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Establish LID: 91-W-55
SE Redmond Storage Tank

ORDINANCE NO. 1705

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT COMMONLY KNOWN AS THE SOUTHEAST REDMOND STORAGE TANK AND RELATED APPURTENANCES; ESTABLISHING LOCAL IMPROVEMENT DISTRICT 91-W-55 AND ORDERING THE CARRYING OUT OF THE PROPOSED IMPROVEMENT; PROVIDING THAT PAYMENT FOR THE IMPROVEMENT BE MADE BY SPECIAL ASSESSMENTS UPON THE PROPERTY IN THE DISTRICT, AND PROVIDING FOR THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT WARRANTS OR OTHER SHORT TERM OBLIGATIONS REDEEMABLE IN CASH AND LOCAL IMPROVEMENT DISTRICT BONDS.

WHEREAS, on August 18, 1992, the City Council passed Resolution No. 906 setting the date, time and place for a public hearing before the Redmond Hearing Examiner in order to consider the formation of a local improvement district to be known as LID 91-W-55 (Southeast Redmond Storage Tank), and

WHEREAS, pursuant to said Resolution, the Hearing Examiner conducted a public hearing on September 9, 1992, at the hour of 9:00 a.m., for the purpose of hearing all persons interested in speaking for or against the improvement and the formation of the LID, and

WHEREAS, after allowing all of those present an opportunity to speak, the Hearing Examiner closed the public hearing and on October 8, 1992, entered his Findings, Conclusions and Recommendation directed to the City Council, and

WHEREAS, several requests for reconsideration of the Hearing Examiner's recommendation were filed within the time period prescribed by the Examiner's rules of procedure; and

WHEREAS, the Hearing Examiner issued an Order denying the requests for reconsideration on October 29, 1992 and forwarded the same to the City Council; and

WHEREAS, the Hearing Examiner has recommended that the LID be formed and that certain boundaries be approved, and

WHEREAS, the City Council has considered the recommendation of the Hearing Examiner and has determined that the same should be followed, now, therefore,

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

Section 1. Improvement Ordered. The City Council of the City of Redmond, Washington, orders construction of the project commonly known as the Southeast Redmond Storage Tank, together with related improvements, as set forth on Exhibit A attached hereto and incorporated herein by this reference as if set forth in full. All of the improvements shall be in accordance with the plans and specifications therefore prepared by the City Engineer, and may be modified by the City Council as long as such modifications do not affect the purposes of the improvement.

Section 2. Creation of District. There is hereby created and established a local improvement district, to be called Local Improvement District 91-W-55 of the City of Redmond, Washington (the District). The boundaries and territorial extent

of the District are more particularly described on Exhibit B, attached hereto and incorporated in full by this reference.

Section 3. Estimated Costs of Improvement - Source of Funding. The total estimated cost and expense of the improvement is declared to be \$5,500,000.00. Of this total project cost, \$500,000.00 will be paid by the City's Water Utility. The remaining cost and expense of the improvement, including all labor and materials required to make a complete improvement, all engineering, surveying, inspection, ascertaining ownership of lots or parcels of land included in the assessment district, and all advertising, mailing and publication of notices, accounting, administrative, printing, legal, interest and other expenses incidental thereto, shall be borne by and assessed against the property specially benefitted by such improvement included in the District embracing as nearly as practicable all property specially benefitted by such improvement.

Section 4. Method of Assessment. In accordance with the provisions of RCW 35.44.047, the City may use any method or combination of methods to compute assessments which may be deemed to fairly reflect the special benefits to the properties being assessed.

Section 5. Obligations. Local improvement district warrants may be issued in payment of the cost and expense of the improvement herein ordered to be assessed, such warrants to be paid out of the Local Improvement Fund for District No. 91-W-55, hereinafter created and referred to as Local Improvement Fund, and,

until the bonds referred to in this section are issued and delivered to the purchaser thereof, to bear interest from the date thereof at a rate to be established hereafter by the City Finance Director, as issuing officer, and to be redeemed in cash and/or by local improvement district bonds herein authorized to be issued, such interest bearing warrants to be referred to hereafter as "LID Warrants." In the alternative, the City hereafter may provide by ordinance for the issuance of other short term obligations pursuant to Chapter 216, Laws of 1982.

