type industrial activities/centers that involve the processing, handling and creation of products, and research and technological processes void of nuisance factors and hazards. Location criteria includes;

- . Compatibility with surrounding area;
- . Proximity to arterials and freeways;
- . Proper buffering;
- . Land suitability;
- . Proper phasing of urban services.

Proposed zoning designation by Applicant:

20C.10.210 Business Park District (BP)

Purpose - Business Park Districts provide areas of high development and operational standards for limited light manufacturing and wholesale trade, light warehousing, business and professional services, research, businesses and corporate offices and other similar, compatible or supporting enterprises not oriented to the general public. The districts are devoid of nuisance factors, hazards and potentially high parking or public facility demands.

Surrounding Zoning (See Exhibit B)

On Site - Light Industrial
North - Light Industrial
South - Business Park
East - City Center - Design Area 2
West - Light Industrial

Surrounding Development

On Site - Undeveloped
North - Office/Warehouse
South - Vacant
East - Construction yard
West - Sammamish River Trail/City Hall

State Environmental Policy Act (SEPA)

On September 28, 1983, a negative declaration of no significant environmental impact was made by the Technical Committee. A final determination of no significant adverse environmental impact was issued on October 13, 1983.

Zoning Amendment Criteria - 20F.20.250(30) Amendment Criteria - the following factors are to be taken into account by the Hearing Examiner and the City Council when considering a map amendment: Compliance with Title 20B.00.000, "Goals, Policies and Plans"; changes in conditions; mistake in map designation; comparison to adjacent use districts; comparison to adjacent land uses; the demonstrated need; the proposed development; and any speculative interest by the applicant.

Public Input: Prior to the preparation of this report, Mr. Ed Work contacted the Planning Office and had no objections to the rezone. No other comments were received.

List of Exhibits: A - Map of Area
B - Existing zoning
C - SEPA Determination
D - Business Park consumption
E - Zone distribution
F - Comparison with other cities
G - Legal Description

ANALYSIS

As previously discussed, there are two major elements to this proposal:

1. The land use plan map amendment
2. The rezoning of 16.23 acres

The first action for the Planning Commission is the review of the land use plan map amendment. After deliberations have been made on October 26, the Planning Commission shall determine if a rezone is appropriate. No decisions should be made until hearings and deliberations have been completed on both actions in order to consider all information.

The analysis will focus on the following criteria:

- A. Land use location criteria
- B. Zoning amendment criteria
- C. Legal criteria and guidelines

Land Use Plan Map Amendment - Action 1

The location criteria for Industrial and Business Park are listed under Findings. The following is a comparison of how well the uses meet the location criteria.

A. Land Use Location Criteria

1. Projected demand (community need):

It should be noted at this point that the location criteria are identical for both the Industrial and Business Park land use designation except for the added "Projected Demand (Community Need)" criteria specified in the industrial land use category. However, "Projected Demand" will be addressed here for both the Industrial and Business Park designations since it is a part of the zoning map amendment criteria.

The vacant land survey that was completed in 1980 documented acres of undeveloped land zoned for LI zoning. A preliminary analysis done for this report indicated approximately 30.79 acres have been developed over the last three years with a consumption rate of 10 acres per year. At this rate of consumption, there appears to be adequate undeveloped light industrial property until approximately the year 2030.

An analysis was done as part of this report to assess the consumption rate of BP properties and to estimate the years of absorption of available BP zoned land. (See Exhibit D) It was estimated that the consumption rate was highest for the years 1980 - 1982 (16.5 acres/year). If this rate were to continue, all BP zoned land would be absorbed by approximately 2015. Other scenarios are outlined on the exhibit.

A percentage distribution of all zones was also analyzed and is included as Exhibit E. A comparison with Bellevue and Kirkland is also included in Exhibit F.

The recently annexed Evergreen Highlands area does include approximately 2.5 million square feet of office, business park, and research and development area. It may also be noted that the City of Redmond currently provides for 1600 jobs, with a population of 27,000.

2. Urban services available and properly phased:

Water and sewer services are available by extension to serve either the BP or LI uses equally well. Vehicle access will be greatly enhanced with the development of 154th Ave. N.E., N.E. 85th St., and the N.E. 85th Street bridge across the Sammamish River.

3. Land suitability:

The site is composed of alluvium materials which is made up of Earlmont silt loam (EA). This nearly level soil has a slow runoff rate and a high capacity to retain water making it a seasonal wetland with a seasonal water table of 2 to 3 feet.

