

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 642

AN ORDINANCE, ordering the improvement of a portion of N.E. 24th Street, extending from 148th Avenue N.E. to Bellevue-Redmond Road, and a portion of 152nd Avenue N.E., extending from N.E. 20th Street to N.E. 30th 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, retaining walls, landscaping, traffic channelization, 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 N.E. 24th Street, extending from 148th Avenue N.E. to Bellevue-Redmond Road, and a portion of 152nd Avenue N.E., extending from N.E. 20th Street to N.E. 30th Street, as therein set forth, consisting of grading, surfacing, constructing an asphalt concrete pavement, cement concrete curbs and gutters, sidewalks, retaining walls, landscaping, traffic channelization, 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 (25) 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 N.E. 24th Street, extending from 148th Avenue N.E. to Bellevue-Redmond Road, and a portion of 152nd Avenue N.E., extending from N.E. 20th Street to N.E. 30th Street, located in section 23 and section 26, township 25 north, range 5 east, W.M., in the City of Redmond, King County, Washington, for a sixty (60) foot wide street within an eighty (80) foot right-of-way upon N.E. 24th Street and a forty-eight (48) 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, retaining walls, landscaping, traffic channelization, 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-22 established. A local improvement district to be known as "Local Improvement District No. 74-ST-22" is hereby created and established, which district shall include an area described as follows, to wit:

(SEE ATTACHED LEGAL DESCRIPTION)

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 \$1,004,700.00.

Section 5. Assessment district. An assessment district is hereby created, consisting of all of the property within the Local Improvement District No. 74-ST-22 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-22" 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-22, a special fund to be known and

designated as "Local Improvement Fund, District No. 74-ST-22," 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-22," 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-22 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 7 day of May, 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 5-22-74

LEGAL DESCRIPTION

That portion of Section 23 and Section 26, Township 25 North, Range 5 East, W.M. described as follows: Commencing at the southwest corner of said Section 23; Thence easterly 50 feet along the south line of said section to a point, said point being the True Point of Beginning; Thence northerly along a line 50 feet east of and parallel to the west line of Section 23 to its intersection at a point with the easterly right of way line of the property condemned under King County Superior Court Cause No. 731434 for State Highway SR 522 (since renamed SR 520) as recorded under Aud. File No. 6720904 and also conveyed by deed recorded under Aud. File No. 6689193; Thence from said point along said easterly line the following courses: N 01°13'8" E 200.00 feet, N 12°19'55" E 201.14 feet, N 50°36'51" E 160.00 feet, N 72°24'57" E 203 feet, more or less, to its intersection with a line 665' north of and parallel to the south margin of Section 23; Thence easterly along said line to a point which is 650 feet west of the east line of the west ½ of the SW ¼ of Section 23; Thence northerly along a line 650 feet west of and parallel to the east line of the west ½ of the SW ¼ of Section 23, to its intersection with the southeasterly right-of-way line of the before-mentioned SR 520 right-of-way; Thence N 32°36'36" E 24 feet, more or less, to its intersection with the southeasterly line of Overlake Parkway as dedicated in the plat of Overlake Industrial Park, as recorded in Vol. 64 of plats, pgs. 79 to 82, King Co. records; Thence along the southeasterly line of Overlake Parkway N 41°21'16" E. 373.04 feet, to its intersection with the southeasterly right-of-way line of the before-mentioned SR 520 right-of-way; Thence along said southeasterly right-of-way line N 46°19'31" E. 161.93 feet and N 49°05'48" E. 383.09 feet to its intersection with the east line of the west ½ of the SW ¼ of said Section 23;

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Thence southerly along said east line to its intersection with the extension of the northerly lot line of lot 3, plat of Bellevue Gardens, 3rd Addition, as recorded in Vol. 21, pg. 72, King Co. records; Thence easterly 30 feet along said extended line to the northwest corner of said lot 3; Thence southerly 30 feet along the westerly lot line of said lot 3; Thence easterly along a line 30 feet south of and parallel to the north lot line of said lot 3 to a point 650' east of the east line of the west ½ of the SW ¼ of Section 23; Thence southerly along a line 650' east of and parallel to the east line of the west ½ of the SW ¼ of Section 23 to a point 665 feet north of the south line of Section 23; Thence easterly along a line 665' north of and parallel to the south line of Section 23 a distance of 240 feet, more or less, said point also being 890 feet, more or less, east of the east line of the west ½

of the SW  $\frac{1}{4}$  of Section 23; Thence southerly along a line 890 feet, more or less, east of and parallel to the east line of the west  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23 to its intersection with a line parallel to and 40' north of the south line of Section 23, said intersection also being the intersection of said parallel line and the northwesterly margin of N.E. Bellevue-Redmond Road; Thence southwesterly along the northwesterly margin of the N.E. Bellevue-Redmond Road to a point on the north line of the NW  $\frac{1}{4}$  of Section 26; Thence continuing southwesterly along the northwesterly margin of the N.E. Bellevue-Redmond Road to its intersection with a line 665 feet south of and parallel to the north line of Section 26; Thence westerly along said line to its intersection with a line 355 feet east of and parallel to the east line of the west  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 26; Thence southerly along said line to its intersection with the northwesterly margin of the N.E. Bellevue-Redmond Road; Thence along the northwesterly margin of the N.E. Bellevue-Redmond Road to its intersection with a line parallel to and 42' north of the north line of the south  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 26;

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Thence along said line to its intersection with a line 355 feet west of and parallel to the east line of the west  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 26; Thence northerly along said line to its intersection with a line 665 feet south of and parallel to the north line of Section 26; Thence westerly along said line to its intersection with a line parallel to and 30 feet east of the west line of Section 26, said west line of Section 26 also being the centerline of 148th Ave. N.E.; Thence northerly along said line to its intersection with the north line of Section 26; Thence easterly 20 feet along said line to the True Point of Beginning, less all dedicated streets, all situated in City of Redmond, King County, Washington.