

ORDINANCE NO. 1372

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, rezoning a portion of King County parcels #282204-9209 and #282204-9067 from Community Commercial (CC) to RA3600 (Townhouse) and rezoning King County parcel 282204-9233 from RS7200 (Single Family Residential) to RA3600 (Townhouse).

WHEREAS, the Greater Des Moines Zoning Map was adopted by the City Council on October 11, 2001 by enactment of Ordinance No. 1289, and

WHEREAS, a rezone request was made by the applicant in September 2004, and

WHEREAS, this rezone request was made by the applicant in a timely manner and

WHEREAS, the rezone request was reviewed under the State Environmental Policy Act (SEPA), and

WHEREAS, public notice of this request was provided to the public in accordance with state law and the Des Moines Municipal Code (DMMC) and

WHEREAS, a Notice of Non-Significance was issued on September 17, 2004 by the City of Des Moines SEPA Official and there were no appeals of this decision, and

WHEREAS, in December 2004 the applicant requested modification of his rezone request to include an additional 1.8 acres, and

WHEREAS, it was the determination of the SEPA Official that additional review should be done to fully evaluate the environmental impacts of this additional acreage, and

WHEREAS, on December 16, 2004 a new Determination of Non-Significance was issued and again, there were no appeals of this decision, and

WHEREAS, notice of the public hearing before the City Council was given to the public in accordance with law and a public hearing was held on the 13th day of October 2005 and all persons wishing to be heard were heard, and

WHEREAS, through the public hearing process the City Council determined that the applicant had met the legal requirements for a rezone, and

WHEREAS, the City Council has determined that the proposed rezone bears a substantial relationship to the public health, morals or welfare, and

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 18.80.010 and section 1 of Ordinance No. 1289 are each amended to read as follows:

18.80.010 Designated. The map filed in the City Clerk's office and marked Exhibit "A" to Ordinance No. 1289 and adopted October 11, 2001, constitutes the zoning map for the City. The map referenced herein supersedes all previously adopted maps. If the designations of the map are found to be in conflict with other land use

designations, the map is deemed to control. Conditional rezones or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

**Sec. 2.** The zoning of a portion of real property located in the City of Des Moines, further listed as King County parcels #282204-9209 and #282204-9067, filed by the applicant, Richard Mitchell is reclassified from Community Commercial (CC) to RA3600 (Townhouse) subject to the terms of Conditions of Approval attached hereto and incorporated herein as Attachment "1". Staff is directed to verify, confirm, and incorporate legal descriptions of the rezone area which are consistent with the proposed rezone boundaries provided to the City Council on October 13, 2005, and which are attached hereto and incorporated herein as Attachment "2".

**Sec. 3.** The zoning of real property located in the City of Des Moines, listed as King county parcel #282204-9233, filed by the applicant, Richard Mitchell is reclassified from RS7200 (single family residential) to RA 3600 (townhouse) subject to the terms of Conditions of Approval attached hereto and incorporated herein as Attachment "1". Staff is directed to verify, confirm, and incorporate legal descriptions of the rezone boundaries provided to the City Council on October 13, 2005, and which are attached hereto and incorporated herein as Attachment "2".

**Sec. 4. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

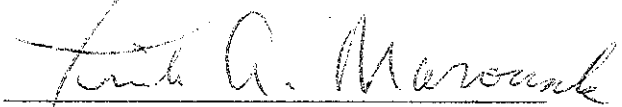
(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

**Sec. 5. Effective Date.** This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.


**PASSED BY** the City Council of the City of Des Moines this 29th day of December, 2005 and signed in authentication thereof this 29th day of December, 2005.

  
MAYOR

APPROVED AS TO FORM:

  
City Attorney

ATTEST:

  
City Clerk

Published: January 6, 2006

Re-Published with Corrections: January 13, 2006

LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1372, Adopted December 29, 2005.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance rezones a portion of King County parcels #282204-920~~9~~ and #282204-9067 from Community Commercial (CC) to RA3600 (Townhouse) and rezones King County parcel 282204-9233 from RS7200 (Single Family Residential) to RA3600 (Townhouse).

