AN ORDINANCE relating to planning and zoning for land use and development in the City of Kent and zoning, pursuant to City of Kent Ordinance No. 1071, as amended, certain land annexed to the City of Kent and zoned as R-3 (multiple dwelling zoning district) zone.

WHEREAS, certain land hereinafter described was annexed to the City of Kent unzoned, and

WHEREAS, as required by City of Kent Ordinance No. 1071, as amended, the City Council of the City of Kent, Washington, after referral to and study by the Planning Commission of the City of Kent, recommended that said land be zoned as hereinafter set forth, and

WHEREAS, the City Council of the City of Kent did upon the 6th day of May, 1968 hold a public hearing on said recommendation insofar as they related to said certain land, said public hearing being held after proper notice thereof, and

WHEREAS, the City Council of the City of Kent did upon the 6th day of May, 1968 refer the matter to a committee of the Council to report back on the 20th day of May, 1968, and

WHEREAS, on the 20th day of May, 1968 the said committee of the City Council did report back to the City Council and at that meeting the matter was referred back to the Planning Commission for clarification and report, and

WHEREAS, the Planning Commission did make a clarification and report to the City Council at their public hearing on June 17, 1968, and

WHEREAS, at said public hearing above described, the owners and the contract-purchaser to said land did agree to be bound by the planned unit development as set forth in Exhibit 1 and Exhibit 2 hereinafter described, and said owners and contract-purchasers submitted said planned unit development to the City of Kent in order to induce the Kent City Council to grant R-3 (multiple dwelling zoning district) zoning to said certain land, NOW, THEREFORE,

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

Section 1: The following described land situated in the City of Kent, County of King, State of Washington, and presently unzoned and more particularly described as follows:

-1-
PARCEL A:

A portion of the northeast quarter of the northeast quarter in Section 10, Township 22 North, Range 4 East, W.M., in King County, Washington, and of government Lot 6 in Section 11, township 22 north, range 4 east, W.M., in King County, Washington, described as follows:

Beginning on the west line of the northeast quarter of the northeast quarter in section 10, township 22 north, range 4 east, W.M., in King County, Washington, at a point 290.72 feet south from the northwest corner thereof; thence south 89°56'07" east 2187.98 feet; thence south 40°56' east 147.30 feet; thence south 82°58' east to the west bank of Green River (also called White River); thence southerly along the west bank of the Green River to the north line of south 212th Street, as shown on Frankford Tracts, according to plat recorded in volume 45 of plats, page 25, in King County, Washington, extended easterly; thence westerly along said extended line and along the north line of south 212th Street as shown on said Frankford Tracts, to the southeast corner of Lot 1, block 1 of said plat; thence north 230 feet to the northeast corner of said Lot 1; thence west along the north line of said block 1 to the northwest corner thereof; thence south along the west line of said block 1, 391.24 feet to the south line of the northeast quarter of the northeast quarter in section 10; thence west to the southwest corner of said northeast quarter of the northeast quarter; thence north along the west line of said northeast 1/4 of NE1/4 to the point of beginning; EXCEPT County Road 76 (Frazier Road); and EXCEPT ANY portion conveyed to King County for road by deed under deed recorded under Auditor's file No. 5954743.

PARCEL B:

Lots 6, 7 and 8, block 1 Frankford Tracts, according to plat recorded in volume 45 of plats, pages 25 and 26, in King County Washington; and Lots 9, 10, 11, 12 and 13 (vacated) block 1, Frankford tracts, according to plat recorded in volume 45 of plats, pages 25 and 26, in King County, Washington;

TOGETHER with that portion of vacated South 212th Street adjoining said lots 9 to 13 inclusive, which upon vacation attached to said lots by operation of law.

EXCEPT that portion of said lots 6 to 13 inclusive and vacated South 212th Street conveyed to King County for road by deed recorded under auditor's file No. 5954743.

is hereby zoned as R-3 (Multiple Dwelling Zoning District) zone subject, however, to the provisions of the sections of this Ordinance hereinafter set forth. It is acknowledged that the planned unit development hereinabove referred to and marked Exhibit 1 as modified by Exhibit 2 is presently on file with the City of Kent Planning Commission and it sets forth the proposed development of the real property as set forth above which in essence provides for this construction of 690 multiple dwelling units to be distributed so as to allow on the westerly portion of the planned unit development marked Exhibit 1, the area for recreational purposes including a tennis court, putting green, a lake, a swimming pool and tot lot

-2-
and a similar recreational area shown on the easterly portion of the planned unit development and designated thereon as a lake, tot lot, putting green and swimming pool, and no more than 13 living units per acre. It is herewith acknowledged that the owners of the real property, as set forth above during the public hearing before the City Council considering the original zoning of the above cited real property, promised as an inducement to the City of Kent to zone said real property as R-3 (multiple dwelling zoning district) to comply with the aforementioned planned unit development in the future development of said area and the City Engineer of the City of Kent is herewith ordered not to issue any building permits for the development of the real property as above set forth unless it does conform and comply with the said planned unit development.

Section 2. The City Engineer of the City of Kent be and he is hereby authorized and directed to indicate upon the Comprehensive Planning Map of the City of Kent or upon an addendum thereto the zoning of said property as provided for in Section 1 of this Ordinance.

Section 3. That upon said amendment being shown upon the Comprehensive Planning Map of the City of Kent or upon an addendum thereto, the copy of said map or addendum shall be filed with the County Auditor of King County, Washington and the City Clerk of City of Kent be and she is hereby authorized and directed to record a certified copy of this Ordinance with the County Auditor of King County, Washington, and pay the filing fee therefor.

Section 4. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

ATTEST:

ALEX THORNTON, Mayor

MARIE JENSEN, City Clerk

JOHN B. BERREITER, City Attorney
Passed the 5 day of August, 1968.

Approved the 6 day of August, 1968.

Published the 6th day of Sept., 1968.

I hereby certify that this is a true copy of Ordinance No. 1526 passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent, as hereon indicated.

MARIE JENSEN, City Clerk