

0020.090.035
LCM/crd
4/27/88

Establish
LID 87-ST-51
Bellevue-Redmond Rd.
Improvements

ORDINANCE NO. 1420

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT OF CERTAIN PROPERTY; ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 87-ST-51, AND ORDERING THE CARRYING OUT OF THE PROPOSED IMPROVEMENT; PROVIDING THAT PAYMENT OF THE COSTS OF THE IMPROVEMENT BE MADE BY SPECIAL ASSESSMENTS UPON THE PROPERTY IN THE DISTRICT, PAYABLE THROUGH ISSUANCE OF LID 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 improvement of the Bellevue-Redmond Road between N.E. 24th Street and N.E. 40th Street by constructing and installing street and utility improvements, together with related improvements more specifically described hereinafter, and

WHEREAS, the City Engineer 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"), and a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed District, 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, HEREBY ORDAINS AS FOLLOWS:

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

Bellevue-Redmond Road:

Construct a FORTY (40) to FIFTY-SIX (56) foot wide street, or such greater width as the City Engineer determines is necessary, within a varying width right-of-way beginning at N.E. 24th Street and extending to N.E. 40th Street, a distance of approximately 7,400 feet by grading, surfacing with asphalt concrete paving, storm drainage modifications, traffic channelization and signalization and including the installation of underground power and telephone facilities, the installation of curbs, gutters, sidewalks, street lights and landscaping on selected portions thereof, more specifically described in the Design Memorandum prepared by Entranco Engineers, Inc., including final revisions thereto approved by and on file in the office of the City Engineer, and including acquisition of all required easements and right-of-way, if any are required, together with all related improvements necessary to complete the project in accord with City standards.

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. 87-ST-51 of the City of Redmond, Washington ("the District"), the boundaries and territorial extent of which are more particularly described on 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 \$1,743,000. 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 of 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. 87-ST-51, 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 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 interests 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 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 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 the ordinance authorizing issuance and sale of the 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. 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 Finance Director for the District the Local Improvement Fund, District No. 87-ST-51, into 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 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 Finance Director 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 Finance Director 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, 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.

APPROVED:

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 James E. Haney

FILED WITH THE CITY CLERK: 4-28-88
PASSED BY THE CITY COUNCIL: 5-3-88
PUBLISHED: 5-8-88
EFFECTIVE DATE: 5-13-88
ORDINANCE NO. 1420

EXHIBIT A
LEGAL DESCRIPTION

Commencing at the common corner of Sections 13, 14, 23, and 24, Township 25 North, Range 5 East, W.M.;

Thence Southerly along the line common to said Sections 23 and 24 to the South margin of N.E. 40th. Street;

Thence Easterly along said South margin to the common corner of EVERGREEN EAST OFFICE PARK DIVISION I as recorded in Volume 133 of Plats at pages 90-91, Records of King County, and the Northwest corner of EVERGREEN PARK a Short Plat recorded as SS-84-15 with the City of Redmond, Washington and under Auditor's File No. 8411010503, Records of King County, and the POINT OF BEGINNING:

Thence Southerly along the line common to said Plat and Short Plat to the Northerly boundary of EVERGREEN HIGHLANDS as recorded in volume 133 of Plats at pages 30 through 34;

Thence Easterly along the line common to said EVERGREEN HIGHLANDS and Lot 1 of said Short Plat to the Westerly margin of N.E. BELLEVUE-REDMOND ROAD;

Thence Easterly along the prolongation of said common line to the Southeasterly margin of said N.E. BELLEVUE-REDMOND ROAD;

Thence Southwesterly along said Southeasterly margin of said Road to the intersection of the Westerly boundary of Lot 3 of King County Short Plat No. 878055 recorded under Auditor's File No. 7904251020, records of King County, prolonged through the Southernmost corner of said Short Plat;

Thence Northerly along the Westerly boundary of said Short Plat and its prolongation to the Southerly margin of N.E. 28th. Street;

Thence Westerly along said margin of said 28th. Street and its prolongation to the center of 156th. Avenue N.E.;

Thence Northerly along the centerline of said 156th. Avenue N.E. to the prolongation of the Southerly boundary of the proposed plat of EVERGREEN PLACE REDMOND DIVISION 3;

Thence Easterly along said Southerly boundary and its prolongation to the Westerly boundary of EVERGREEN PLACE REDMOND DIVISION 2 as recorded in volume 129 of Plats at pages 46 through 50;

Thence Northerly along said Westerly boundary of said EVERGREEN PLACE REDMOND DIVISION 2, to the Southerly boundary of

Lot 16 of said Plat;

Thence Easterly along the line common to Lots 16 and 17 of said Plat to the West line of said Section 24;

Thence Northerly along said West line to the to the South Boundary of said EVERGREEN EAST OFFICE PARK DIV. 1;

Thence Westerly along the line common to said EVERGREEN EAST OFFICE PARK DIV.1 and said EVERGREEN PLACE REDMOND DIVISION 2, to the Westerly boundary of Tract B of said EVERGREEN EAST OFFICE PARK DIV.1;

Thence Northerly and Northeasterly along said Westerly boundary of said Tract B to the Southeast corner of Lot 9 of said EVERGREEN EAST OFFICE PARK DIV. 1;

Thence Northerly along the Westerly boundary of said Tract A to the Northwest corner of said Tract A;

Thence Easterly along the North boundary of said Plat to the Southwest corner of Tract C of said Plat;

Thence Northerly along the West boundary of said Tract C to the South margin of said N.E. 40th. Street;

Thence Easterly along said South margin of said N.E. 40th. Street to the POINT OF BEGINNING.