

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 638

AN ORDINANCE, ordering the improvement of a portion of 152nd Avenue N.E., extending from approximately 188 feet south of N.E. 68th Street to N.E. 60th Street, within the City of Redmond, King County, Washington, by the construction and installation of grading, surfacing, constructing an asphalt concrete pavement, cement concrete curbs and gutters, sidewalks, sanitary sewers, storm drainage facilities, water mains, street illumination and underground power, together with all necessary appurtenances; creating a Local Improvement District therefor; providing that payment for said improvements 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 of (1) the lineal frontage upon the improvement and (2) the area within the proposed district, petitioning for the construction and installation of street and utility improvements on a portion of 152nd Avenue N.E., extending from approximately 188 feet south of N.E. 68th Street to N.E. 60th Street, as therein set forth, consisting of grading, surfacing, constructing an asphalt concrete pavement, cement concrete curbs and gutters, sidewalks, sanitary sewers, storm drainage facilities, water mains, street illumination and underground power, together with all necessary appurtenances consistent with good street and utility construction; and for the establishment, under the petition method, of a local 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 has found that the facts set forth therein are true; and the estimates of the costs of such improvement 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 improvements; 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 and utility improvements on a portion of 152nd Avenue N.E., extending from approximately 188 feet south of N.E. 68th Street to N.E. 60th Street, located in the southwest quarter of section 11, township 25 north, range 5 east, W.M., in the City of Redmond, King County, Washington, for a thirty-four foot wide street within a sixty (60)

foot right-of-way, such street and utility improvements to consist of grading, surfacing, constructing an asphalt concrete pavement, cement concrete curbs and gutters, sidewalks, sanitary sewers, storm drainage facilities, water mains, street illumination and underground power, together with all necessary appurtenances consistent with good street and utility construction; and in accordance with the plans and specifications to be submitted to and approved by the City Engineer and/or Director of Public Works.

Section 2. Local Improvement District No. 74-ST-21 established. A local improvement district to be known as "Local Improvement District No. 74-ST-21" is hereby created and established, which district shall include an area described as follows, to wit:

(SEE ATTACHED)

Section 3. Assessment of cost. All of the cost and expense in connection with the installation and construction of said improvement, including the various cost items included in RCW 35.44.020, and all other expenses incidental thereto as required or provided by the laws 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; Provided, That in the event the actual total cost and expense of said improvements 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 and utility improvements is hereby declared to be \$249,300.00.

Section 5. Assessment district. An assessment district is hereby created, consisting of all of the property within the Local Improvement District No. 74-ST-21 specially benefited by the improvements 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.

Section 6. Method of assessment. Pursuant to 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 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. 74-ST-21" in the City of Redmond, Washington.

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. 74-ST-21, a special fund to be known and designated as "Local Improvement Fund, District No. 74-ST-21," 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. 74-ST-21," 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, or his successor in office charged with the responsibility for collection of LID assessments, of notice that the assessment roll for Local Improvement District No. 74-ST-21 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 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.

Section 10. Effective date. This ordinance shall take effect and be in force five (5) days after the date of its 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 _____ day of _____, 1974.

CITY OF REDMOND

SELWYN L. YOUNG
MAYOR

ATTEST:

ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:

JOHN D. LAWSON
CITY ATTORNEY

Published in the Sammamish Valley News on _____

LEGAL DESCRIPTION

152nd Ave. N. E.

Proposed LID 74-ST-21.

That portion of Section 11, Township 25 North, Range 5 East, W.M., described as follows: Commencing at the southwest corner of said section 11; Thence easterly along the south line of said section 11 a distance of 1343.39 feet; Thence north to a point on the easterly margin of 152nd Ave. N.E., said point also being the southwest corner of lot 21 of the plat of Willowmoor Heights, Volume 22, page 20, records of King County, Washington, and the True Point of Beginning; Thence east along the south lot line of said lot, said south lot line also being the north margin of N.E. 60th St., to a point which is 110 feet east of the east margin of 152nd Ave. N.E.; Thence northerly along a line 110 feet east of and parallel to the east margin of 152nd Ave. N.E. to a point on the northerly lot line of lot 26 of the above described plat; Thence westerly 110 feet along the northerly lot line of said lot to its intersection with the east margin of 152nd Ave. N.E., said point also being the northwest corner of lot 26 of the above described plat; Thence continuing westerly on a line perpendicular to the easterly margin on 152nd Ave. N.E., a distance of 60 feet, more or less; Thence northerly along a line parallel to the east margin of 152nd Ave. N.E. to the southeast corner of lot 29 of the plat of Spiritbrook, Volume 82, pages 66 & 67, Records of King County, Washington; Thence westerly along the south lot line of said lot to the southeast corner of lot 30 of said plat; Thence westerly along the south lot line of said lot 30 to the southeast corner of lot 31 of said plat; Thence westerly along the south lot line of said lot 31 to the southwest corner of said lot; Thence southwesterly along the east lot line of lot 32 of said plat to the northeast corner of lot 33 of said plat; Thence southwesterly along the east lot line of said lot to the northeast corner of lot 34 of said plat; Thence southeasterly along the east lot line of said lot to the northeast corner of lot 35 of said plat; Thence southeasterly along the east lot line of said lot to the northeast corner of lot 36 of said plat; Thence southeasterly 18 feet, more or less

along the east lot line of said lot 36; Thence east on a line perpendicular to the easterly margin of 152nd Ave. N.E. to a point, said point being 170 feet west of said easterly margin; Thence south 225 feet, more or less, along a line 170 feet west of and parallel to the easterly margin of 152nd Ave. N.E., to its intersection with the east boundary of the plat of Spiritbrook No. 2, Volume 89, pages 76 & 77, Records of King County, Washington; Thence continuing south 901 feet, more or less, along said east boundary to the southeast corner of lot 153 of said plat; Thence east 140 feet on a line perpendicular to the easterly margin of 152nd Ave. N.E.; Thence south 624.45 feet, more or less, on a line 30 feet west of and parallel to the easterly margin of 152nd Ave. N.E. to the northerly margin of N.E. 60th Street; Thence easterly 30 feet, more or less, to the True Point of Beginning, situated in the City of Redmond, King County, Washington.