

ORDINANCE NO. 1130

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT OF CERTAIN STREETS WITHIN THE CITY, ALL IN ACCORDANCE WITH RESOLUTION NO. 644 OF THE CITY COUNCIL; ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 83-ST-46 AND ORDERING THE CARRYING OUT OF THE PROPOSED IMPROVEMENT; PROVIDING THAT PAYMENT FOR THE IMPROVEMENT BY MADE BY SPECIAL ASSESSMENTS UPON THE PROPERTY IN THE DISTRICT, PAYABLE BY THE MODE OF "PAYMENT BY BONDS"; AND PROVIDING FOR THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT WARRANTS REDEEMABLE IN CASH AND LOCAL IMPROVEMENT DISTRICT BONDS.

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WHEREAS, by Resolution of Intention No. 644, adopted on April 19, 1983, the City Council of the City of Redmond, Washington, declared its intention to order the improvement of certain streets within the City, and fixed June 7, 1983 at 8:00 PM, local time, in the Council Chambers of the City Hall as the time and place for hearing all matters relating to the proposed improvement and all objections thereto and for determining the method of payment for the improvement, and

WHEREAS, the City Engineer caused an estimate to be made of the cost and expense of the proposed improvement and certified that estimate to the City Council, together with all papers and information in his possession touching the proposed improvement, a description of the boundaries of the proposed Local Improvement District (the "District"), a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed District, a statement in detail of the local improvement assessments outstanding or unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvements in the proposed District, according to the valuation last placed upon it for the purpose of general taxation, and

WHEREAS, that estimate is accompanied by a diagram of the proposed improvement showing thereon the lots, tracts, parcels of land, and other property which will be specially

benefited by the proposed improvement and the estimated cost and expense thereof to be borne by each lot, tract and parcel of land or other property, and

WHEREAS, due notice of the above hearing was given in the manner provided by law, and the hearing was held by the City Council on the date and at the time above mentioned, and all objections to the proposed improvement were duly considered and overruled by the City Council, and all persons appearing at such hearing and wishing to be heard were heard, and

WHEREAS, the City Council has determined it to be in the best interests of the City that the improvement as hereinafter described be carried out and that the District be created in connection therewith, now, therefore,

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

Section 1. The City Council of the City of Redmond, Washington, orders the improvement of the following described streets and avenues within the City of Redmond, Washington:

154th Avenue N.E. extending from its intersection with N.E. 90th Street to the southerly margin of N.E. 85th Street; and

N.E. 85th Street Bridge and Approaches extending from the westerly margin of the intersection of 154th Avenue N.E. and N.E. 85th Street easterly across the Sammamish River to the easterly margin of 158th Avenue N.E.

by constructing a bridge across the Sammamish River, constructing standard curbs, gutters and sidewalks, driveways across sidewalks, paving the streets with asphalt concrete paving, installing a storm drain system, sanitary sewer mains and water mains, traffic channelization, retaining walls, landscaping, street illumination, underground power and communications, together with all necessary appurtenances and

related work necessary to make a complete improvement in accordance with applicable city standards and acquisition of required right-of-way and easements, provided that these improvements shall not be carried out unless funding is obtained from the Economic Development Administration in an amount not less than one million dollars.

All of the foregoing shall be in accordance with the plans and specifications therefor prepared by the City Engineer, and may be modified by the City Council as long as such modification does not affect the purpose of the improvement.

Section 2. There is created and established a local improvement district, to be called Local Improvement District No. 83-ST-46 of the City of Redmond, Washington (the "District"), the boundaries of territorial extent of which District being more particularly described in Exhibit A, a copy of which is attached hereto and incorporated in full by this reference.

Section 3. The total estimated cost and expense of the improvement is declared to be \$3,200,000.00. 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 the 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 benefited by such improvement included in the District embracing as nearly as practicable all property specially benefited by such improvement.

Section 4. 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. Local improvement district warrants may be issued in payment the cost and expense of the improvement herein ordered to be assessed, such warrants to be paid out of the Local Improvement Fund, District No. 83-ST-46, hereinafter created and referred to as the 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 Treasurer/Comptroller, 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 revenue 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 to be payable on or before a date to be hereafter fixed by ordinance. The bonds shall be issued in exchange for and/or in redemption of any and all revenue 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 bonds 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 ordinance under the mode of payment by bonds, as defined by law and the

ordinances of the City. 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.

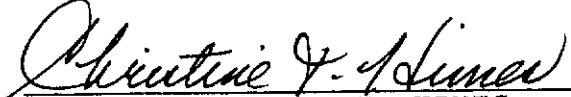
Section 6. In all cases where the work necessary to be done in connection with the making of said improvement is carried out pursuant to contract upon competitive bids, the call for bids shall include a statement that payment for such work will be made in cash warrants drawn upon the Local Improvement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

Section 7. There is created and established in the office of the City Treasurer/Comptroller for the District the Local Improvement Fund, into which fund shall be deposited the proceeds from the sale of revenue warrants 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 issued in payment for all other items of expense in connection with the improvement.

Section 8. Within fifteen (15) days of the passage of this ordinance there shall be filed with the City Treasurer/Comptroller the title of the improvement and District number, 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 benefited thereby and the estimated cost and expense of such improvement to be borne by each lot, tract or parcel of land. The City Treasurer/Comptroller shall immediately post the proposed assessment roll upon his index of local improvement assessments against the properties affected by the local improvement.

Section 9. This ordinance shall be in full force and effect five (5) days after its passage and publication as provided by law.

CITY OF REDMOND

  
MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:

  
CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

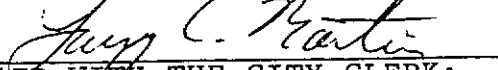
BY   
FILED WITH THE CITY CLERK: June 2, 1983  
PASSED BY THE CITY COUNCIL: June 7, 1983  
SIGNED BY THE MAYOR: June 9, 1983  
POSTED: June 9, 1983  
PUBLISHED: June 15, 1983  
EFFECTIVE DATE: June 20, 1983

EXHIBIT "A"  
LEGAL DESCRIPTION

All that certain land situated in the northeast quarter of Section 3, all of Section 2, and the southeast quarter of Section 3, all in Township 25 North, Range 5 East, W.M. in the City of Redmond, King County, Washington, described as follows:

Beginning at the north quarter corner of Section 3, thence  $S88^{\circ}-46'-20''E$  along the north line of said Section 3 a distance of 2668.84 feet to the northwest corner of Section 2;

Thence  $S88^{\circ}-22'-00''E$  along the north line of Section 2 a distance of 2034.8 feet more or less to the west margin of the Sammamish River Drainage District No. 3;

Thence southeasterly along said line to the south line of Puget Power transmission right of way;

Thence southwesterly along said south right of way line to the north line of Willows Industrial Center as recorded in Vol. 103-2/5;

Thence  $S88^{\circ}-22'-00''E$  a distance of 174.70 feet to the intersection of a line which is 160.07 feet westerly and concentric to the centerline of the Sammamish River;

Thence southeasterly along said line to the easterly extension of N.E. 95th Street which bears  $S88^{\circ}-08'-19''E$ ;

Thence continuing  $S88^{\circ}-08'-19''E$  to the west line of the northeast quarter of Section 2;

Thence  $S88^{\circ}-09'-56''E$  to the westerly right of way margin of Woodinville Redmond Road;

Thence southeasterly along the westerly right of way margin of said Woodinville Redmond Road to the intersection of the west right of way margin of 164th Avenue N.E.

Thence south along the said west right of way margin of 164th Avenue N.E. to the south line of Lot 1, Pacific Plan, Inc. No. 1.

Thence along said southerly line of Pacific Plan Inc. No. 1 to the centerline of 163rd Avenue N.E.;

Thence  $S01^{\circ}-08'-49''W$  a distance of 151.7 feet;

Thence  $N88^{\circ}-10'-56''W$  a distance of 38.73 feet;

Thence  $S01^{\circ}-08'-48''W$  a distance of 160 feet more or less;

Thence  $S88^{\circ}-10'-56''E$  a distance of 60 feet more or less;

Thence  $S01^{\circ}-08'-48''W$  a distance of 249.0 feet;

Thence  $N88^{\circ}-10'-56''W$  a distance of 156.5 feet;

Thence  $S01^{\circ}-08'-48''W$  a distance of 14.21 feet more or less;

Thence  $N88^{\circ}-10'-56''W$  a distance of 543 feet to the east right of way margin of 161st Avenue N.E.,

Thence  $S01^{\circ}-08'-49''W$  along the east right of way margin of 161st Avenue N.E. a distance of 287.17 feet;

Thence  $N88^{\circ}-06'-04''W$  a distance of 538.17 feet to the west right of way margin of 160th Avenue N.E.;

Thence  $N00^{\circ}-33'-56''E$  a distance of 60.49 feet along said west right of way margin of 160th Avenue N.E.;

Thence  $N89^{\circ}-10'-50''W$  a distance of 1024.45 feet;

Thence  $S15^{\circ}-27'-27''W$  a distance of 239.20 feet;

Thence 74.03 feet along the arc of a curve to the left having a radius of 476.53 feet to the south right of way margin of West Lake Sammamish;

Thence northwesterly along the easterly right of way margin of West Lake Sammamish to the centerline extension of 152nd Avenue N.E. which bears  $N00^{\circ}-46'-20''E$ ;

Thence  $N00^{\circ}-46'-20''E$  to a point 40 feet southerly of the centerline intersection of N.E. 85th Street and 152nd Avenue N.E.

Thence  $N88^{\circ}-11'-10''W$  a distance of 30.0 feet;

Thence  $N00^{\circ}-46'-20''E$  a distance of 40.0 feet;

Thence  $N88^{\circ}-11'-10''W$  to the westerly right of way margin of Willows Road N.E.;

Thence  $N33^{\circ}-17'-40''W$  along the westerly right of way margin of Willows Road N.E. to the centerline of a private road which bears  $S54^{\circ}-03'-43''W$ ;

Thence  $S54^{\circ}-03'-43''W$  a distance of 136.01 feet;

Thence 42.18 feet along the arc of a curve to the right having a radius of 186.33 feet;

Thence  $S67^{\circ}-01'-56''W$  a distance of 47.23 feet;

Thence  $N33^{\circ}-19'-18''W$  a distance of 273.17 feet;

Thence  $N88^{\circ}-13'-27''W$  a distance of 496.23 feet;

Thence  $N87^{\circ}-38'-50''W$  a distance of 648.83 feet to the west right of way margin of 148th Avenue N.E.;

Thence  $S00^{\circ}-00'-20''W$  along the west right of way margin of 148th Avenue N.E. to a line which bears  $N87^{\circ}-28'-33''W$ ;

Thence along said line  $N87^{\circ}-28'-33''W$  a distance of 642.22 feet;

Thence  $N00^{\circ}-08'-34''W$  a distance of 767.63 feet;

Thence  $N31^{\circ}-12'-54''W$  a distance of 619.50 feet to the north line of the southeast quarter of Section 3, Township 25 North, Range 5 East W.M.

Thence  $N87^{\circ}-47'-51''W$  a distance of 983.09 feet to the center of said Section 3;

Thence  $N01^{\circ}-19'-15''W$  a distance of 2587.17 feet to the north quarter corner of Section 3, Township 25 North, Range 5 East, W.M. and the point of beginning.