

**ORDINANCE NO. 1941**

**ORIGINAL**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, APPROVING AND CONFIRMING THE FINAL ASSESSMENTS AND ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 92-WS-56, WHICH HAS BEEN CREATED AND ESTABLISHED FOR THE PURPOSE OF INSTALLING WATER AND SEWER EXTENSIONS IN AVONDALE ROAD FROM N.E. 108TH STREET TO N.E. 116TH STREET AND IN N.E. 116TH STREET FROM AVONDALE ROAD TO A POINT APPROXIMATELY 1700 FEET WEST AND 200 FEET EAST OF AVONDALE ROAD, TOGETHER WITH RELATED IMPROVEMENTS SPECIFICALLY DESCRIBED IN ORDINANCE NO. 1719, AND LEVYING AND ASSESSING THE COST THEREOF AGAINST THE SEVERAL LOTS, TRACTS AND PARCELS OF LAND SHOWN ON SAID ROLL, AND INCLUDING WITHIN CERTAIN OF SAID ASSESSMENTS, SEPARATELY ITEMIZED, AMOUNTS PROVIDED IN OR COMPUTED FROM UTILITY REIMBURSEMENT CONTRACTS AS BEING DUE FROM CERTAIN OF SAID PARCELS.

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WHEREAS, the assessment roll levying the special assessments against the properties located in Local Improvement District No. 92-WS-56 in the City of Redmond, Washington created under Ordinance No. 1719, was filed with the City Clerk of the City of Redmond as provided by law, and

WHEREAS, notice of the time and place of a public hearing upon said roll and of making objections and protests to said roll was duly mailed and published at the times and in the manner provided by law, fixing the time and place of hearing thereon for the 21st day of January, 1997, at the hour of 9:30 a.m. in the City Council Chambers of the Redmond Public Safety Building, 8701 - 160th Avenue N.E., Redmond, Washington, before the Redmond Hearing Examiner, and

WHEREAS, at the time and place fixed and designated in said notice, the hearing on said assessment roll was held and written and oral protests received were duly considered and all persons appearing at said hearing were heard, and,

WHEREAS, after completion of the hearing, the Hearing Examiner forwarded her recommendation and the rationale therefore to the City Council and the Council considered the same and determined to approve the final assessments and assessment roll as provided in this ordinance, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
HEREBY ORDAINS AS FOLLOWS:

Section 1. Adoption of Hearing Examiner's Findings, Conclusions and Recommendation. The City Council hereby adopts the Findings, Conclusions and Recommendation of the Hearing Examiner dated May 1, 1997, as the City Council's rationale in support of this ordinance.

Section 2. Confirmation and Approval of Roll. The assessments and assessment roll of Local Improvement District No. 92-WS-56, which has been created and established for the purpose of installing water and sewer extensions in Avondale Road from N.E. 108th Street to N.E. 116th Street and in N.E. 116th Street from Avondale Road to a point approximately 1700 feet west and 200 feet east of Avondale Road, together with related improvements specifically described in Ordinance No. 1719, are hereby in all respects approved and confirmed. Included in such assessments, separately itemized, are sums equal to the amounts provided in or computed from utility reimbursement contracts entered into with respect to utility improvements which have been connected into and made use of by the LID improvements, pursuant to RCW 35.91.050. A copy of the assessment roll is attached to this ordinance as Exhibit A and incorporated herein by this reference as if set forth in full.

Section 3. Special Benefits, Proportionality and Assessments. The special benefit assessment method utilized to produce the roll as recommended by the Hearing Examiner more fairly reflects the special benefit to each lot, tract, parcel of land, and other

property shown on the roll than would the zone and termini method. Each of the lots, tracts, parcels of land, and other property shown on said roll is hereby determined and declared to be specially benefited by said improvement in at least the amount charged against the same for the LID improvements. The assessment appearing on the roll with respect to the LID improvements is found to be in proportion to the several assessments appearing on the said roll. There is hereby levied and assessed against each lot, tract, parcel of land and other property appearing upon said roll the amount for the LID improvements finally charged against the same thereon. In addition, the amounts set forth for the utility reimbursement agreements listed on said roll are found to represent sums equal to that amount provided in or computed from each such utility reimbursement agreement for the parcel against which the said amount is levied, as provided in RCW 35.91.050.

Section 4. Collection of Assessments. The assessment roll as approved and confirmed shall be filed with the Finance Director of the City of Redmond, Washington, for collection and said Finance Director is hereby authorized and directed to publish notice as required by law stating that the said roll is in her hands for collection and that payment of any assessment thereon of any portion thereof may be paid at any time within thirty (30) days from the date of the first publication of the notice that the assessment roll has been placed in her hands for collection without penalty, interest or costs, and thereafter the sum remaining unpaid, if any, may be paid in ten (10) equal annual installments with interest on the whole unpaid sum at a rate to be established by ordinance which shall not be greater than one half of one percent in excess of the net effective interest rate fixed on the local improvement bonds hereafter issued for Local Improvement District No. 92-WS-56. Any installment not paid prior to the annual anniversary of said thirty (30) day period shall be deemed delinquent. All delinquent installments shall be subject to a charge for interest at the above established rate per annum and an additional charge of fifteen percent (15%) penalty levied upon the principal due upon such installments will be enforced in the manner provided by law.


