

ORDINANCE NO. 335

AN ORDINANCE ordering the improvement of 159th Place N.E. (aka Rynning Road) from Leary Way to Redmond Way, in Redmond, Washington, by paving and otherwise improving the same; creating a Local Improvement District therefor; providing that payment for said improvement be made by special assessments against property benefited; and providing for the issuance and sale of Local Improvement District warrants and bonds.

WHEREAS, the City Council has received a petition from owners of property aggregating a majority (1) of the lineal frontage upon the improvement and (2) of the area within the proposed district, Petitioning for the construction and installation of street improvements on 159th Place N.E. (aka Rynning Road) from Leary Way to Redmond Way, consisting of paving the same with asphalt concrete or Portland cement concrete paving, including grading, re-grading, ballasting, filling, compacting and surfacing, and the installation of drain inlets, storm sewers, curbs, gutters and other appurtenances consistent with good street construction; and for the establishment, under the petition method, of an improvement district, the assessment district for which does not extend beyond the termini of the improvement; and the City Council has considered the public interest and convenience, the estimated cost and all other pertinent factors; and

WHEREAS, the City Engineer has caused an estimate to be made of the cost and expense of the proposed improvement and has certified the same 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 twenty-five 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, the City Engineer has also determined the sufficiency of the petition and found that the facts set forth therein are true; and whereas estimates are on file in the office of the City Engineer together with a detailed copy of the preliminary assessment roll and assessment maps of the proposed improvement; 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 159th Place N.E. (aka Rynning Road) from Leary Way to Redmond Way, within the City of Redmond, Washington, consisting of paving the same with asphalt concrete or Portland cement concrete paving, including grading, re-grading, ballasting, filling, compacting and surfacing, and the installation of drain inlets, storm sewers, curbs, gutters and other appurtenances consistent with good street construction; the improved traveled way from curb to curb shall be 40 feet wide; all in accordance with

plans and specifications to be submitted to and approved by the City Engineer and/or Public Works Director.

Section 2. Local Improvement District No. 64-ST-10 Established.

A Local Improvement District to be known as "Local Improvement District No. 64-ST-10" is hereby created and established, which district shall include an area described as follows, to wit:

The entire plat of West Redmond Addition, as recorded in volume 58 of plats, page 12-13, records of King County, Washington; AND the following described real property: Beginning at the intersection of the southwesterly right-of-way margin of 159th Place N.E. (AKA Rynning Road) and the southeasterly right-of-way margin of State Secondary Highway No. 2 (AKA Kirkland-Redmond Short Line Road No. 1883); thence southwesterly 150 feet, along said southeasterly right-of-way margin of S.S.H. No. 2; thence, along a line parallel to and 150 feet southwesterly of the southerly right-of-way margin of 159th Place N.E., to an intersection with the westerly margin of said West Redmond Addition; thence northerly, along said westerly margin of said West Redmond Addition, to the southwesterly right-of-way margin of 159th Place N.E.; thence northwesterly, along said southwesterly right-of-way margin of 159th Place N.E., to the point of beginning.

ALL lying within Section 11, township 25 north, range 5 east, W.M., City of Redmond, King County, Washington.

Section 3. Assessment of Cost. 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 and 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, easements and other facilities, and all other expenses 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 \$ 42,700.⁰⁰.

Section 5. Assessment District. An assessment district is hereby created, consisting of all of the property within the Local Improvement District No. 64-ST-10 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 improvement, 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. 64-ST-10" 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. 64-ST-10, a special fund to be known and designated as "Local Improvement Fund, District No. 64-ST-10," 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 improvements herein ordered. Such warrants shall be designated and payable out of the "Local Improvement Fund, District No. 64-ST-10," 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. 64-ST-10 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 by 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

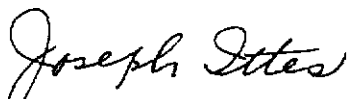
be in force five days after its passage, approval and legal publication in the manner provided by law.

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

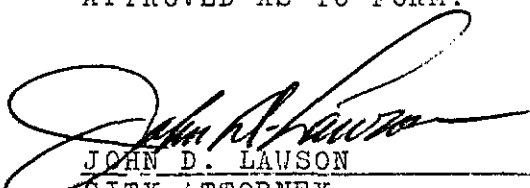
CITY OF REDMOND


G. C. GRAEP
MAYOR

ATTEST:


JOSEPH ITTES
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY