CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 837

A RESOLUTION relating to a Use Contingent Upon Review and Permit, to-wit a radio broadcasting station.

WHEREAS application was duly filed with the Bellevue Planning Commission for a permit to use a parcel of land in the Mercer Slough and north of U.S. Highway No. 10 for the location of a radio proadcasting station under the terms of Section 5.2.110 of Ordinance No. 68 as amended, and the Planning Commission upon preliminary discussion determined that the proposed use might be acceptable; and

WHEREAS the Planning Commission did hold a public hearing thereon upon notice to all interested persons and in the manner required for reclassification of land; and

WHEREAS the Planning Commission has determined that the proposed use does meet the four conditions and standards required and should be approved, and has recommended the proposed use to the City Council for its consideration; and

WHEREAS the Council at a regularly scheduled public meeting has considered the matter, and heard proponents and opponents of the proposed use; now therefore

EE IT RESOLVED by the City Council of the City of Bellovue, Washington, as follows:

The Council does find that the use requested in the application of Radio Station KUDY, to-wit, for the installation of a radio broadcasting station on the following-described premises:

see legal description attached

does <u>Net</u> meet the following standards and conditions:

1. The proposed development will further and be in keeping with and not contrary to the objectives of the Comprehensive Plan.

2. The effect of the proposed development on the immediate vicinity will not be materially detrimental.

3. That there is merit and value in the proposed development for the community as a whole.

4. That sufficient consideration has been exercised by the FILED NO. ______ developer in adapting the project to existing improvements in CHT OF BEHEVUE the vicinity.

DA and the Council does Not concur with the Planning Commission CHT CLERK in approving such use proposal.

PASSED by the City Council this <u>137</u> day of <u>kicember</u>, 1960, and signed in autoentication of its passage this <u>137</u> day of

Mayor - Pre Tem (SEAL) Attest: Cler

Those portions of the Southeast quarter of section 8 and of the southwest quarter of section 9, township 24 north, range 5 east, W.M., in Fing County, Washington and of shorelands as conveyed by the State of Washington by deeds recorded under auditor's file Nos. 707705 and 706143, in Fing County, Washington, described as follows:

Beginning at a point 535 feet south of the center of said section 9, and (a)518 feet east of the easterly line of the old channel of Mercer Slough, measured on lines purallel with the center lines of said section 9; thence north 437.5 feet to the southerly line of County Road No. 1195; thence westerly 50 feet along said southerly line; thence south 217.125 feet; thence west to the easterly line of the old channel of Mercer Slough, thence southerly along the easterly line of said old channel to a point 518 feet west of the point of beginning, as measured on a line parallel with the east and west center line of section 9 and an extension west thereof, thence east along such parallel line 518 feet to point of beginning; EXCEPT Drainage Ditch No. 12 right of way; and EXCEPT any portion thereof which may lie within 114th Avenue Southeast and/or Mrs. Nathen Beman Road (County Road No. 1274); TOGETHER with that portion of vacated Mrs. Mathen Beman Road (County Road No. 1274), if any, which may have attached to said premises by operation of law; EXCEPT that portion of Parcel lying west of the drainage ditch.

(b) Beginning at a point 2209.2 feet west and 535 feet south of the center of said section 9, measured on lines parallel with the center lines of said section, said point being the southeast corner of that first certain tract of land described in instrument to Fred W. Winters and wife, recorded under auditor's file No. 2032406; thence continuing west on a line parallel with the east and west center line of section 9 to a point 518 feet east of the easterly line of the old channel of Mercer Slough, which point is the southeas corner of parcel (a); thence north 437.5 feet along the east boundary of parcel (a) to the southerly line of County Road No. 1195; thence easterly there there south of 44'15" east 473.31 feet along the east boundary line of the Winters tract to the point of beginning;

(c) All land lying north of parcel (a) above, south of the southerly line of County Road No. 1195, east of the easterly line of County Road No. 1274 and West of the west line of Drainage Ditch No. 12 right of way; TOGETHER with those portions of vacated Mrs. Nathen Beman Road (County Road No. 1274) and of Newport-Bellevue Road (H. S. Hendrickson No. 1195) which attached to said premises by operation of law;

Beginning at the center of section 9, township 24 north, range 5 east, (d) W.M. thence west along the east and west center line of said section 1189.12 feet thence south $0^{\circ}44'15"$ east parallel with the north and south center line of said section 535.00 feet to a point on the westerly margin of County Road No. 1195, now Lake Washington Boulevard; thence west parallel with the east and west center line of said section 1020.08 feet, more or less, to the southeast corner of that first certain tract of land in said section 9 described in instrument to Fred W. Winters and Ceclia E. Winters, his wife, recorded under auditor's file No. 2032406, which point is the true point of beginning of the tract herein described; thence north 0°44'15' west along the east boundary line of said Winters tract 473.31 feet, more or less, to the southerly margin of county road No. 1195; thence north 86011'52" east along said southerly margin of county road No. 1195, a distance of 473.86 feet, more or less, to the northwest corner of tract conveyed to Henry Cremer by deed recorded under auditor's file No. 2879434; thence south 0018'26" along the West line of said Cremer tract 343.86 feet, more or less, to the southwest corner thereof; thence continuing south 0'8'26" west to intersect with a line 535 feet southerly and parallel with the east and west center line of said section 9; thence west along said line to the true point of beginning; and

(e) That portion of Government lot 3, section 9, township 24 north, range 5 east, W. M., lying southerly of a line 535 feet southerly of the parallel to the east and west center line of said section 9 and northerly of Primary State Highway No. 2;

TOGETHER with shorelands as conveyed by the State of Washington, situated in front of, adjacent to, or abutting thereon; EXCEPT that portion condemned for Drainage District No. 12; and EXCEPT roads; also EXCEPT that portion thereof contained within the following described tract, Beginning at the center of section 9, thence west along the east and west center line of said section 1189.12 feet; thence south $0^{0}44'15''$ east parallel to the north and south center line of said section 535.00 feet to a point on the westerly margin of county road No. 1195 now Lake Washington Boulevard; thence northerly along the westerly margin of said road 162.52 feet; thence south 89°54'25" West 549.69 feet more or less, to the southwest corner of a tract conveyed to Henry Cremer by deed recorded under auditor's file No. 2879434, thence south $0^{\circ}18'26''$ west to the intersection with a line 535.00 feet southerly of and parallel to the east and west center line of said section 9, which is the true point of beginning of the tract herein described; thence south 0°18'26" west to the northerly margin of Primary State Highway No. 2; thence easterly along said northerly margin to westerly margin of said Lake Washington Eoulevard; thence northerly along said westerly margin of Lake Washington Boulevard to its intersection with a line to 535.00 feet southerly of and parallel to the East and west center line of said section 9; thence westerly along said line to the true point of beginning.