The City is authorized to issue local improvement district bonds for the District which shall bear interest at a rate, and shall be payable on or before a date, to be hereafter fixed by ordinance. The bond shall be issued in exchange for and/or in redemption of any and all LID Warrants issued hereunder or other short term obligations hereafter authorized and not redeemed in cash within twenty days after the expiration of the thirty day period for the cash payment of assessments without interest on the assessment roll for the District. The bond shall be redeemed by the collection of special assessments to be levied and assessed against the property within the District, payable in annual installments, with interest at a rate to be hereafter fixed by the ordinance authorizing issuance and sale of bonds. The exact form, amount, date, interest rate and denominations of such bonds shall be hereafter fixed by ordinance of the City Council. Such bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 6. Bids. In all cases where the work necessary to be done in connection with the making of said improvement is carried out pursuant to contract upon competitive bids, the call for bids shall include a statement that payment for such work will be made in cash warrants drawn upon the Local Improvement Fund.

Section 7. Fund Created. There is created and established in the office of the City Finance Director for the District the Local Improvement Fund for Local Improvement District No. 91-W-55, in to which fund shall be deposited the proceeds from the sale of LID Warrants or other short term obligations drawn against the fund which may be issued and sold by the City and collections pertaining to assessments and against which fund shall be issued cash warrants to the contractor or contractors in payment for the work to be done by them in connection with the improvement, and against which fund cash warrants shall be used in payment for all other items of expense in connection with the improvement.

Section 8. Filing of Title, Diagram and Roll. Within fifteen (15) days of the passage of this ordinance there shall be filed with the City Finance Director the title of the improvement in District No. 91-W-55, a copy of the diagram or print showing the boundaries of the District and the preliminary assessment roll or abstract of such roll showing thereon the lots, tracts and parcels of land that will be specially benefitted thereby and the estimated cost and expense of such improvement to be born by each lot, tract or parcel of land. The City Finance Director shall immediately post the proposed assessment roll upon her index of local

improvement district assessments against the properties affected by the local improvement.

Section 9. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication.

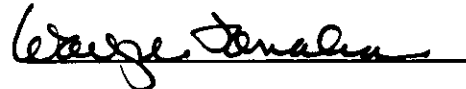
CITY OF REDMOND


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	November 24, 1992
PASSED BY THE CITY COUNCIL:	December 1, 1992
SIGNED BY THE MAYOR:PRO TEM:	December 1, 1992
PUBLISHED: IN FULL	December 6, 1992
EFFECTIVE DATE:	December 11, 1992
ORDINANCE NO. <u>1705</u>	

EXHIBIT "A"

PROJECT DESCRIPTION - NATURE AND TERRITORIAL EXTENT OF IMPROVEMENT

S.E. Redmond Storage Tank

In order to insure adequate domestic and fire flows for existing and new development in southeast Redmond, two water system studies determined that a storage tank system is needed.

The proposed Local Improvement District (LID) would finance the construction of a 5.1 million gallon steel water tank which is approximately 107 feet in diameter and 80 feet in height. In order to construct, maintain, and operate the tank, the following items are also included in the LID improvements.

- * Property Acquisition - Acquire site located on the southeastern boundary of the City of Redmond, adjacent to N.E. 65th Street and between 185th Ave. N.E. and 187th Ave. N.E.
- * Decorative paint scheme on outside of tank
- * Landscaping, irrigation and fencing of the tank site
- * Paving of maintenance area on the tank site
- * Stormwater detention for the tank site and connection to the City's stormwater system
- * Underground vault with valves and controls
- * Piping from existing system in N.E. 65th Street along street to tank site adjacent to N.E. 65th and from there into tank, and possible replacement of a portion of existing water main in N.E. 65th east of 187th Ave. N.E.
- * Telemetry to City Maintenance and Operations Center
- * Reconstruction and improvements to N.E. 65th Street to provide access to tank site
- * Necessary utility improvements and connections
- * Other improvements as deemed necessary by the City Engineer in order to make a complete and functional storage tank serving the water needs of the southeast Redmond area.
- * Purchase existing S.E. Redmond Pump Station facility.
- * Purchase developer installed pipeline.