Due to the moderate development limitations of the site. It would appear Business Park uses to be more suitable than Industrial uses since BP uses only permit 35 percent lot coverage and a 40 foot height limit while Light Industrial uses permit 60 percent coverage and no height limit. This reduction in building envelope size is most important when taking into consideration the area is classified as a Class 3 Earthquake Hazard area. The property damage loss due to a severe earthquake would be substantially reduced with the reduced building envelope requirements. However, if the building in the BP zone is more expensive this may not be the case

4. Separated from incompatible land uses/buffering:

Both land uses have similar landscaping requirements. Visual buffering is possible on most borders of the site through the use of berming, landscaping, and site planning.

It would appear the BP land use designation would provide a better separation from incompatible land uses for City Center - Design Area 2; located across the Sammamish River and predominantly office uses; than the LI zone now permits. The LI zone would permit the following uses which do not appear compatible with City Center - Design Area 2 and the Sammamish River Trail.

- Farm Equipment (retail)
- Mobile Home (Retail)
- Recreational Vehicles (Retail)
- Heavy Equipment (Retail)
- Farm Supplies
- Lumber, wood products manufacturing
- Large electrical equipment/machinery manufacturing
- Mini warehouse storage
- Rental services - Heavy Equipment and Vehicles
- Construction outdoor storage yards
- Trucks/Heavy Equipment repair and storage
- Solid Waste Collection

Uses permitted in the BP zone which are not permitted in LI include:

- Recreation activities - Health Center
- Day Care
- Business Services
- Professional Services
- Hospitals
- Government Services Offices
- Research Facilities
- Corporate Headquarters
- Regional Offices
- Communication Centers

5. Proximity to arterials and freeways

The site is well suited for Industrial or Business Park use when evaluated against the criteria. (see #2 Phasing of Urban Services)

Zoning Map Amendment - Action II

B. Zoning Amendment Criteria

The zoning amendment criteria must be addressed simultaneously with the land use amendment criteria in this case because our code states that zoning shall be established in compliance with the plan, and Business Park zoning is the only zoning category available under the proposed designation.

1. Goals, Policies and Plans

There appears to be no major conflict with any goals and policies that cannot be mitigated. However, it should be noted that 20B.15.040(10) states:

Policy - Develop design plans to enhance the appearance of major street entrances into Redmond.

With the approval of the SR-901 extension on the Arterial Street Plan map and the formation of the 85th Street bridge L.I.D. this area will become a major entrance into Redmond. The landscaping and design of the building may enhance the aesthetic qualities of the entrance to the City and may occur more easily with a Business Park development than with development as Light Industrial.

2. Demonstrated Need

Demonstrated need has been addressed under Section A, Land Use Location Criteria.

3. Changes in Conditions

As noted above, the approval of the SR-901 extension has occurred since the Industrial Land Use Map designation.

4. Mistake in Map Designation

Although no mistake was made at the time the land use plan was adopted, several unforeseen circumstances have occurred since its adoption. With the SR-901 extension and 85th Street bridge this area is closely tied with City Center. The emphasis of this area as a major entrance, the tie to City Center, and the developers desire to do a coordinated development plan, all indicate that the changing conditions have lead to a mistake in the map designation.

5. Comparison to Adjacent Use Districts

See discussion under "Surrounding Zoning" in FINDINGS.

6. Comparison to Adjacent Land Uses

See discussion under "Surrounding Development" in FINDINGS, and the Land Use Location Criteria section.

7. Proposed Development

No site plan has been submitted at this time.

8. Speculative Interest by the Applicant

It is assumed that the applicant believes the property is worth more as a Business Park than as Light Industrial. In the case of Pacific Business, a rezone to Business Park could provide them with the opportunity to do a coordinated development plan.

In the case of the Winton Property, the City is currently negotiating with the owner to purchase the right-of-way for 154th Avenue N.E. as a part of the 85th Street L.I.D. If the rezone is approved, the purchase price of this right-of-way may increase since Business Park property is worth more than Light Industrial property. This increased cost (possibly \$60,000) would fall upon the participants in the L.I.D. and would be distributed over a 10 year period.

C. Legal Criteria and Guidelines for Rezoning

Another set of criteria that should be considered in the Land Use Plan amendment request and simultaneous adoption of zoning is the legal criteria and guidelines as outlined by our legal staff.

1. Does the proposed zoning change conform with the Comprehensive Plan?

The request is for a change in the Comprehensive Plan. If the amendment is approved, Business Park zoning would necessarily follow.

2. The relationship of the proposed zoning change to the existing land uses and zoning of surrounding or nearby property.