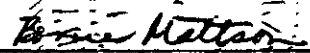
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance, being the exercise of a power specifically delegated to the legislative body of the City pursuant to RCW 35.44.080, shall take effect and be in full force five (5) days after publication as required by law.

APPROVED:

  
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MAYOR, ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
  
\_\_\_\_\_  
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

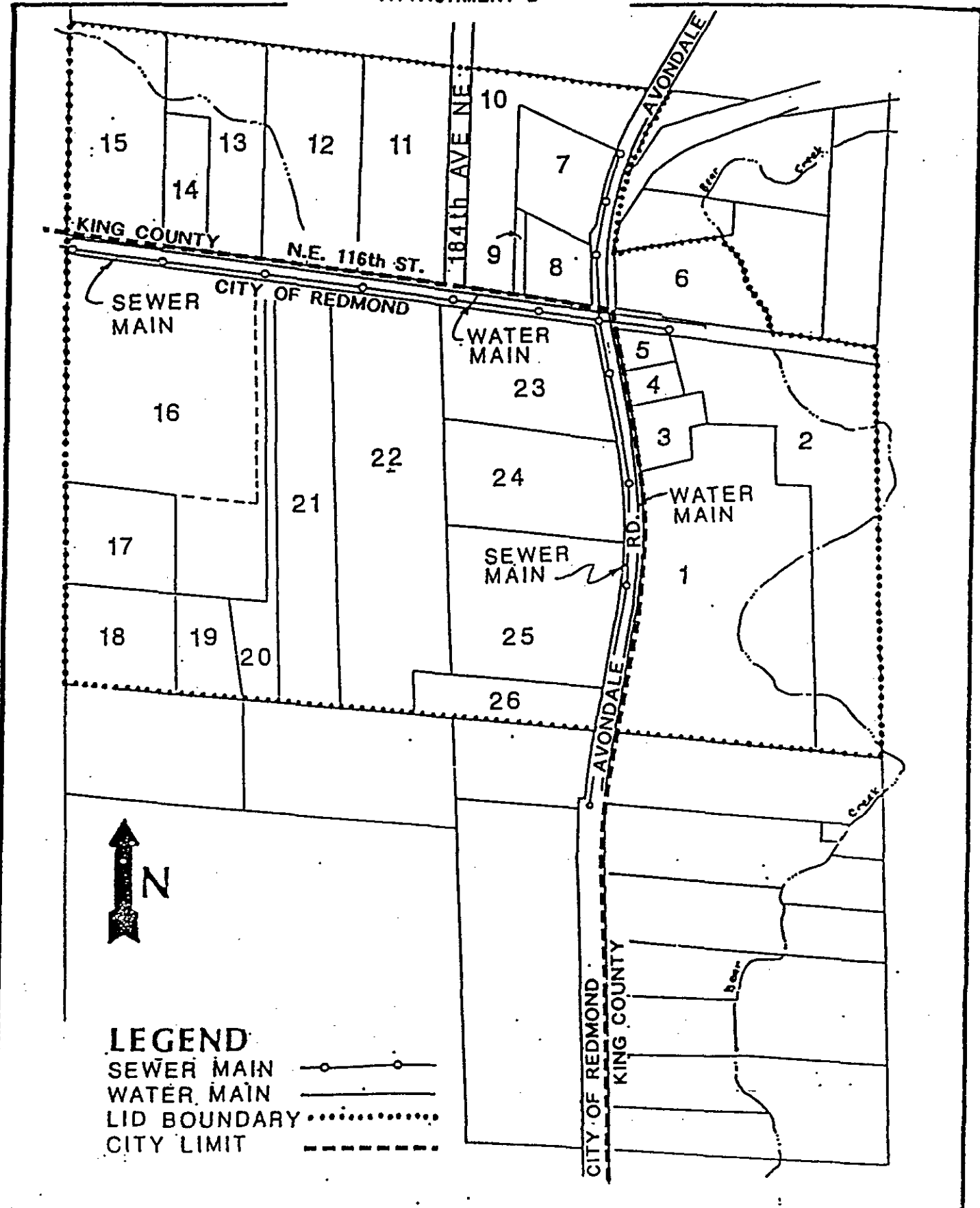
By:   
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FILED WITH THE CITY CLERK:	June 6, 1997
PASSED BY THE CITY COUNCIL:	June 17, 1997
PUBLISHED:	June 21, 1997
EFFECTIVE DATE:	June 28, 1997
ORDINANCE NO. <u>1941</u>	

