

ORDINANCE NO. 325

AN ORDINANCE ordering the improvement of Redmond Way, extending from the Railroad Overpass to 515 feet east of 168th Avenue N.E., in Redmond, Washington, by grading, installing curbs, gutters, sidewalks, storm sewers, and otherwise improving the same, creating a Local Improvement District therefor; providing that payment for said improvement be made by special assessments of property benefited; and providing for the issuance and sale of Local Improvement District warrants and bonds.

WHEREAS, by Resolution No. 131, adopted December 10, 1963, the City Council of the City of Redmond, declared its intention to order the improvement of Redmond Way, extending from the Railroad Overpass to 515 feet east of 168th Avenue N.E., by the construction of grading, curbs, gutters, sidewalks, driveways across sidewalks, storm drainage, and other appurtenances consistent with good street construction, all in accordance with plans and specifications to be submitted by the City Engineer; and for the establishment of an improvement district, the assessment district for which does not extend beyond the termini of the improvement; and did fix the 14th day of January, 1964, in the City Hall, Redmond, Washington, as the time and place for hearing all matters relating to said proposed improvement and all objections thereof; and

WHEREAS, the City Engineer has caused an estimate to be made of the cost and expense of the proposed improvement, and has certified it to the City Council, together with all papers and information in his possession touching the proposed improvement, a description of the boundaries of the district, a statement of the cost and expense of the improvement to be borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, 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, said estimate is accompanied by a detailed copy of the preliminary assessment roll showing thereon the lots, tracts, parcels of land, and other property together with the plans and assessment maps of the proposed improvement; and

WHEREAS, due notice of hearing upon said Resolution No. 131 was given in the manner provided by law and said hearing was held by the City Council on January 14, 1964; and

WHEREAS, the City Council has determined that it is in the best interests of the City and of the owners of property within the Local Improvement District that the said improvement, as hereinafter described, be carried out and that the Local Improvement District be created in connection therewith, NOW, THEREFORE,

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

Section 1. Improvements ordered. The area described in Section 2 hereof shall be improved by the construction and installation of street improvements on Redmond Way, extending from the Railroad Over-

pass to 515 feet east of 168th Avenue N.E., within the City of Redmond, consisting of grading, curbs, gutters, sidewalks, driveways across sidewalks, storm drainage, and other appurtenances consistent with good street construction, all in accordance with plans and specifications to be submitted by the City Engineer.

Section 2. Local Improvement District No. 63-ST-8 established. A Local Improvement District to be known as "Local Improvement District No. 63-ST-8" is hereby created and established, which district shall include an area described as follows, to wit:

That property lying in sections 2, 11, and 12, township 25 north, range 5 east, W.M., situated in the City of Redmond, King County, Washington, and described as follows:
Beginning at the intersection of the northerly right-of-way margin of Redmond Way and the northeasterly right-of-way margin of the Northern Pacific Railroad; thence northwesterly, along said Northern Pacific Railroad right-of-way, to an intersection with a line parallel to and 300.00 feet from, measured at right angles, said northerly margin of Redmond Way; thence easterly, along said parallel line, to the west line of the southwest quarter of the southeast quarter of said section 2; thence northerly, along said subdivision line, to an intersection with a line parallel to and 330.00 feet from, measured at right angles, the south line of said section 2; thence easterly, along said parallel line, to an intersection with a line, said line being parallel to and 738.1 feet westerly, measured along the south line of said section, from the east line of said section; thence southerly, along said parallel line, to said south section line; thence southwesterly, in a straight line, to the northwest corner of Lot 8, Block 5, Sike's Second Addition, as recorded in Volume 14 of Plats, Page 4, Records of King County, Washington; thence southwesterly, along the westerly line of said Lot 8, to the midpoint thereof; thence easterly, in a straight line, to the midpoint of the easterly line of Block 8, Sike's First Addition, as recorded in Volume 9, Page 23, Records of King County, Washington; thence continuing easterly, in a straight line, to the midpoint of Block 7 of said plat; thence continuing in a straight line, to the midpoint of the easterly line of Block 7, Redmond Addition, as recorded in Volume 7 of Plats, Page 74, Records of King County, Washington; thence continuing easterly, in a straight line, to the easterly right-of-way margin of 164th Avenue N.E. at the midpoint between the centerlines of N.E. 80th Street and N.E. 79th Street extended westerly; thence continuing easterly, along the mid-line between the aforementioned centerlines, 195.63 feet to a line parallel to the centerline of 164th Avenue N.E. extended southerly; thence southerly, along said extended line, to the northerly right-of-way margin of N.E. 79th Street; thence southwesterly, in a straight line, to the intersection of the southerly right-of-way margin of N.E. 79th Street and the northerly right-of-way margin of Redmond Way; thence southeasterly, in a straight line, to the centerline of 168th Avenue N.E. at a point midway between the centerlines of N.E. 79th Street and Redmond Way; thence southerly, along said centerline, to an intersection with the southerly line of Lot 6, Block 1, Sike's Third Addition, as recorded in Volume 21 of Plats, Page 37, Records of King County, Washington extended westerly; thence easterly, along said extended line, to an intersection with a line midway between the centerlines of N.E. 79th