The full text of the ordinance will be mailed without cost upon request.

Denis Staab  
City Clerk

Published: January 6, 2006

*Re-Published: 1-13-06*

ATTACHMENT 1

ORDINANCE NOS. 1371 & 1372

CONDITIONS OF APPROVAL OF REZONE AND COMPREHENSIVE PLAN  
AMENDMENT

The following restrictions and conditions are adopted by the City Council of the City of Des Moines for the purposes of clarifying and facilitating the understanding of the conditions associated with the rezone and Comprehensive Plan land use map re-designation of the properties identified within these ordinances.

1. The applicant shall follow all applicable plans, codes and regulations during the land use permitting and building construction phases of these properties.
2. The rezone of the properties shall be contingent upon approval of the associated Des Moines Comprehensive Plan amendment.
3. The Comprehensive Plan land use map re-designation of the properties shall be contingent upon the approval of the associated rezone.
4. The City Council may impose additional conditions or limiting terms during the land use permitting phase of these properties when it is determined to be in the public interest and furthers the health, safety and welfare of the residents of the City of Des Moines.
5. The rezone of parcel #282204-9233 to RA3600 is approved only with concurrent townhouse development of parcels 282204-9067 and 282204-9209.
6. Access from these properties along 20th Avenue South and South 261st Place shall be restricted to emergency vehicles only.
7. Once effective, as described in the preceding paragraphs, the conditions of approval shall be binding on the parties, their heirs, successors and assigns and shall be a covenant running with the subject properties and shall be filed with the King County Records Office.

ATTACHMENT 2, ORDINANCE NOS. 1371 & 1372

REZONE AND COMPREHENSIVE PLAN LAND USE MAP RE-DESIGNATION  
FINDINGS OF FACT AND CONCLUSIONS

FILE NO-LUA04-018

November 29, 2005

December 12, 2005

The Des Moines City Council, upon review of the rezone and Comprehensive Plan amendment application and in consideration of verbal and written information presented at a public hearing, hereby finds:

FINDINGS OF FACT

1. An application requesting approval of a rezone and Comprehensive Plan land use map re-designation of a portion of parcels #282204-9067 and 282204-9209 was filed with the City of Des Moines in July 2004.
2. The subject property is currently zoned Community Commercial (CC).
3. The subject property is designated in the Des Moines Comprehensive Plan as "Commercial".
4. The rezone request was to modify a portion of these parcels to RA3600 (townhouse).
5. The Comprehensive Plan amendment request was to modify a portion of these properties to "townhouse".
6. The subject property is located on Pacific Highway south of 260<sup>th</sup> Street.
7. The subject property affected by the rezone and the Comprehensive Plan amendment was approximately 6.5 acres.
8. An environmental checklist was submitted for the proposed rezone and Comprehensive Plan amendment.
9. An associated Des Moines Comprehensive Plan Amendment accompanied the rezone request to provide consistency between the zoning map and the Comprehensive Plan.
10. The property proposed for rezone and Comprehensive Plan amendment has been vacant for over 20 years and has been subject to several law enforcement actions.
11. A SEPA determination of non-significance for both the rezone and the Comprehensive Plan re-designation was issued on September 14, 2004. There were no appeals of the determination.
12. In November 2004 the applicant requested a "hold" be placed on this application and in December 2004 the applicant submitted a modified application.
13. The modified application included an additional parcel (#282204-9233).

