

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 474

AN ORDINANCE relating to the waterworks utility of the City, including the system of sewerage as a part thereof; specifying and adopting a system or plan of additions to and betterments and extensions of that waterworks utility; declaring the estimated cost thereof as near as may be; ordering the acquisition and construction of that system or plan; providing the method of financing the same from the proceeds received from the issuance and sale of not to exceed \$120,000.00 par value of water and sewer revenue bonds; creating Utility Local Improvement District No. 68-W-12 and providing for the issuance of interest bearing warrants pending the sale of such bonds.

WHEREAS, the City owns and operates a waterworks utility, including a system of sewerage as a part thereof, and the City Council has heretofore adopted a comprehensive plan for that utility, and numerous systems and plans for additions to and betterments and extensions of that comprehensive plan; and

WHEREAS, the City Council has considered a plan providing for additions to and betterments and extensions of that waterworks utility of the City, to provide certain improvements to the water system of that utility, has determined a general plan for making those improvements; and has determined the part of the cost and expense of the plan to be paid from water revenue bonds; and

WHEREAS, by Resolution No. 202, adopted July 2, 1968, the City Council declared its intention to order the improvements described in the system or plan of additions to and betterments and extensions of the waterworks utility adopted in this ordinance; and for the establishment of a utility improvement district; the assessment district for which does not extend beyond the termini of the improvement; and fixed the 27th day of August, 1968, at

8:00 P.M., in the City Hall, Redmond, Washington, as the time and place for hearing all matters relating to that proposed improvement and all objections thereto; 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, that 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 the above hearing was given in the manner provided by law and the hearing was held by the City Council on August 27, 1968, there being no objections filed or considered; 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 proposed utility local improvement district that the utility improvement, as hereinafter described, be carried out and that the utility local improvement 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 specifies and adopts the following

system or plan of additions to and betterments and extensions of the waterworks utility of the City, including the system of sewerage as a part thereof:

(1) Bellevue-Redmond Road - Construction of a six-inch water main and appurtenances from the intersection of the Bellevue-Redmond Road (AKA County Road No. 1387) with West Lake Sammamish Parkway N.E. southeasterly along the Bellevue-Redmond Road to an intersection with N.E. 40th Street.

(2) N.E. 40th Street - Construction of a six-inch water main and appurtenances from the intersection of N.E. 40th Street with the Bellevue-Redmond Road (AKA County Road 1387) east along N.E. 40th Street to an intersection with West Lake Sammamish Parkway N.E. (AKA SR-901).

(3) 172nd Avenue N.E. - Construction of a ten-inch water main and appurtenances from the intersection of 172nd Avenue N.E. with West Lake Sammamish Parkway N.E. (AKA SR-901) south along 172nd Avenue N.E. to an intersection with N.E. 30th Street.

(4) N.E. 36th Street - Construction of an eight-inch water main and appurtenances from the intersection of N.E. 36th Street with 172nd Avenue N.E. east along N.E. 36th Street to an intersection with West Lake Sammamish Parkway N.E. (AKA SR-901).

(5) 177th Avenue N.E. - Construction of a six-inch water main and appurtenances from the intersection of 177th Avenue N.E. with West Lake Sammamish Parkway N.E. (AKA SR-901) south along 177th Avenue N.E. to a point opposite the south line of Tract No. 5, Harrison's Acreage Tracts.

(6) N.E. 40th Street - 175th Avenue N.E. - N.E. 38th Street - Construction of an eight-inch water main and appurtenances from the intersection of N.E. 40th Street with West Lake Sammamish Parkway N.E. east along N.E. 40th Street to an intersection with 175th Avenue N.E., and thence southeasterly along 175th Avenue N.E. to an intersection with N.E. 38th Street, and thence west along N.E. 38th Street to an intersection with West Lake Sammamish Parkway N.E. (AKA SR-901).

(7) N.E. 40th Street - Construction of an eight-inch water main and appurtenances from the intersection of the Bellevue-Redmond Road (AKA County Road No. 1387) west along N.E. 40th Street to the west line of sections 13 and 24th, township 25 north, range 5 east, W.M., King County, Washington.