Please refer to previous discussions.

3. What changes have occurred in the character, conditions, or surrounding neighborhood that would justify or otherwise substantiate the rezone?

Please refer to previous discussion.

4. The relative gain to the public as compared with the hardship imposed upon the individual owner.

The Technical Committee does foresee a public gain if additional Business Park property is made available.

- a. Less impact on the environmentally sensitive soils of the area.
- b. Greater compatibility with the Sammamish River Trail and City Center Design Area 2.
- c. A coordinated site plan.
- d. Enhanced entrance into the City.

5. The extent to which the diminution of values (in the case of a down zone) promotes the public health, safety, morals or welfare.

There is no down zone involved in this request since the Business Park zone permits uses which may provide higher rent structures than the Light Industrial zone.

6. In the case of unimproved property the suitability of the subject property for the purpose for which it has been zoned and is proposed to be zoned and the length of time the property has remained unimproved considered in the context of land development in the surrounding area.

The suitability of the property for development as Light Industrial and as Business Park has been addressed under Action I.

7. In the case of a "down zone" an aggrieved property owner must show that if the rezone occurs that the consequent restrictions on his property will preclude its use for any purpose to which it is reasonably adapted. In other words that there is no present, possible and reasonably profitable alternative use to which the property is adaptable as a result of the rezone.

There is no down zone involved in this proposal.

RECOMMENDATION AND CONCLUSIONS

Land Use Plan Map Amendment - Action I

With respect to the land use plan map amendment to change from Industrial to Business Park, the Technical Committee recommends approval for the following reasons:

1. The land use location criteria for Business park uses are all well satisfied.
2. The Business Park designation can increase the ability of the site to be buffered from adjacent uses and provide greater compatibility to adjacent uses.
3. Not all the criteria discussed in the ANALYSIS must be satisfied, however, it is the opinion of the Technical Committee that the applicant has demonstrated that the location criteria can be equally or better met by the proposed land use change.
4. Several changes in conditions have occurred over the past several years which justify the change.

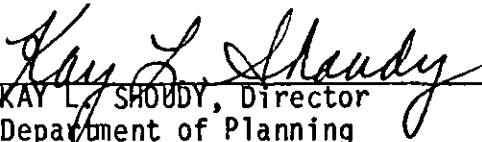
Note: If the Planning Commission wishes not to follow the recommendation of approval for the land use map change, it necessarily follows that the rezone be denied.

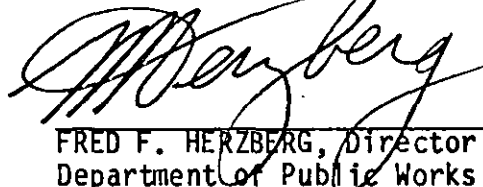
Zoning Map Amendment - Action II

With respect to the zoning map amendment from Light Industrial to Business Park, the Technical Committee recommends approval for the following reasons:

1. The proposed change meets the zoning amendment criteria.

2. The legal criteria and guidelines for rezoning the subject property have been met.
3. There appears to be a public gain if the proposed change is approved.
4. There appears to be a greater compatibility with the adjacent land uses.