14. The 1.8 acre parcel is currently zoned RS7200 (single family residential).
15. The Comprehensive Plan designation for this property is currently single family residential.
16. The applicant requested this parcel be rezoned to RA3600 (townhouse).
17. The applicant requested that this parcel be re-designated in the Comprehensive Plan as "townhouse".
18. The approximate size of the modified project is 10 acres.
19. The modified project would rezone approximately 8.5 acres to RA3600 (townhouse). Approximately 1.5 acres would remain Community Commercial (CC).
20. In December 2004 the SEPA official determined that the project modification would require a new SEPA checklist and environmental analysis.
21. On December 16, 2004 the SEPA official issued a new Determination of non-significance for both the revised rezone request and Comprehensive Plan amendment. There were no comments or appeals of this decision.
22. The property proposed for rezone and Comprehensive Plan re-designation would allow more of a transition between the higher density commercial along Pacific Highway and the single family neighborhoods to the west.
23. Des Moines is located within an urban growth area.
24. The proposed rezone and Comprehensive Plan re-designation would also provide more housing opportunities for region.
25. It is in the public interest and would further improve the general health, safety and welfare of the residents of Des Moines approve these rezone and Comprehensive Plan re-designation requests.

#### **CONCLUSIONS**

1. Considering the proximity to Pacific Highway South townhouse development will allow more of a transition from higher intensity commercial development to the east and single family residential uses to the west.
2. RA3600 zoning and the associated Comprehensive Plan land use map designation "townhouse" were created to provide a transition between commercial and single family residential uses.
3. Development of this site will provide more housing opportunities to residents of the region.

4. It is in the public interest to allow the site to be rezoned to townhouse to improve the public safety in the area and to provide additional tax base to the City.
5. The requested rezone and Comprehensive Plan amendment is consistent with adopted city codes and regulations and approval of the zone change will further the objectives of the Growth Management Act which promotes housing growth within the urban growth area.

**MITCHELL/ CHAMLIAN LEGAL DESCRIPTIONS**

**December 2005**

**LEGAL DESCRIPTIONS (EXISTING PARCELS)**

**PARCEL No. 282204-9067**

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF STATE ROAD NO. 1, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;  
THENCE SOUTH 88°03'31" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 490.0 FEET;  
THENCE SOUTH 03°05'31" WEST A DISTANCE OF 160.03 FEET;  
THENCE SOUTH 88°10'16" EAST A DISTANCE OF 196.56 FEET TO A POINT ON THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1);  
THENCE ALONG SAID WESTERLY MARGIN SOUTH 20°43'16" WEST A DISTANCE OF 134.70 FEET TO THE NORTH LINE OF THE SOUTH 375.00 FEET, AS MEASURED ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28;  
THENCE NORTH 88°10'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 375.00 FEET A DISTANCE OF 636.78 FEET TO THE WEST LINE OF SAID SOUTH HALF;  
THENCE NORTH ALONG SAID WEST LINE 288.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PARCEL No. 282204-9209**

THE SOUTH 375 FEET; AS MEASURED ALONG THE WEST LINE OF THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; LYING WESTERLY OF PACIFIC HIGHWAY SOUTH (SR-99), AND TRACT 8, SECOMA HI-WAY TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 37 OF PLATS, PAGE 42, IN KING COUNTY, WASHINGTON;

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 8;  
THENCE NORTH 88°10'17" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 331.14 FEET;  
THENCE NORTH 01°08'58" EAST PARALLEL WITH THE WEST LINE OF SAID TRACT 8 A DISTANCE OF 200.01 FEET;  
THENCE SOUTH 88°10'17" EAST PARALLEL WITH THE SOUTH LINE OF SAID TRACT 8 A DISTANCE OF 401.96 FEET TO THE WESTERLY MARGIN OF SAID PACIFIC HIGHWAY SOUTH;  
THENCE SOUTH 20°43'24" WEST ALONG SAID MARGIN A DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING.

(ALSO KNOWN AS LOT B OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER RECORDING NUMBER 9711249013.)

**PARCEL No. 282204-9233**

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON;

EXCEPT THE NORTH 390 FEET THEREOF;

AND EXCEPT THE WEST 115 FEET OF THE SOUTH 100 FEET OF THE NORTH 490 FEET OF SAID WEST HALF.