There shall be included in the foregoing the acquisition and installation of all necessary valves, fittings, couplings, connections, equipment and appurtenances, and the acquisition of

any easements or rights-of-way that may be required; and there shall be included the performance of such work as may be incidental and necessary to the foregoing construction and installation.

The City Council may modify the details of the foregoing system or plan where, in its judgment, it deems advisable, if such modifications do not substantially alter the purposes hereinbefore set forth.

The life of the above-described improvement is hereby declared to be at least thirty years.

Section 2. The cost of the above-described plan of additions and betterments herein authorized is estimated, as nearly as may be, to be the sum of \$120,000.00. Such cost shall be met and defrayed from the issuance and sale of water revenue bonds to be known and designated as "Water and Sewer Revenue Bonds, 1969," in an amount not to exceed \$120,000.00.

The bonds shall be either registered for principal only or shall be bearer bonds; shall be numbered, shall bear such date and shall be payable at such time or times up to a maximum period of not to exceed thirty years as shall be hereafter determined by the City Council; shall bear interest, payable semiannually, and evidenced to maturity by coupons attached to the bonds bearing a coupon interest rate not to exceed 6% per annum; and shall be payable at the office of the City Treasurer, and may also be payable at such other place or places as the City Council may determine.

The bonds shall be issued in denominations of \$1,000.00 or \$5,000.00 each; may be issued and sold from time to time (in one or more series) as funds are needed; and shall be issued in such form and shall be subject to such terms, covenants and conditions as shall be hereafter determined by ordinance.

In the event that the "Water and Sewer Revenue Bonds, 1969" shall be issued on a parity of lien with the outstanding

"Water and Sewer Revenue Bonds, 1962, Series A," dated October 1, 1962, "Water and Sewer Refunding and Construction Revenue Bonds, 1967," dated March 1, 1967, and "Water and Sewer Revenue Bonds, 1968," dated July 1, 1968, (herein collectively referred to as the "outstanding revenue bonds") shall be payable only out of the "Water and Sewer Refunding and Construction Revenue Bond Fund, 1967" of the City created and established in the office of the City Treasurer by Ordinance No. 373 and redesignated in Ordinance No. 420, and shall be a valid claim of the holder thereof only as against such fund and the amount of the revenues of the waterworks utility of the City and utility local improvement district assessment collections pledged to such fund and shall not be a general obligation of the City.

In the event that the "Water and Sewer Revenue Bonds, 1969," are issued on a parity of lien with the outstanding revenue bonds as aforesaid, the gross revenues of the waterworks utility of the City now or hereafter owned by it, including all additions thereto and betterments and extensions thereof at any time made, including the additions thereto authorized herein, and including payments received from the collection of assessments in the utility local improvement district created in this ordinance and any utility local improvement districts hereafter created to secure the payment of the "Water and Sewer Revenue Bonds, 1969," when issued, and any additional water and sewer revenue bonds hereafter issued as parity bonds, in accordance with the provisions of Section 11 of Ordinance No. 206, Section 13 of Ordinance No. 420, and Section 13 of Ordinance No. 471, are hereby pledged for the payment of any outstanding revenue bonds, the "Water and Sewer Revenue Bonds, 1969," and any additional parity water and sewer revenue bonds, including both principal and interest, in accordance with their terms. This pledge shall constitute a lien or charge upon such gross revenues and utility local improvement district assessments and payments prior and superior to all other charges

whatsoever, but subject to the necessary costs of maintenance and operation of the water system of the District.