KAY L. SHOODY, Director
Department of Planning


FRED F. HERZBERG, Director
Department of Public Works

Report prepared by: 
PAUL WOZNIAK, Associate Planner

dk

Attachments

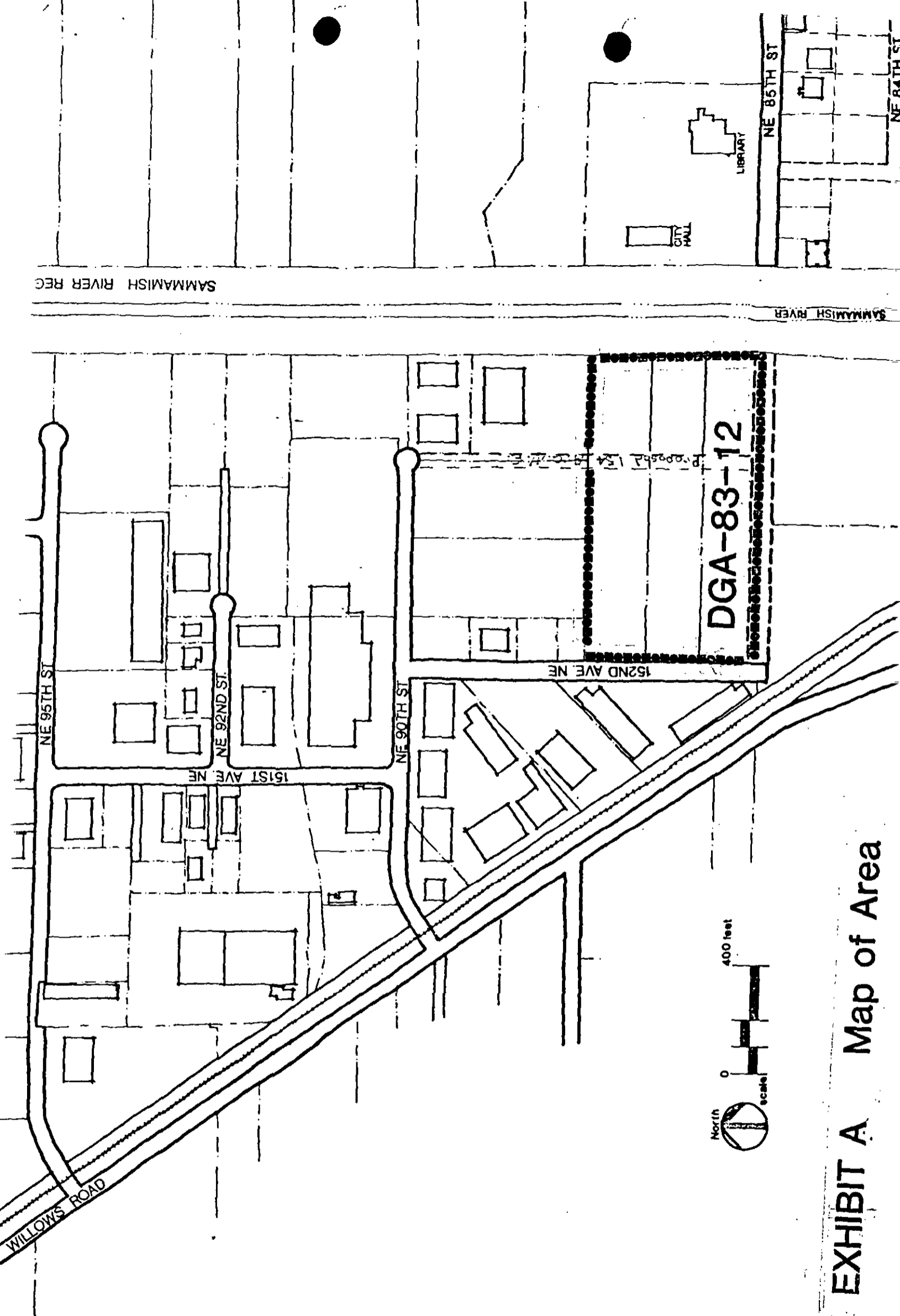


EXHIBIT A Map of Area

SAMMAMISH RIVER REC

SAMMAMISH RIVER

NE 85TH ST

NE 84TH ST

LIBRARY

CITY HALL

DGA-83-12

152ND AVE NE

NE 90TH ST

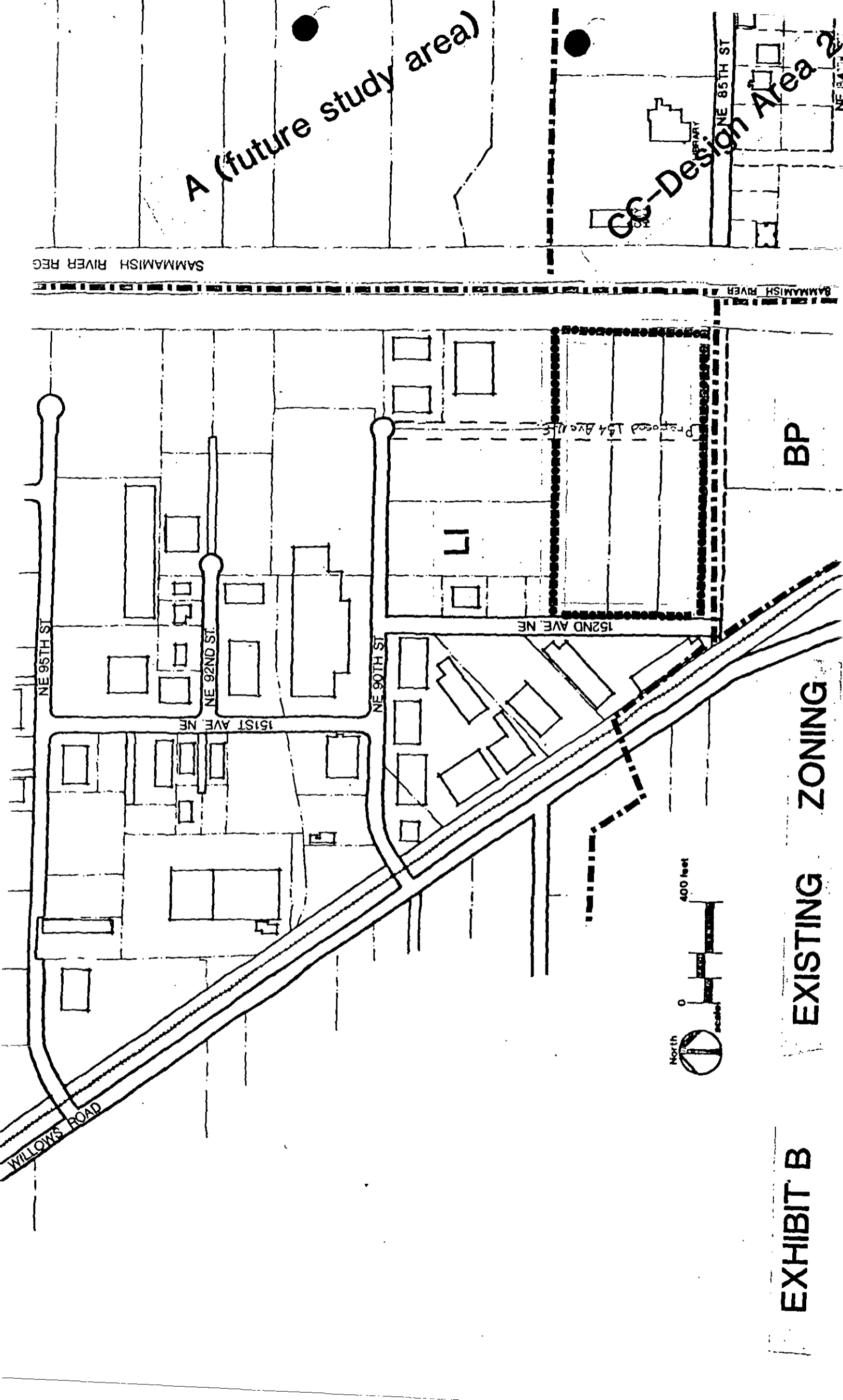
NE 92ND ST

151ST AVE NE

NE 95TH ST

WILLOWS ROAD





A (future study area)

CC-Design Area 2

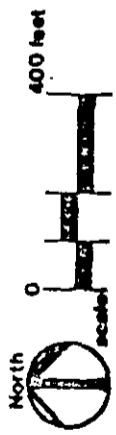
SAMMAMISH RIVER REG

SAMMAMISH RIVER

BP

EXHIBIT B EXISTING ZONING

EXHIBIT B



NE 95TH ST

NE 92ND ST

NE 90TH ST

NE 85TH ST

151ST AVE NE

152ND AVE NE

WILLOWS ROAD

Proposed 154 Ave NE

LI

LIBRARY



EXHIBIT

Determination of ~~FILE~~ COPY

Environmental Significance

CITY OF REDMOND

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

File Number/Application Name REDMOND CENTER BUSINESS PARK

Type of Application Site Plan Review/Building Permit

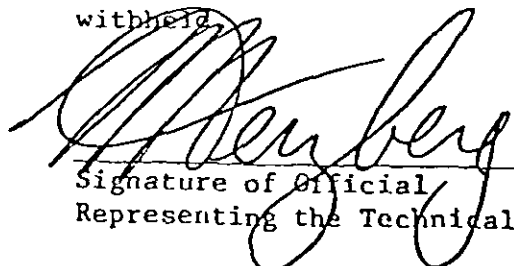
Applicant Pacific Bellevue Developments

Location of Proposal North of N.E. 85th Street right-of-way between 152nd Ave. N
~~on the west and the Sammamish River on the east.~~

Having reviewed the SEPA Environmental Checklist for the application listed above together with other available information, it is determined that:

- () 1. The application is categorically exempt or is not a major action, and no threshold determination is required.
- () 2. The application has no significant adverse environmental impact, and this is a proposed determination requiring a 15-day review and comment period before the final determination can be made.
- (X) 3. The application has no significant adverse environmental impact, and this is a final determination.
- () 4. The application has a significant adverse environmental impact requiring the preparation of an Environmental Impact Statement.
- () 5. Insufficient information available to make a determination. Please contact the Technical Committee regarding additional requirements.