**LEGAL DESCRIPTIONS (COMP. PLAN/ZONING AMENDMENT)**

**PARCEL No. 282204-9233**

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON;

EXCEPT THE NORTH 390 FEET THEREOF;

AND EXCEPT THE WEST 115 FEET OF THE SOUTH 100 FEET OF THE NORTH 490 FEET OF SAID WEST HALF.

**PARCEL No. 282204-9067**

THAT PORTION OF THE HEREIN-AFTER DESCRIBED PARCEL "A" LYING WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON;  
THENCE SOUTH 88°03'36" EAST, ALONG THE NORTH LINE THEREOF, A DISTANCE OF 490.00 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 03°05'26" WEST A DISTANCE OF 287.59 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

**PARCEL "A":**

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON, LYING WESTERLY OF STATE ROAD NO. 1, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;  
THENCE SOUTH 88°03'31" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 490.0 FEET;  
THENCE SOUTH 03°05'31" WEST A DISTANCE OF 160.03 FEET;  
THENCE SOUTH 88°10'16" EAST A DISTANCE OF 196.56 FEET TO A POINT ON THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1);  
THENCE ALONG SAID WESTERLY MARGIN SOUTH 20°43'16" WEST A DISTANCE OF 134.70 FEET TO THE NORTH LINE OF THE SOUTH 375.00 FEET, AS MEASURED ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28;  
THENCE NORTH 88°10'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 375.00 FEET A DISTANCE OF 636.78 FEET TO THE WEST LINE OF SAID SOUTH HALF;  
THENCE NORTH ALONG SAID WEST LINE 288.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PARCEL No. 282204-9209**

THAT PORTION OF LOT "B", CITY OF DES MOINES BOUNDARY LINE ADJUSTMENT No. LLA 97-066, RECORDED UNDER RECORDING NUMBER 9711249013, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON;  
THENCE SOUTH 88°03'36" EAST, ALONG THE NORTH LINE THEREOF, A DISTANCE OF 490.00 FEET;  
THENCE SOUTH 03°05'26" WEST A DISTANCE OF 287.59 FEET TO THE NORTH LINE OF THE HEREIN-BEFORE DESCRIBED LOT "B" AND THE POINT OF BEGINNING;  
THENCE SOUTH 20°43'25" WEST, PARALLEL WITH THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (FORMERLY STATE ROAD No. 1), A DISTANCE OF 306.52 FEET TO THE MOST NORTHERLY SOUTH LINE OF SAID LOT "B" AND THE TERMINUS OF SAID DESCRIBED LINE.

**MITCHELL/ CHAMLIAN LEGAL DESCRIPTIONS**

**December 2005**

**LEGAL DESCRIPTIONS (EXISTING PARCELS)**

**PARCEL No. 282204-9067**

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF STATE ROAD NO. 1, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;  
THENCE SOUTH 88°03'31" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 490.0 FEET;  
THENCE SOUTH 03°05'31" WEST A DISTANCE OF 160.03 FEET;  
THENCE SOUTH 88°10'16" EAST A DISTANCE OF 196.56 FEET TO A POINT ON THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1);  
THENCE ALONG SAID WESTERLY MARGIN SOUTH 20°43'16" WEST A DISTANCE OF 134.70 FEET TO THE NORTH LINE OF THE SOUTH 375.00 FEET, AS MEASURED ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28;  
THENCE NORTH 88°10'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 375.00 FEET A DISTANCE OF 636.78 FEET TO THE WEST LINE OF SAID SOUTH HALF;  
THENCE NORTH ALONG SAID WEST LINE 288.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PARCEL No. 282204-9209**

THE SOUTH 375 FEET; AS MEASURED ALONG THE WEST LINE OF THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; LYING WESTERLY OF PACIFIC HIGHWAY SOUTH (SR-99), AND TRACT 8, SECOMA HI-WAY TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 37 OF PLATS, PAGE 42, IN KING COUNTY, WASHINGTON;

