AN ORDINANCE of the City of Kent, Washington, relating to planning and property; rezoning, with conditions, approximately 40 acres located on the south side of Southeast 240th Street, east of 104th Avenue S.E. extending to 114th Street, from RL-20, Single Family Residential, to MR-M, Medium Density Multi-Family Residential and RL-7.2, Single Family Residential. (Rowley Rezone #4/AZ-84-2)

WHEREAS, a application for rezone was filed on October 28, 1983 for the following described property:

Those portions of Section 17, Township 22N, Range 5E, W.M. lying within King County, Washington, more particularly described as follows:

The south 50.00 feet of the west half of the southeast quarter of the southeast quarter of the southwest quarter, and the south 30.00 feet of the east half of the southeast quarter of the southwest quarter and the south 50.00 feet of the west 800.00 feet of the southwest quarter of the southeast quarter and the south 30.00 feet of the southwest quarter of the southeast quarter, EXCEPT the west 800.00 feet and the south 30.00 feet of the southwest quarter of the southeast quarter. And

Those portions of Section 20, Township 22N, Range 5E, W.M., lying within King County, Washington more particularly described as follows:

The northeast quarter of the northeast quarter of the northwest quarter (including platted properties therein) and the north half of the northwest quarter of the northeast quarter of the northwest quarter of the northeast quarter of the northeast quarter;

All also known currently as:

Tax lots 34, 87, 50, 2, 44 & 64, located in the City of Kent, King County, Washington and Lots 7 and 8 of the R.O. Smith's Orchard Tracts Addition, Kent, King County, Washington.

and;

WHEREAS, the subject rezone concerns the initial zoning designation to be given to the above described property subsequent to its annexation to the City of Kent; and
WHEREAS, said property is located on the south side of Southeast 240th Street east of 104th Avenue S.E. and extending to approximately 114th Street. The interim zoning of the property is R1-20, Single Family Residential (minimum lot size 20,000 square feet); and

WHEREAS, A Declaration of Nonsignificance was filed by the Planning Department on November 10, 1983; and

WHEREAS, a public hearing was held before the Hearing Examiner of the City of Kent on July 18, 1984; and

WHEREAS, the Hearing Examiner issued FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER FOR THE CITY OF KENT on August 1, 1984; and

WHEREAS, the City Council on October 15, 1984 adopted by motion the FINDINGS AND RECOMMENDATIONS OF THE HEARING EXAMINER and approved the rezone with certain conditions recommended by the Public Works Department. Those conditions being:

1. That prior to the issuance of any development permit (building zoning, etc.) for a permitted use of the property herein zoned which abuts 104th Avenue S.E. and/or S.E. 248th Street, property shall be deeded there from for street purposes in accordance with the following right-of-way criteria:

<table>
<thead>
<tr>
<th>STREET</th>
<th>RIGHT OF WAY WIDTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.E. 240th St.</td>
<td>The south half of the street right-of-way as measured from and perpendicular to the north section line of Section 20, Township 22N, Range 5E, W.M., shall be 38 feet.</td>
</tr>
<tr>
<td>108th Ave. S.E.</td>
<td>60 feet in width as measured from and perpendicular to the southerly projection of the existing northerly centerline of 108th Ave. S.E. plus 25-foot radii at the intersection points of the right-of-way with the S.E. 240th Street right-of-way.</td>
</tr>
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</table>
NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The FINDINGS AND RECOMMENDATION OF THE HEARING EXAMINER, dated August 1, 1984, except as modified herein, are hereby adopted.

Section 2. The following described land situated in the City of Kent, County of King, State of Washington, and presently zoned RL-20, Single Family Residential, and more particularly described as follows:

Those portions of Section 17, Township 22N, Range 5E, W.M. lying within King County, Washington, more particularly described as follows:

The south 50.00 feet of the west half of the southeast quarter of the southeast quarter of the southwest quarter, and the south 30.00 feet of the east half of the southeast quarter of the southeast quarter of the southwest quarter and the south 50.00 feet of the west 800.00 feet of the southwest quarter of the southeast quarter and the south 30.00 feet of the southwest quarter of the southeast quarter, EXCEPT the west 800.00 feet and the south 30.00 feet of the southwest quarter of the southeast quarter of the southeast quarter. And

Those portions of Section 20, Township 22N, Range 5E, W.M., lying within King County, Washington more particularly described as follows:

The northeast quarter of the northeast quarter of the northwest quarter (including platted properties therein) and the north half of the northwest quarter of the northeast quarter of the northwest quarter of the northeast quarter of the northwest quarter;

All also known currently as:

Tax lots 34, 87, 50, 2, 44 & 64, located in
City of Kent, King County, Washington, and
Lots 7 & 8 of the R.O. Smith's Orchard Tracts
Addition, Kent, King County, Washington.
is hereby rezoned as follows:

a. Tracts 7 & 8 R.O. Smith's Orchard tracts to Kent as recorded in Vol. 12 of Plats, Pg. 27, records of King County; ALSO the north half of the northwest quarter of the northeast quarter in Section 20, Township 22N, Range 5E, W.M., also known currently as Tax lots 34, 87, 50 and 2, EXCEPT those portions, if any, lying within public right-of-way, to MR-M, Medium Density Multi-Family Residential.

b. The northwest quarter of the northeast quarter of the northeast quarter of Section 20, Township 22N, Range 5E, W.M., also known currently as Tax lots 44 and 64, EXCEPT those portions, if any, lying within public right-of-way to Rl-72, Single Family Residential.

Section 3. The rezone is subject to and expressly conditioned upon the following: Prior to the issuance of any development permit (building, zoning, etc.) for a permitted use of the property herein zoned which abuts 104th Ave. S.E. or S.E. 248th Street, properly shall be deeded therefrom for street purposes in accordance with the following right-of-way criteria:

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<td>108th Ave. S.E.</td>
<td>60 feet in width as measured from and perpendicular to the southerly projection of the existing northerly centerline of 108th Ave. S.E. plus 25-foot radii at the intersection points of the right-of-way with the S.E. 240th Street right-of-way.</td>
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112th Ave. S.E. 60 feet in width as measured from and perpendicular to the southerly projection of the existing northerly centerline of 112th Ave. S.E. plus 25-foot radii of the intersection points of the right-of-way with the S.E. 240th St. right-of-way.

Section 4. The Planning Director of the City of Kent be and he is hereby authorized and directed to indicate upon the Comprehensive Zoning Map of the City of Kent or upon an addendum thereto, the zoning of said property as provided for in Section 2 of this ordinance.

Section 5. That upon said amendment being shown upon the Comprehensive Zoning Map of the City of Kent, or upon an addendum thereto, the copy of said map or addendum shall be filed with the Director of Records and Elections of King County Washington, and the City Clerk of the City of Kent is hereby authorized and directed to record this ordinance with the County Auditor of King County and pay the filing fee therefor.

Section 6. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 5th day of , 1984.
APPROVED the 5th day of , 1984.
PUBLISHED the 9th day of , 1984.
I hereby certify that this is a true copy of Ordinance No. 2504, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)

MARIE JENSEN, CITY CLERK