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04/11/84

ORIGINAL

ORDINANCE NO. 1189

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT OF CERTAIN PROPERTY WITHIN THE CITY; ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 84-ST-47 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, PAYABLE BY THE MODE OF "PAYMENT BY BONDS"; 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, a petition has been filed with the City Council, signed by the owners of the property aggregating a majority of the area within the proposed district, setting forth the nature and territorial extent of the proposed improvement, the mode of payment and that a sufficient portion of the area within the proposed district is owned by the petitioners as shown by the records in the office of the Auditor of King County (Office of Records and Elections), petitioning for the construction and installation of street and utility improvements on a portion of N.E. 87th Street from Willows Road to the planned 148th Avenue N.E. extension, together with related improvements more particularly set forth hereinafter, all within the City of Redmond, Washington, and

WHEREAS, the Department of Public Works has determined that the petition is sufficient and that the facts set forth therein are true, 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 improve-

ment 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 percent 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, the City Council has determined it to be in the best interests of the City and of the owners of the property within the local improvement district that said improvement petitioned for, 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:

Construct and install street and utility improvements on a portion of N.E. 87th Street from Willows Road to the planned 148th Avenue N.E. extension, 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 easements.

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. 84-ST-47 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 \$192,000.00. 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. 84-ST-47, 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

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY Jerry C. Martin

FILED WITH THE CITY CLERK:	April 12, 1984
PASSED BY THE CITY COUNCIL:	April 17, 1984
SIGNED BY THE MAYOR:	April 17, 1984
POSTED:	April 19, 1984
PUBLISHED:	April 25, 1984
EFFECTIVE DATE:	April 24, 1984
ORDINANCE NO. <u>1189</u>	

EXHIBIT A
N.E. 87TH STREET
LID 84-ST-47

THAT PORTION OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, AND THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 3, THENCE N 87°-47'-51" W A DISTANCE OF 327.64 FEET TO THE NORTHEAST CORNER OF SS 78-20, RECORDED UNDER RECORDING NO. 7903210834, THENCE ALONG THE EAST LINE OF SAID SHORT SUBDIVISION S 00°-44'-01" W A DISTANCE OF 387.13 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING S 00°-44'-01" W A DISTANCE OF 297.71 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY MARGIN OF N.E. 87TH STREET; THENCE ALONG SAID SOUTH MARGIN N 87°-39'-56" W A DISTANCE OF 181.46 FEET TO THE EAST RIGHT-OF-WAY MARGIN OF 148TH AVENUE N.E. (REC. NO. 8204190198); THENCE ALONG SAID EAST MARGIN S 52°-50'-06" W A DISTANCE OF 34.53 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 760.00 FEET; THENCE SOUTHWESTERLY 216.93 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 160°-21'-16" ; THENCE S 00°-00'-20" W ALONG SAID EAST MARGIN A DISTANCE OF 47.99 FEET; THENCE S 87°-38'-50" E A DISTANCE OF 558.83 FEET; THENCE S 88°-13'-27" E A DISTANCE OF 203.89 FEET; THENCE N 01°-46'-33" E A DISTANCE OF 10.00 FEET; THENCE S 88°-13'-27" E A DISTANCE OF 272.00 FEET; THENCE S 33°-19'-18" E A DISTANCE OF 290.95 FEET; THENCE N 67°-01'-56" E A DISTANCE OF 58.09 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 186.33 FEET; THENCE NORTHEASTERLY 42.18 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°-58'-13" ; THENCE N 54°-03'-43" E A DISTANCE OF 136.01 FEET TO THE WESTERLY RIGHT-OF-WAY MARGIN OF WILLOWS ROAD; THENCE N 33°-19'-18" W ALONG SAID WESTERLY MARGIN A DISTANCE OF 830.60 FEET; THENCE N 87°-47'-51" W A DISTANCE OF 695.24 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS AN AREA OF 629428.35 SQ. FT.

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