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/jeh  
12/31/92

Establish LID 92-WS-56  
Avondale Water/Sewer Ext.

ORDINANCE NO. 1719

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT COMMONLY KNOWN AS THE AVONDALE ROAD WATER AND SEWER EXTENSION AND RELATED APPURTENANCES; ESTABLISHING LOCAL IMPROVEMENT DISTRICT 92-WS-56 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.

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WHEREAS, on November 17, 1992, the City Council passed Resolution No. 914 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 92-WS-56 (Avondale Road Water and Sewer Extension), and

WHEREAS, pursuant to said Resolution, the Hearing Examiner conducted a public hearing on December 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 subsequently entered his Findings, Conclusions and Recommendation directed 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 Avondale Road Water and Sewer Extension, 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 92-WS-56 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 \$1.575 million. The entire 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. 92-WS-56, 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.

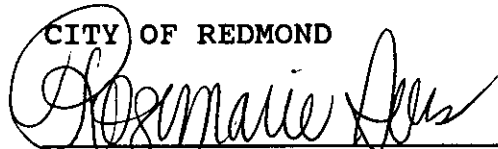
Section 6. Bids. In all cases where the work necessary to be done in connection with the making of said improvement is carried out pursuant to contract upon competitive bids, the call for bids shall include a statement that payment for such work will be made in checks or cash warrants drawn upon the 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. 92-WS-56, 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 or checks 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 or checks 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. 92-WS-56, 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.

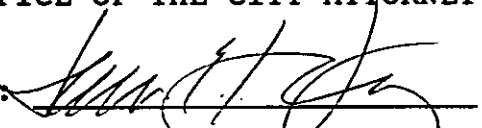
Section 9. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication.

CITY OF REDMOND  
  
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
CITY CLERK, DORIS SCHAUBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	January 28, 1993
PASSED BY THE CITY COUNCIL:	February 2, 1993
SIGNED BY THE MAYOR:	February 2, 1993
PUBLISHED:	February 7, 1993
EFFECTIVE DATE:	February 12, 1993
ORDINANCE NO. <u>1719</u>	

EXHIBIT A

PROJECT DESCRIPTION - NATURE AND TERRITORIAL EXTENT OF IMPROVEMENT

Avondale Sewer and Water Extension

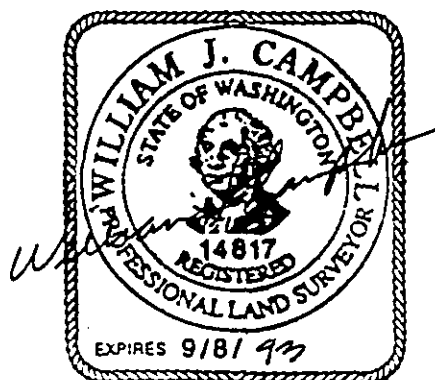
The proposed Local Improvement District would finance the installation of water and sanitary sewer service north of the City limits along Avondale N.E. and N.E. 116th St. More specifically, the LID improvements would include:

- o The installation of approximately 2200 lineal feet of water main and approximately 2,000 lineal feet of sanitary sewer main extending from the north City limits along Avondale Road.
- o The installation of approximately 2,000 lineal feet of water main and 1,900 lineal feet of sanitary sewer main along N.E. 116th Street from its intersection with Avondale Road.
- o Water and sanitary sewer service extensions to each parcel within the boundaries of the LID abutting Avondale Road and N.E. 116th Street.
- o Other improvements necessary to make the water and sewer mains and the construction thereof meet City standards, and the conditions of any franchise granted by the County, such as roadway restoration, etc.
- o Purchase of a developer installed sewer and water mains which are subject to a reimbursement agreement authorized by the City under Chapter 35.91 of the Revised Code of Washington and which the improvements constructed by the LID will connect into, or make use of.

EXHIBIT "B"

LEGAL DESCRIPTION FOR LID 92-WS-56

BEGINNING AT THE SOUTH WEST CORNER OF SECTION 30, TOWNSHIP 26 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN, CITY OF REDMOND, COUNTY OF KING, STATE OF WASHINGTON;  
THENCE NORTHERLY ALONG THE WEST LINE OF SAID SECTION 30, TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 30;  
THENCE EASTERLY ALONG THE SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30;  
THENCE EASTERLY ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 30 , TO THE EAST MARGIN OF AVONDALE ROAD NE;  
THENCE SOUTHWESTERLY ALONG THE SAID EASTERLY MARGIN OF AVONDALE, TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST;  
THENCE ALONG THE ARC OF SAID CURVE BEING ON THE SAID EASTERLY MARGIN OF AVONDALE, TO THE NORTHERLY BOUNDARY OF TAX ACCOUNT PARCEL 727310-0080;  
THENCE NORTHEASTERLY ALONG THE NORTHERLY LINE OF SAID TAX ACCOUNT PARCEL 727310-0080, TO BEAR CREEK WHICH IS THE EASTERLY BOUNDARY OF SAID TAX PARCEL;  
THENCE SOUTHEASTERLY ALONG SAID BEAR CREEK, TO THE NORTH MARGIN OF NE 116TH STREET;  
THENCE EASTERLY ALONG THE SAID NORTH MARGIN OF NE 116TH STREET, TO THE CENTER 1/4 SECTION LINE OF SAID SECTION 30;  
THENCE SOUTHERLY ALONG THE CENTER 1/4 SECTION LINE , TO THE SOUTH 1/4 CORNER OF TO SAID SECTION 30 ALSO KNOW AS THE NORTH 1/4 CORNER OF SECTION 31, TOWNSHIP 26 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN, CITY OF REDMOND, COUNTY OF KING, STATE OF WASHINGTON;  
THENCE SOUTHERLY ALONG THE CENTER 1/4 SECTION LINE OF SAID SECTION 31, TO THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31;  
THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TO THE EAST LINE OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SECTION 31;  
THENCE CONTINUING WESTERLY ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TO THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 31;  
THENCE NORTHERLY ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 26 NORTH, RANGE 06 EAST, WILLAMETTE MERIDIAN, TO THE POINT OF BEGINNING;



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