Street and the centerline of Avondale Road (AKA Railway Avenue); thence southeasterly, along said line, to the west line of Lot 3, Block 1, said Plat of Sike's Third Addition; thence southerly, along said west line, to the northerly right-of-way margin of said Avondale Road; thence southwesterly, in a straight line, to the intersection of the southerly right-of-way margin of said Avondale Road and the northerly right-of-way margin of Redmond Way; thence southeasterly, in a straight line, 240.00 feet on a line midway between the aforementioned right-of-way margins; thence southerly, in a straight line, to an intersection with the northerly margin of Redmond Way at a point 250.00 feet southeasterly, measured along said northerly margin of Redmond Way from said intersection of the southerly margin of Avondale Road and the northerly margin of Redmond Way; thence southwesterly, in a straight line, to an intersection with the southerly margin of Redmond Way at a point 366.26 feet easterly, measured along said southerly margin from the intersection of the southerly margin of Redmond Way and the southerly margin of Railway Avenue; thence southwesterly, at right angles to said southerly margin of Redmond Way, 300.00 feet; thence northwesterly, in a straight line, to an intersection of the northerly right-of-way margin of the Northern Pacific Railroad and the east line of the northwest quarter of the northwest quarter of said section 12; thence continuing northwesterly, along said northerly right-of-way margin, to a line parallel to and 60.00 feet westerly from, measured at right angles, the east line of said subdivision; thence northerly, along said parallel line, to the southerly right-of-way margin of Railway Avenue; thence northeasterly, in a straight line, to the intersection of the northerly right-of-way margin of said Railway Avenue and the westerly right-of-way margin of 168th Avenue N.E.; thence northerly, along said westerly margin, to a point midway between the southerly margin of Redmond Way and the northerly margin of Railway Avenue; thence northwesterly, along a line midway between the said southerly margin of Redmond Way, the northerly margin of Railway Avenue and the Northern Pacific Railroad right-of-way, to the easterly right-of-way margin of 164th Avenue N.E.; thence northwesterly, in a straight line, to the intersection of the southerly line of Lot 5, Block 6, Redmond Addition extended easterly to the westerly right-of-way margin of said 164th Avenue N.E.; thence northwesterly, in a straight line, along said extended line, the southerly line of Lots 5 and 4, Block 6, of said Plat, the southerly line of Lots 3 and 4, Block 5, of said Plat, the southerly line of Lot 9, Block 4, of Sike's First Addition, the southerly line of Lots 12, 11 and 10, Block 4, Sike's Second Addition, to the east line of Lot 9, Block 4, of said Plat; thence southerly along the east line of Lot 9, Block 4, of said Plat, to the south line of said Lot 9; thence northwesterly, in a straight line, along the southerly line of Lots 9, 8, 7, 6 and 5, Block 4, and Lots 20 through 11, inclusive, Block 6, of said Plat, to the easterly line of Lot 10, Block 6, of said Plat; thence northwesterly, in a straight line, to the intersection of the southerly right-of-way margin of Redmond Way and the northerly right-of-way margin of Cleveland Street; thence westerly, along the southerly right-of-way margin of Redmond Way, to the westerly right-of-way margin of Boundary Street; thence southerly, along said westerly margin, to the northerly margin of

said Northern Pacific Railroad right-of-way; thence northwesterly, along said northerly margin, to the point of beginning.

Section 3. Assessment of Costs. All of the cost and expense in connection with the installation and construction of said improvement, including the estimated cost and expense of: (a) the improvement within street intersections, (b) all engineering and surveying necessary for the improvement, whether done under the supervision of the City Engineer or otherwise, (c) all legal work and opinions incidental thereto, (d) ascertaining the ownership of lots or parcels of land included within the assessment district, (e) appraisals, (f) advertising, mailing, posting and publishing all necessary notices, (g) accounting, clerical labor and of books and blanks, extended or used on the part of the City Clerk or Treasurer in connection with the improvement, (h) acquisition of rights-of-way, property, easement and other facilities or rights-of-way, and all other expense incidental thereto as required or provided by law of the State of Washington and ordinances of the City of Redmond shall be allocated to and borne by the properties within the improvement district in accordance with the special benefits conferred and shall be assessed against the individual lots in accordance with the statutory zone and termini method. Provided, that in the event the actual total cost and expense of said improvement to be charged to the property within the improvement district shall exceed by more than 10% the preliminary cost estimate of the City Engineer that can be legally charged to the property within the improvement district, the City may pay that portion of the actual cost and expense exceeding said 10%.

Section 4. Estimated Cost. The estimated cost and expense of said street improvements is hereby declared to be \$70,000.00.

Section 5. Assessment District. An assessment district is hereby created, consisting of all of the property within Local Improvement District No. 63-ST-8 specially benefited by the improvement above ordered, which property shall be assessed to pay the portion of the cost and expense thereof, and in accordance with the special benefits conferred therein, in proportion to areas and distances back from the marginal line of the street improved, all as provided in Section 3 above.

Section 6. Manner of Assessment. The nature of the improvement herein ordered is such that the special benefits conferred upon the property to be assessed is fairly reflected by the use of the termini and zone method provided by statute.

Section 7. Bids and Contracts. All of the work necessary to be done in connection with the making of said improvement shall be done by and made by contract upon competitive bids and the City of Redmond shall have and reserve the right to reject any and all bids. The call for bids for work pursuant to this ordinance shall include a statement that payment for said work shall be paid in cash warrants drawn upon the "Local Improvement Fund, District No. 63-ST-8" in the City of Redmond.

Section 8. Fund Created. There is hereby created and established in the office of the City Treasurer of the City of Redmond, for Local Improvement District No. 63-ST-8, a special fund to be known and designated as "Local Improvement Fund, District No. 63-ST-8," into which fund shall be deposited (a) the proceeds from the sale of revenue warrants drawn against said fund which may be issued and sold by the City, (b) collections pertaining to assessments, and (c) funds contributed by City participation or by others, 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 said improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with said improvement.

Section 9. Issuance and Sale of Local Improvement District Warrants and Bonds. Local Improvement District warrants shall be issued from time to time in such amounts as the City may determine in payment of or from which to obtain funds with which to pay the cost and expense of the improvement herein ordered. Such warrants shall be designated and payable out of the "Local Improvement Fund, District No. 63-ST-8," to bear interest from the date thereof at a rate to be hereafter fixed by ordinance, not in excess of 8% per annum, and to be redeemed in cash or by Local Improvement District bonds herein authorized to be issued, said interest-bearing warrants to be hereafter referred to as "revenue warrants. Bonds, bearing the same rate of interest, payable on or before twelve (12) years from date of issuance, the life of the improvement ordered being not less than twelve (12) years, shall be issued in exchange for and redemption of any and all revenue warrants issued hereunder not redeemed in cash within a period of not to exceed sixty (60) days after the first publication by the City Treasurer of notice that the assessment roll for Local Improvement District No. 63-ST-8 is in his hands for collection. Said bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said District, payable in ten (10) equal installments, with interest at the rate to be hereafter fixed by the ordinance levying the assessment, not to exceed 8% per annum, under the mode of "Payment by Bonds," as defined by law and the ordinances of the City of Redmond. In case of default in the payment of any assessment when the same shall become due, the delinquent installments, in addition to the interest payable as provided in the ordinance levying assessments, shall be subject to a penalty charge of 5% levied upon both principal and interest due on such installment or installments. The exact amount, form, date and denomination of said bonds shall be fixed hereafter by ordinance of the City Council.

Section 10. Effective Date. This Ordinance shall take effect and be in force five days after its passage, approval and legal publication in the manner approved by law.

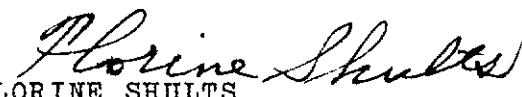
PASSED by the Council of the City of Redmond, Washington,
at a regular meeting thereof and APPROVED by the Mayor
this 14th day of January, 1964.

CITY OF REDMOND



G. C. GRAEP
MAYOR

ATTEST:


FLORINE SHULTS
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY