

0020.090.036  
LCM/crd  
07/25/88

**ORIGINAL**

ORDINANCE NO. 1444

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ORDERING THE IMPROVEMENT OF CERTAIN PROPERTY; ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 88-ST-53, 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.

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WHEREAS, a petition has been filed with the City Council, signed by the owners of all of the property within the proposed district, setting forth the nature and territorial extent of the proposed improvement and the mode of payment, petitioning for the improvement of 154th Avenue NE (an extension of West Lake Sammamish Parkway NE, also known as SR 901) by constructing and installing street and utility improvements, more particularly 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 following improvements within the City:

Construct and install street and utility improvements on a portion of 154th Avenue NE lying within lots 2, 3 and 4 of City of Redmond Short Plat No. SS-85-11 as filed under Recording No. 8512260700, Records of King County, Washington. Construction shall consist of a sixty (60) foot wide street from curb-to-curb, extending from the NE 85th Street right-of-way south for a distance of 900 feet, more or less. Construction shall include excavation and replacement of unsuitable roadway material, grading, standard concrete curb and gutters, driveways, paving the streets with asphalt concrete paving, installation of a storm drainage system, sanitary sewers, water mains, street illumination, channelization and signing, and acquisition of required rights-of-way and easements, if any, and other related work necessary to make a complete improvement in accordance with applicable 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. 88-ST-53 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 \$1,172,300. A portion of 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 of 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. 88-ST-53, 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 39.50 RCW.

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 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. 88-ST-53, 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:

*for Sandra L. Mason*  
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY *Ray C. Martin*

FILED WITH THE CITY CLERK: 8-11-88  
PASSED BY THE CITY COUNCIL: 8-16-88  
PUBLISHED: 8-21-88  
EFFECTIVE DATE: 8-26-88  
ORDINANCE NO. 1444

EXHIBIT "A"  
BOUNDARY DESCRIPTION OF  
LID 88-ST-53

The LID boundary encompasses Lots 2, 3, and 4 of  
Redmond Short Plat No. SS-85-11 as filed under recording  
number 8512260700, records of King County, Washington.