Section 3. The acquisition and construction of the improvement described in Section 1 is hereby ordered to be carried out. In order to pay for a part of the cost of that improvement there is hereby created a utility local improvement district to be designated and known as "Utility Local Improvement District No. 68-W-12" of the City and more particularly described as follows:

BEGINNING at the intersection of the north line of Lot 2, Block 2, Plat of Miravista as recorded in volume 28, Page 35 of Plats records of King County, Washington, as produced east to its intersection with the centerline of West Lake Sammamish Parkway N.E. (AKA SR-901);

THENCE west along said produced line to the west right of way line of the Bellevue-Redmond Road (AKA County Road No. 1387):

THENCE continuing west along said north line of Lot 2 to a point on a line 180 feet west of the centerline of the Bellevue-Redmond Road;

THENCE southeasterly along a line 180 feet westerly of and parallel to the centerline of said Bellevue-Redmond Road to the centerline of N.E. 40th Street;

THENCE east along the centerline of N.E. 40th Street a distance of 188 feet more or less to the intersection of said centerline with the centerline of the Bellevue-Redmond Road;

THENCE S 19° - 13' - 30" E along the centerline of the Bellevue-Redmond Road to the P.T. of a 14° curve (Station 43 + 98.86 as of record in the office of the King County Engineer);

THENCE continuing southwesterly along the centerline of the Bellevue-Redmond Road to the point of intersection with a line 180 feet south of and parallel to the centerline of N.E. 40th Street as produced west to the centerline of the Bellevue-Redmond Road;

THENCE east along said line 180 feet south of and parallel to the centerline of N.E. 40th to the intersection of said line with a line 180 feet west of and parallel to the centerline of 172nd Avenue N.E.;

THENCE south along said line parallel to the centerline of 172nd Avenue N.E. to its intersection with the centerline of N.E. 30th Street;

THENCE east along the centerline of N.E. 30th Street a distance of 180 feet to its intersection with the centerline of 172nd Avenue N.E.;

THENCE continuing along the centerline of N.E. 30th Street as produced east to a point of intersection with a line 180 feet east of and parallel to the centerline of 172nd Avenue N.E.;

THENCE north along said line 180 feet east of and parallel to the centerline of 172nd Avenue N.E. to a point of intersection with a line 180 feet south of and parallel to the centerline of N.E. 36th Street;

THENCE east along a line 180 feet south of and parallel to the centerline of N.E. 36th Street to the westerly right of way line of 177th Place N.E.;

THENCE continuing along said line 180 feet south of the centerline of N.E. 36th Street as produced to the easterly right of way line of 177th Place N.E.;

THENCE continuing east along said line 180 feet south of and parallel to the centerline of N.E. 36th Street to its intersection with a line 180 feet west of and parallel to the centerline of 177th Avenue N.E.;

THENCE south along said line parallel to the centerline of 177th Avenue N.E. a distance of 390 feet more or less to its point of intersection with the south line of Tract 5, Harrison's Acreage Tracts as recorded in Volume 17, Page 66 of Plats, records of King County, Washington, produced west 210 feet from the southwest corner of said Tract 5;

THENCE east along said produced line a distance of 210 feet to the southwest corner of said Tract 5;

THENCE east along said south line a distance of 150 feet;

THENCE north along a line 180 feet east of and parallel to the centerline of 177th Avenue N.E. a distance of 340 feet more or less;

THENCE west a distance of 82 feet more or less;

THENCE north along a line 100 feet east of and parallel to the centerline of 177th Avenue N.E. as produced to its point of intersection with the centerline of West Lake Sammamish Parkway N.E.;

THENCE northwesterly along said centerline to the point of intersection with the north line of N.E. 36th Street as produced to its intersection with the centerline of West Lake Sammamish Parkway N.E.;

THENCE west along said produced line and the north line of N.E. 36th Street a distance of 430 feet more or less to a point on the north line of N.E. 36th Street;

THENCE northeasterly a distance of 145 feet more or less;

THENCE northwesterly a distance of 65 feet more or less to a point on a line 180 feet north of and parallel to the centerline of N.E. 36th Street;

THENCE west along said line 180 feet north of and parallel to the centerline of N.E. 36th Street to its intersection with a line 180 feet east of and parallel to the centerline of 172nd Avenue N.E.;

THENCE north along said line 180 feet east of and parallel to the centerline of 172nd Avenue N.E. to its intersection with a line 180 feet south of and parallel to the centerline of N.E. 40th Street;

THENCE east along said line 180 feet south of and parallel to the centerline of N.E. 40th Street to the westerly right of way line of West Lake Sammamish Parkway N.E.;

THENCE northerly along said westerly right-of-way line 50 feet more or less to a line 130 feet south of and parallel to the centerline of N.E. 40th Street;

THENCE west along a line 130 feet south of and parallel to the centerline of N.E. 40th Street a distance of 180 feet more or less;

THENCE north to the south right of way line of N.E. 40th Street:

THENCE continuing north to the north line of N.E. 40th Street:

THENCE east 30 feet more or less along the north right of way line of N.E. 40th Street to a point on said right of way line;

THENCE north a distance of 150 feet to a point of intersection with a line 180 feet north of and parallel to the centerline of N.E. 40th Street:

THENCE west along said line 180 feet north of and parallel to the centerline of N.E. 40th Street to the intersection with a line 180 feet east of and parallel to the centerline of 172nd Avenue N.E.;

THENCE north along said line parallel to 172nd Avenue N.E. to its intersection with the southerly right of way line of West Lake Sammamish Parkway N.E.;

THENCE continuing north along said parallel line produced to its intersection with the centerline of West Lake Sammamish Parkway N.E.;

THENCE northwesterly along the centerline of West Lake Sammamish Parkway N.E. to a point of intersection with a line 180 feet west of and parallel to the centerline of 172nd Avenue N.E. produced north;

THENCE south along said produced line to the southerly right of way line of West Lake Sammamish Parkway N.E.;

THENCE continuing south along said line 180 feet west of and parallel to the centerline of 172nd Avenue N.E. to its intersection with a line 180 feet north of and parallel to the centerline of N.E. 40th Street;

THENCE west along said parallel line to its intersection with a line 180 feet easterly of and parallel to the centerline of the Bellevue-Redmond Road (AKA County Road No. 1387);

THENCE northwesterly along said line parallel to the centerline of the Bellevue-Redmond Road to the southerly right of way line of West Lake Sammamish Parkway N.E.;

THENCE continuing on said parallel line produced to its intersection with the centerline of West Lake Sammamish Parkway N.E.;

THENCE northwesterly along the centerline of West Lake Sammamish Parkway N.E. to the point of beginning.

ALSO:

BEGINNING at the intersection of the north right of way line of N.E. 40th Street produced west to the centerline of West Lake Sammamish Parkway N.E. (AKA SR-901);

THENCE east along said north right of way line to a point on said right of way line 180 feet east of the centerline of 175th Avenue N.E.;

THENCE southeasterly across N.E. 40th Street to a point on the south right of way line of N.E. 40th Street said point being 180 feet east of the centerline of 175th Avenue N.E.;

THENCE southeasterly along a line 180 feet east of and parallel to the centerline of 175th Avenue N.E. to the south line of Lot "J", Replat of Harrison's

Acerage Tracts No. 1 & 2, as recorded in Volume 19,
Page 33 of Plats, records of King County, Washington;

THENCE east along the south line of said Lot "J" a distance of 90 feet more or less to a point which is 180 feet east of the centerline of 175th Avenue N.E.;

THENCE continuing southeasterly along a line 180 feet easterly of and parallel to the centerline of 175th Avenue N.E. a distance of 310 feet more or less to a point which is 20 feet more or less southeast of the south line of Lot "M" of said Replat;

THENCE on a curve to the right with a radius of 150 feet as measured from the intersection of the easterly right of way line of 175th Avenue N.E. and the south right of way line of N.E. 39th Street to the point of tangency of said curve with a line 180 feet south of and parallel to the centerline of N.E. 38th Street;

THENCE west along said parallel line a distance of 100 feet more or less;

THENCE northwesterly a distance of 152 feet more or less to the south line of N.E. 38th Street;

THENCE northwesterly a distance of 30 feet to the centerline of N.E. 38th Street;

THENCE west along the centerline of N.E. 38th Street a distance of 137 feet more or less to a point on the centerline of N.E. 38th Street;

THENCE northwesterly to a point on the north right of way line of N.E. 38th Street which point is located at the centerline of Lot "C" of said Replat of Harrison's Acerage Tracts No. 1 & 2;

THENCE northwesterly along a line in said Lot "C" which is equidistant from the west right of way line of 175th Avenue N.E. and the easterly right of way line of West Lake Sammamish Parkway N.E. to the intersection of said equidistant line with the south right of way line of N.E. 40th Street;

THENCE west along said south right of way line to the easterly right of way line of West Lake Sammamish Parkway N.E.;

THENCE continuing west on said south line of N.E. 40th Street produced to its intersection with the centerline of West Lake Sammamish Parkway N.E.;

THENCE northwesterly along said centerline to the point of beginning.

ALSO:

BEGINNING at the intersection of the centerline of the Bellevue-Redmond Road (AKA County Road No. 1387) with the centerline of N.E. 40th Street;

THENCE west along the centerline of N.E. 40th Street to the point of intersection

of said centerline with a line 180 feet westerly of and parallel to the centerline of the Bellevue-Redmond Road;

THENCE northwesterly along said line parallel to the centerline of the Bellevue-Redmond Road to a point on said parallel line which is 180 feet north of the centerline of N.E. 40th Street as measured at right angles to said centerline;

THENCE west along a line 180 feet north of and parallel to the centerline of N.E. 40th Street to the west line of the SW 1/4 of Section 13, Township 25 North, Range 5 East, W.M.;

THENCE south along said west line a distance of 180 feet to a point on the centerline of N.E. 40th Street which is also the Section Corner common to Sections 13, 14, 23 and 24, Township 25 North, Range 5 East, W.M.;

THENCE continuing south along the section line common to said Sections 23 and 24 a distance of 180 feet;

THENCE east along a line 180 feet south of and parallel to the centerline of N.E. 40th Street to the intersection of said parallel line with the centerline of the Bellevue-Redmond Road;

THENCE northerly along said centerline on a 14° curve to the left to the P.T. of said curve (Station 43+98.86 as recorded in the office of the King County Engineer);

THENCE N 19° - 13' - 40" W along the centerline of the Bellevue-Redmond Road to its intersection with the centerline of N.E. 40th Street which is the POINT OF BEGINNING.

Section 4. The cost and expense of the improvement has in Section 2 been estimated to be \$120,000.00. Of that estimated cost and expense, not to exceed \$93,735.00 thereof shall be borne by assessments against the property within Utility Local Improvement District No. 68-W-12 specially benefited by such improvement.

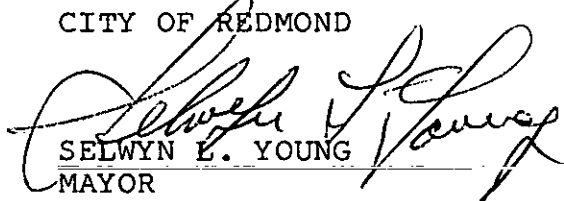
The nature of the improvement is such that the special benefits conferred on the property within the boundaries of the Utility Local Improvement District No. 68-W-12 are fairly reflected by the use of the termini and zone method of assessment provided by

statute and the assessments shall, therefore, be made against the property within Utility Local Improvement District No. 68-W-12 in accordance with the special benefits they will derive from the improvement by the zone and termini method of assessment.

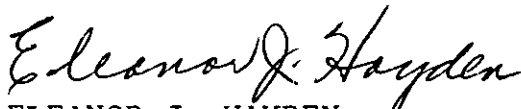
Section 5. The appropriate City officers shall proceed with the carrying out of the improvement described in Section 1. Pending the issuance and sale of the "Water and Sewer Revenue Bonds, 1969," the City may issue interest bearing warrants drawn against the "Water and Sewer Construction Fund" of the City to bear interest at such rate as may hereafter be determined and to be redeemed from the sale of the "Water and Sewer Revenue Bonds, 1969," within one year from date hereof.

PASSED by the Council of the City of Redmond, Washington at a regular meeting thereof, and APPROVED by the Mayor this 15th day of October, 1968.

CITY OF REDMOND


SELWYN E. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

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