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 8;  
THENCE NORTH 88°10'17" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 331.14 FEET;  
THENCE NORTH 01°08'58" EAST PARALLEL WITH THE WEST LINE OF SAID TRACT 8 A DISTANCE OF 200.01 FEET;  
THENCE SOUTH 88°10'17" EAST PARALLEL WITH THE SOUTH LINE OF SAID TRACT 8 A DISTANCE OF 401.96 FEET TO THE WESTERLY MARGIN OF SAID PACIFIC HIGHWAY SOUTH;  
THENCE SOUTH 20°43'24" WEST ALONG SAID MARGIN A DISTANCE OF 211.39 FEET TO THE POINT OF BEGINNING.

(ALSO KNOWN AS LOT B OF BOUNDARY LINE ADJUSTMENT RECORDED UNDER RECORDING NUMBER 9711249013.)

**PARCEL No. 282204-9233**

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON;  
EXCEPT THE NORTH 390 FEET THEREOF;  
AND EXCEPT THE WEST 115 FEET OF THE SOUTH 100 FEET OF THE NORTH 490 FEET OF SAID WEST HALF.

**LEGAL DESCRIPTIONS (COMP. PLAN/ZONING AMENDMENT)**

**PARCEL No. 282204-9233**

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY WASHINGTON;  
EXCEPT THE NORTH 390 FEET THEREOF;  
AND EXCEPT THE WEST 115 FEET OF THE SOUTH 100 FEET OF THE NORTH 490 FEET OF SAID WEST HALF.

**PARCEL No. 282204-9067**

THAT PORTION OF THE HEREIN-AFTER DESCRIBED PARCEL "A" LYING WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON;  
THENCE SOUTH 88°03'36" EAST, ALONG THE NORTH LINE THEREOF, A DISTANCE OF 490.00 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 03°05'26" WEST A DISTANCE OF 287.59 FEET TO THE SOUTH LINE OF SAID PARCEL "A" AND THE TERMINUS OF SAID DESCRIBED LINE.

**PARCEL "A":**

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON, LYING WESTERLY OF STATE ROAD NO. 1, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;  
THENCE SOUTH 88°03'31" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 490.0 FEET;  
THENCE SOUTH 03°05'31" WEST A DISTANCE OF 160.03 FEET;  
THENCE SOUTH 88°10'16" EAST A DISTANCE OF 196.56 FEET TO A POINT ON THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (STATE ROAD NO. 1);  
THENCE ALONG SAID WESTERLY MARGIN SOUTH 20°43'16" WEST A DISTANCE OF 134.70 FEET TO THE NORTH LINE OF THE SOUTH 375.00 FEET, AS MEASURED ALONG THE WEST LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28;  
THENCE NORTH 88°10'16" WEST ALONG THE NORTH LINE OF SAID SOUTH 375.00 FEET A DISTANCE OF 636.78 FEET TO THE WEST LINE OF SAID SOUTH HALF;  
THENCE NORTH ALONG SAID WEST LINE 288.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PARCEL No. 282204-9209**

THAT PORTION OF LOT "B", CITY OF DES MOINES BOUNDARY LINE ADJUSTMENT No. LLA 97-066, RECORDED UNDER RECORDING NUMBER 9711249013, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON;  
THENCE SOUTH 88°03'36" EAST, ALONG THE NORTH LINE THEREOF, A DISTANCE OF 490.00 FEET;  
THENCE SOUTH 03°05'26" WEST A DISTANCE OF 287.59 FEET TO THE NORTH LINE OF THE HEREIN-BEFORE DESCRIBED LOT "B" AND THE POINT OF BEGINNING;  
THENCE SOUTH 20°43'25" WEST, PARALLEL WITH THE WESTERLY MARGIN OF PACIFIC HIGHWAY SOUTH (FORMERLY STATE ROAD No. 1), A DISTANCE OF 306.52 FEET TO THE MOST NORTHERLY SOUTH LINE OF SAID LOT "B" AND THE TERMINUS OF SAID DESCRIBED LINE.