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EXHIBIT 'B'

S.E. Redmond Reservoir L.I.D. Boundary

An area of land lying within King County, Washington, encompassing portions of the southeast quarter of Section 1, the East half of Section 12, Township 25 North, Range 5 East, Willamette Meridian, and the South half Section 6, Section 7, and the North half Section 18, Township 25 North, Range 6 East, Willamette Meridian. Said area of land being more particularly described as follows:

Commencing at a point on the North line of Section 7, Township 25 North, Range 6 East, Willamette Meridian, which bears North 88°53'21" West, 1153.93 feet, from the northeast corner of said Section 7; thence South 40°32'21" East, 37.56 feet, to the southwest corner of a parcel of land described under Auditor's file number 8405231128 records of King County, and the **True Point of Beginning**; thence South 40°32'21" East, 129.64 feet; thence South 16°52'18" East, 685.22 feet; thence South 5°50'36" East, 169.82 feet; thence South 00°41'36" East, 394.41 feet, to a point on the North line of the West half of the North half of the North half of the southeast quarter of the northeast quarter of said Section 7; thence East to the northeast corner of said section subdivision; thence South to the southeast corner of said section subdivision; thence East along the South line of the East half of the North half of the North half of the southeast quarter of the northeast quarter of said Section 7, to a point 30.00 feet West of the East line of said Section 7; thence South parallel to and 30.00 feet West of said East line, to a point on the North line of the South 132.00 feet of the East 330.00 feet of the southeast quarter of the northeast quarter of said Section 7; thence West to the northwest corner of said section subdivision; thence South to the southwest corner of said section subdivision; thence East to a point being 30.00 feet West of the East line of said Section 7; thence South parallel to and 30.00 feet West of said East line, to a point on the North line of the North half of the southeast quarter of the southeast quarter of said Section 7; thence West to the northwest corner of said section subdivision; thence South to the southwest corner of the southeast quarter of the southeast quarter of said Section 7, said corner being common to the northwest corner of the northeast quarter of the northeast quarter of Section 18, Township 25 North, Range 6 East, Willamette Meridian; said point being the northeast corner of Lot 1 of King County Short Plat No. 674167, as recorded under King County Auditor's Number 7505120476; thence South along the East line of said short plat, 680.00 feet more or less, to the corner of Lot 2 of said short plat; thence West along the South line of said Lot 2, 547.81 feet more or less, to the corner of said Lot 2; thence South along the East line of said Lot 2, 472.02 feet more or less, to the northerly right-of-way line of State Highway Number 202; thence westerly along the said northerly right-of-way line to the southwest corner of Lot 2 of the above-described short plat; thence southwesterly to the intersection point of the southerly right-of-way line of State Highway Number 202 and the westerly right-of-way line of 187th Avenue N.E., said point being the most easterly corner of a parcel of land described under Auditor's deed number 8904180835, records of said King County; thence in a southwesterly direction along said westerly right-of-way line of 187th Avenue N.E. to the northeasterly right-of-way line of Sammamish Parkway; thence northwesterly along said northeasterly right-of-way line to a point on the East projection of the South line of a parcel of land described under Auditor's file number 8709240985, records of said King County, said South line being

