

20041130002948

ORDINANCE 3970

AN ORDINANCE OF THE CITY OF KIRKLAND APPROVING A DEVELOPMENT AGREEMENT WITH EVERGREEN SUN ENTERPRISES, INC., FOR THE REAL PROPERTY OWNED BY EVERGREEN SUN IN TOTEM CENTER.

WHEREAS, pursuant to RCW 36.70B.170-210, the City of Kirkland and Evergreen Sun Enterprises, Inc. have negotiated a Development Agreement relating to the redevelopment of approximately 5.58 acres of real property owned by Evergreen Sun Enterprises, Inc. in Totem Center (located west of 120th Avenue NE and north of NE 128th Street ("Evergreen Sun property")); and

WHEREAS, in connection with the Development Agreement, the City of Kirkland and Evergreen Sun Enterprises, Inc. have negotiated an agreement for access to the Evergreen Sun property from 119th Avenue NE prior to redevelopment of the Evergreen Sun property; and

WHEREAS, pursuant to published notice and mailed notice to adjacent property owners, the City held a public hearing on the Development Agreement on November 16, 2004 during the regular City Council meeting; and

WHEREAS, the City Council has considered the agreements and the comments presented at the public hearing; now, therefore

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. The City Manager is authorized and directed to execute a Development Agreement with Evergreen Sun Enterprises, Inc., substantially similar to that attached as Exhibit A.

Section 2. The City Manager is authorized and directed to execute a No Barrier Agreement with Evergreen Sun Enterprises, Inc., substantially similar to that attached as Exhibit B.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.107, Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of November, 2004.

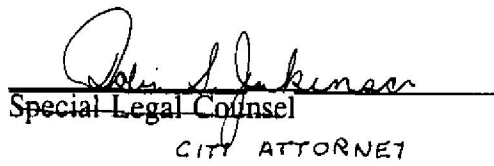
Signed in authentication thereof this 16th day of November,
2004.


MAYOR

Attest:


City Clerk

Approved as to Form:


Special Legal Counsel
CITY ATTORNEY

PUBLICATION SUMMARY OF
ORDINANCE 3970

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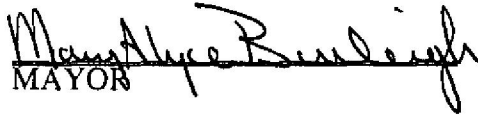
Section 1. Authorizes the City Manager to execute a Development Agreement with Evergreen Sun Enterprises, Inc., substantially similar to that attached as Exhibit A.

Section 2. Authorizes the City Manager execute a No Barrier Agreement with Evergreen Sun Enterprises, Inc., substantially similar to that attached as Exhibit B.

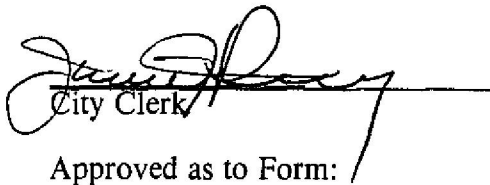
Section 3. Establishes the effective date for the ordinance.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of November, 2004.

Signed in authentication thereof this 16th day of November, 2004.


MAYOR

Attest:


City Clerk

Approved as to Form: /

Special Legal Counsel