The Threshold Determination may be withdrawn at any time if the project is modified to change the environmental impacts or if relevant information was misrepresented or withheld.



 Signature of Official
 Representing the Technical Committee

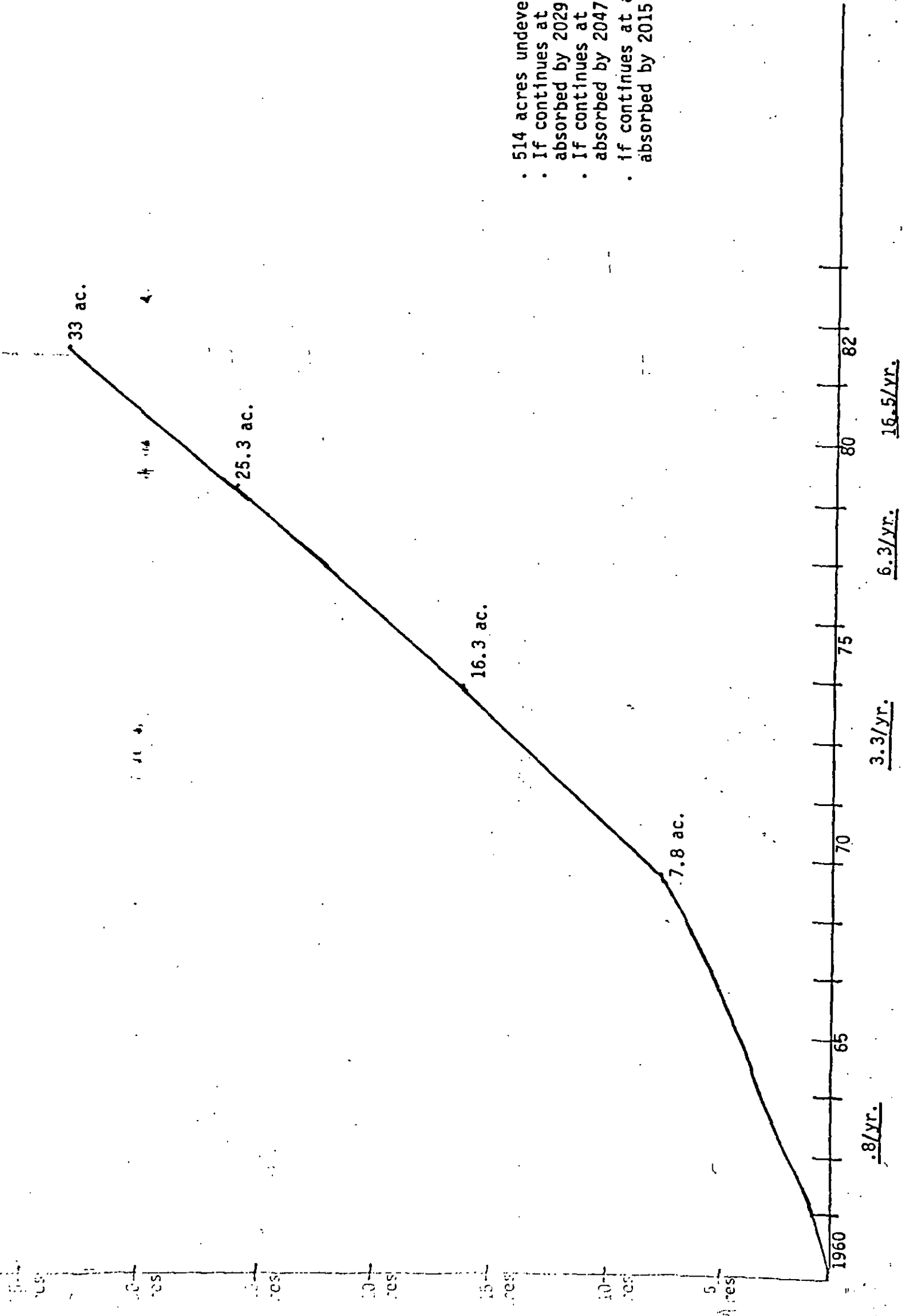


 Signature of Official
 Representing the Technical Committee

October 13, 1983

 Date

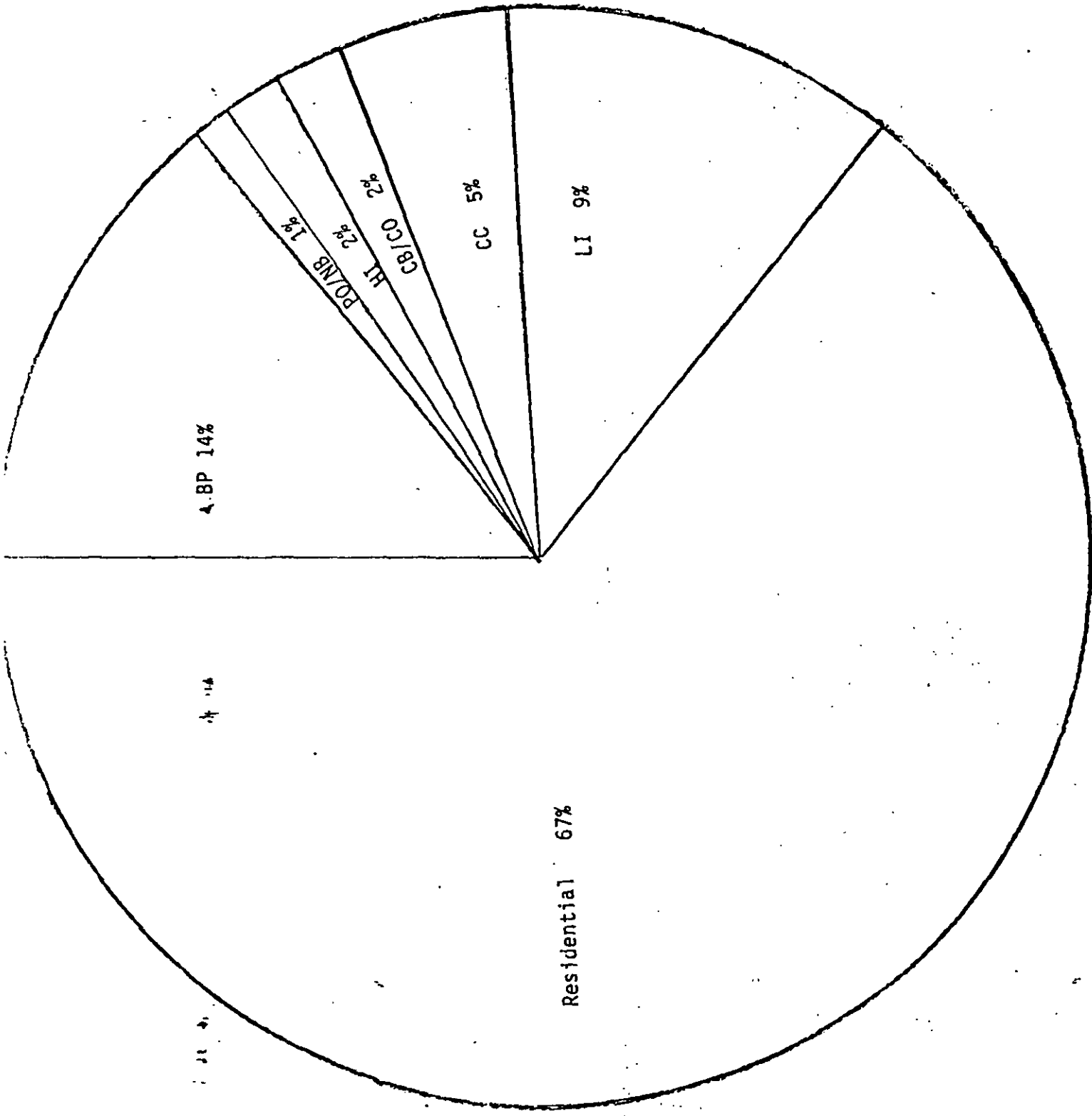
BUSINESS PARK CONSUMPTION RATE



- 514 acres undeveloped
- If continues at a rate of 11/yr. absorbed by 2029
- If continues at a rate of 8/yr. absorbed by 2047
- If continues at a rate of 16/yr. absorbed by 2015

NOTE:

* Indicates year of building permit, not construction



Percent Distribution of Land UsesCities of Bellevue and KirklandBellevue

<u>Use</u>	<u>Percentage</u>
Residential	74%
Office	7%
Retail	4%
General Commercial	3%
Light Industrial	5%
Open Use	7%
(Special Development Limitations)	

Kirkland

<u>Use</u>	<u>Percentage</u>
Residential	69%
Office (with some residential allowed)	4%
Retail/Commercial (some with residential allowed)	6%
Industrial (some with residential allowed)	7%
Parks	5%
Miscellaneous (public facilities, institutions, and utilities, etc.)	9%

LEGAL DESCRIPTION

That portion of the northeast quarter of the southwest quarter of Section 2, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the east line of the west 30 feet of said subdivision with the south line of the north 1006 feet thereof; thence S $00^{\circ}45'26''$ W along said east line 267.15 feet to the north line of the south 40 feet of said subdivision; thence S $88^{\circ}11'10''$ E along said north line 1120.93 feet to the west line of the east 160 feet of said subdivision; thence N $00^{\circ}29'27''$ E along said west line 268.67 feet to the south line of the north 1006 feet of said subdivision; thence N $88^{\circ}15'45''$ W along said south line 1119.60 feet to the point of beginning.