the South line of the North 222.00 feet of the northwest quarter of the northwest quarter of said Section 18; thence West along the said South line of said parcel of land to the corner; thence South along the East line of said parcel to the southeast corner; thence West along the South line of said parcel to the southwest corner of said parcel; thence North along the West line of said parcel to the Section corner common to Sections 7 and 18, Township 25 North, Range 6 East, W.M., and Sections 12 and 13, Township 25 North, Range 5 East, W.M.; thence North along the East line of said Section 12 to the southeast corner of Lot 1 of Oakridge Park, as recorded under Volume 133, page 35-38, of plats, records of said King County, said point being the southeast corner of the North half of the southeast quarter of the southeast quarter of said Section 12; thence West along the South line of said North half of the southeast quarter of the southeast quarter to the southwest corner of said Section subdivision; thence North along the West line of said section subdivision to the South line of the northwest quarter of the southeast quarter; thence West along the south line of said section subdivision to the southeast corner of Lot 21, Marymoor Business Campus, as recorded under volume 117, pages 25-29 of plats, records of said King County; thence North 250.00 feet to a corner of said Lot 21; thence East, 400.00 feet, to a corner of said Lot 21, said corner being on the westerly right-of-way line of 176th Avenue NE; thence northerly along the said westerly right-of-way line to the northeast corner of Lot 11, of said Marymoor Business Campus; thence West along the North line of said Marymoor Business Campus to the northeast corner of Lot 16, of said Marymoor Business Campus; thence North, 20.00 feet more or less; to the southeast corner of a parcel of land, described under Auditors file number 9102060975, records of said King County; thence West along the South line of said parcel of land to the southwest corner; thence North along the West line of said parcel to the northwest corner; thence northeasterly along the North line of said parcel to the northeast corner, said northeast corner lying on the southerly right-of-way line of N.E. 70th Street; thence easterly along the said southerly right-of-way line to the intersection with the westerly right-of-way line of State Route 202; thence northwesterly along the said westerly right-of-way line of State Route 202 to the intersection with the easterly right-of-way line of State Route 520; thence northerly to the intersection point of the easterly right-of-way line of State Route No. 520 and the northerly right-of-line line of State Route No. 202; thence northerly along said easterly right-of-way line of State Route No. 520, and easterly along the southerly right-of-way line of N.E. Union Hill Road to the intersection with the southerly projection of the west line of the parcel of land described under Auditor's file number 8411080783, record of said King County, thence northerly to the southwest corner of said parcel, being located on the northerly right-of-way line of N.E. Union Hill Road; thence along the west line to the northwest corner of said parcel thence North $38^{\circ}48'05''$ East to the southerly corner of a parcel of land deeded to Keller and described under volume 1679, page 294, records of said King County; thence continuing along the southeasterly line of said Keller parcel North $38^{\circ}48'05''$ East, extending on the projection of said southeasterly line 519.95 feet; thence South $47^{\circ}52'$ East, 260.00 feet, more or less to the West line of the East 30.00 feet of the southeast quarter of the southeast quarter of said Section 1; thence North to the northwest

corner of the said East 30.00 feet of the southeast quarter of the southeast quarter of Section 1; thence East 30.00 feet to the northeast corner of said section subdivision, said point being common to Section 1, Township 25 North, Range 5 East, W.M. and Section 6, Township 25 North, Range 6 East, W.M.; thence North along the West line of said Section 6 to the northwest corner of the southwest quarter of said Section 6; thence East along the North line of said southwest quarter to the northeast corner of said southwest quarter; thence continuing East along the North line of the southeast quarter of said Section 6 to the northeast corner of the East half of the West half of the northwest quarter of the southeast quarter of said Section 6; thence South along the East line of said section subdivision to the intersection with Evans Creek; thence southeasterly along said creek to the West line of the East half of the East half of the northwest quarter of the southeast quarter of said Section 6; thence North to the *northwest corner of the East half of the East half of the northwest quarter of the southeast quarter of said Section 6*; thence East to the northeast corner of said section subdivision; thence South along the East line of said section subdivision to the northwest corner of the northwest quarter of the southeast quarter of the southeast quarter of said section; thence East to the northeast corner of said section subdivision; thence South to the southeast corner of the said northwest quarter of the southeast quarter of the southeast quarter of said Section 6; thence continuing South along the East line of the southwest quarter of the southeast quarter of the southeast quarter of said Section 6 to the northwest corner of a parcel of land as described under Auditor's file number 7412310336, records of said King County, said northwest corner being a point 165.00 feet South of the North line of the southwest quarter of the southeast quarter of the southeast quarter of the southeast of said Section 6; thence East to the northeast corner of said parcel of land described under Auditor's file number 7412310336 records of said King County; thence southerly along the easterly line of said parcel to the southeast corner of said parcel; thence South along Evans Creek to the southerly right-of-way line of N.E. Union Hill Road; thence West along the said southerly right-of-way of N.E. Union Hill Road to the northeast corner of a parcel of land described under Auditor's file number 8406040030, records of said King County; thence southerly along the easterly line of said parcel of land to the southeast corner of said parcel of land, said corner being common to the northeast corner of a parcel of land as described under Auditor's file number 840531128, records of said King County; thence southerly along the easterly line of said parcel described under Auditor's file number 840531128 to the southeast corner; thence West along the South line of said parcel to the southwest corner and the **Point of Beginning**.

nt/15/larryk2



4/10/07