**EXHIBIT A**  
Ordinance No. 1941  
CITY OF REDMOND  
AVONDALE WATER/SEWER LID No. 92-WS-56  
FINAL LID ROLL

Map No.	Ownership	Tax. Acct. #	Special Benefit	LID Assessment	Essex Park		Total Amount per Parcel
					Latecomer Contract Payoff Share	(2)	
1	Bemis Family Lmt'd. Partnership	312606-9106-01	\$315,000.00	\$315,000.00	\$10,987.61		\$325,987.61
2A	Dean, Scott	312606-9006-02	\$5,000.00	\$5,000.00	\$0.00	(4)	\$5,000.00
2B	Dean, Scott	312606-9155-01	\$7,500.00	\$7,500.00	\$0.00	(4)	\$7,500.00
2C	Dean, Scott	312606-9056-00	\$10,000.00	\$10,000.00	\$0.00	(4)	\$10,000.00
2D	Dean, Scott	312606-9157-09	\$0.00	\$0.00	\$0.00	(4)	\$0.00
3	Redmond Eagles Aerie #3324	312606-9104-03	\$9,400.00	\$9,400.00	\$0.00	(3)	\$9,400.00
4	Agcaoli, Marcelino	312606-9103-04	\$5,310.00	\$5,310.00	\$0.00	(3)	\$5,310.00
5	Texaco Refining & Marketing, Inc.	312606-9086-09	\$4,990.00	\$4,990.00	\$0.00	(3)	\$4,990.00
6	McCoy, Christine A.	727310-0080-06	\$15,000.00	\$15,000.00	\$182.55		\$15,182.55
7	King County Housing Authority	727310-0101-01	\$107,500.00	\$0.00	\$0.00	(3)	\$0.00
8	Redmond Eagles Aerie #3324	727310-0102-00	\$30,000.00	\$30,000.00	\$834.50		\$30,834.50
9	Merged into Parcel 8			\$0.00	\$0.00		\$0.00
10	Redmond Eagles Aerie #3324	727310-0100-02	\$233,000.00	\$233,000.00	\$2,781.67		\$235,781.67
11	Fern Leone Burhoop Living Trust	727310-0160-09	\$15,000.00	\$15,000.00	\$730.19		\$15,730.19
12	Walker, Kathleen	727310-0165-04	\$15,000.00	\$15,000.00	\$730.19		\$15,730.19
13	Halpin, Gary A.	727310-0170-07	\$15,000.00	\$15,000.00	\$547.64		\$15,547.64
14	Bergevin, Scott E.	727310-0171-08	\$5,000.00	\$5,000.00	\$182.55		\$5,182.55
15	Anderson, C.A.	727310-0175-02	\$5,000.00	\$5,000.00	\$730.19		\$5,730.19
16	Lake Wa. Sch. Dist. #414	312606-9130-01	\$295,000.00	\$295,000.00	\$0.00	(3)	\$295,000.00
17	Dulong, Arthur	312606-9131-00	\$5,000.00	\$5,000.00	\$1,947.17		\$6,947.17
18	Wyatt, Richard A.	312606-9132-09	\$5,000.00	\$5,000.00	\$1,947.17		\$6,947.17
19	Hudy, Stephen C.	312606-9100-07	\$5,000.00	\$5,000.00	\$1,669.00		\$6,669.00
20	Eiskamp, Peter and Kathy	312606-9149-00	\$5,000.00	\$5,000.00	\$695.42		\$5,695.42
21	Avondale Land Assoc. L.P.	312606-9007-01	\$461,250.00	\$461,250.00	\$9,179.52		\$470,429.52
22	Avondale Land Assoc. L.P.	312606-9097-02	\$461,250.00	\$461,250.00	\$15,716.45		\$476,966.45
23	Unocal	312606-9005-03	\$103,237.00	\$103,237.00	\$7,041.11		\$110,278.11
24	Cornerstone Investment	312606-9093-06	\$97,226.00	\$97,226.00	\$6,676.02		\$103,902.02
25	Avondale Land Assoc. L.P.	312606-9096-03	\$67,500.00	\$67,500.00	\$8,762.27		\$76,262.27
26	Avondale Land Assoc. L.P.	312606-9028-06	\$0.00	\$0.00	\$3,059.84		\$3,059.84
<b>TOTALS</b>			\$2,303,163.00	\$2,195,663.00	\$74,401.06		\$2,270,064.06

(1) The King County Housing Authority is exempt from special assessments as per RCW 35.82.210.  
 (2) These reimbursement amounts are combined with the LID assessments to conform with RCW 35.91.050.  
 (3) The Latecomers Agreement Assessment against this property has been previously paid.  
 (4) These parcels lie outside the reimbursement area.



LID BOUNDARY MAP  
LID 92-WS-56