(Contains 300,078 square feet, more or less, or approx. 6.88 acres).

EXHIBIT

G

EXHIBIT

57955.32 6.7

REAL ESTATE CONTRACT

7405090276

THIS CONTRACT made and entered into this 27th day of August, 1974

between REDWOOD LIMITED PARTNERSHIP, a Washington Limited Partnership

hereinafter called the "sellers," and PHILIP J. BOGREN & ELIZABETH S. BOGREN, his wife; ROBERT L. LANDAU & BETTY L. LANDAU, his wife; JOHN M. WINTON & SKIRLEY J. WINTON, his wife; PAUL J. BURTENGER & MARY D. BURTENGER, his wife; and DONALD W. LEUTHOLD & CAROLINE V. LEUTHOLD, his wife hereinafter called the "purchasers."

WITNESSETH: That the seller agree to sell to the purchaser and the purchaser agree to purchase from the seller the following described real estate, with the appurtenances, in KING County, State of Washington:

South 320 feet of the north 1004 feet of the northeast quarter of the southeast quarter of Section 2, Township 23 North, Range 3 East, W. M., in King County, Washington, except the east 160 feet thereof and except the west 30 feet thereof conveyed to the city of Redmond for road by deed recorded under auditor's file No. 7211130506.

Together with an easement for ingress, egress and utilities 30 feet in width running from the east 30 feet of the above described property to the northerly margin of the right-of-way of N. E. 85th Street.

EXISTING EASEMENT

The terms and conditions of this contract are as follows: The purchase price is One Hundred Thirty Thousand and no/100 ⁰⁰/₁₀₀ Dollars, of which Twenty Five Thousand Dollars ⁰⁰/₁₀₀ Dollars have been paid, the receipt whereof is hereby acknowledged, and the balance of said purchase price shall be paid as follows:

Five Thousand and no/100 ⁰⁰/₁₀₀ Dollars, or more at purchaser's option, on or before the 1st day of March 1975.

and Five Thousand and no/100 ⁰⁰/₁₀₀ Dollars, or more at purchaser's option, on or before the 1st day of July 1975.

and Five Thousand and no/100 ⁰⁰/₁₀₀ Dollars, or more at purchaser's option, on or before the 1st day of September 1974.

All payments to be made hereunder shall be made at First National Bank of Redmond, Redmond, WA 99012 or at such other place as the seller may direct in writing. See schedule attached.

7405090276

Schedule A attached to Real Estate Contract dated August 27, 1974

EASEMENT IF BRIDGE IS BUILT

If bridge is built in future where bridge off-ramp prohibits direct access for ingress, egress and utilities to N. E. 85th, then the above described easement will run parallel to N. E. 85th in a westerly direction until such access can be secured.

Seller agrees to deed release to purchasers one half of the property of purchasers' choice when the balance hereof has been reduced to \$55,000.00. Said release to provide legal access to seller's remaining property.

Purchasers agree to pay no more than 2% of the purchase price during 1974. It is understood seller's title is subject to real estate contract with Donald R. and Marion W. Ritter, which contract the seller herein will continue to pay.

Purchaser agrees to join with other property owners in the area and pay his pro-rata share of costs of the road improvements required by the City of Redmond, via L.I.D.

Purchaser agrees to co-operate, join in and, or, sign all necessary papers to plat the area when the surrounding property is to be platted, but not the actual platting cost.

Purchaser may at Purchaser's option at any time require Seller, at Seller's expense, to place the Statutory Warranty Deed in a trust escrow or collection account pending fulfillment of this real estate contract. In the event of default by Purchaser under the terms of this real estate contract, the sole remedy of the seller shall be forfeiture; Seller shall not have the right to specific performance under the terms of this contract and shall not have the right to bring any legal action against the Purchaser for a judgment for monies owed under the terms of this contract.

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actual valuation of the real estate, including 25% of the actual valuation of the improvements in the proposed District, according to the valuation last placed upon it for the