

ORDINANCE NO. 116.

AN ORDINANCE specifying and adopting the system or plan proposed to construct, condemn and purchase, purchase, acquire, maintain and operate a system of waterworks for the Town of Kirkland, within or without its limits, declaring the estimated cost thereof, as near as may be, and submitting said system or plan, and the proposition and authority to become indebted therefor, to the qualified voters of the Town of Kirkland for ratification or rejection at a special election to be held in said town on the 15th day of November, 1913.

Be it ordained by the Council of the Town of Kirkland:

Sec. 1. That the Town of Kirkland hereby specifies and adopts the system or plan to construct, condemn and purchase, purchase, acquire, maintain and operate a system of waterworks, within or without its limits, for the purpose of furnishing such town, and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including water power and other power derived therefrom, as specified in Section Two (2) of this ordinance, declares the estimated cost thereof, as near as may be, and proposes to become indebted therefor as set forth in Section Five (5) of this ordinance, and does hereby submit to the qualified voters of said Town, for their ratification or rejection, at the special election to be held in said Town on Saturday, the 15th day of November, A. D., 1913, said system or plan and the proposition and authority to become indebted and to issue bonds therefor.

Sec. 2. That the plan or system of said proposed system of waterworks of said Town is hereby specified and adopted, and the estimated cost thereof, as near as may be, is hereby declared to be as follows, to-wit:

It is proposed to construct, condemn and purchase, purchase, acquire, maintain and operate a system of waterworks, within or without the limits of the Town of Kirkland, for the purpose of furnishing such town, and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes,

public and private, including waterpower and other power derived therefrom.

That it is proposed to condemn and purchase, purchase or otherwise acquire approximately ten acres of land together with a water supply for said system on the creek commonly known as the Cochran Springs, in Section Seventeen (17), Township Twenty-five (25) North, Range Five (5) East, W. M.; to construct at or near the intake on said creek suitable settling basins; to lay a trunk watermain from the point of intake a distance of about fifteen thousand (15,000) feet to a point near the Kirkland Dock in the Town of Kirkland, thence continuing in a northerly direction to a connection with a reservoir or standpipe; to construct a pumping plant or an automatic ram, as the Council by ordinance may determine, at or near the intersection of Piccadilly Avenue and Oxford Street; to construct or purchase such storage tank or tanks and such connections, at such place or places, and of such dimensions or dimensions, as the Council shall by ordinance determine; and the acquisition of such lands, rights-of-way, water rights, easements and privileges, as may be necessary for the construction, protection and maintenance of such water supply system.

Sec. 3. That the estimated cost of the system or plan herein specified and adopted is hereby declared, as near as may be, to be the sum of Eighteen Thousand Two Hundred Fifth (18,250) Dollars.

Sec. 4. A special election shall be held in the Town of Kirkland, and the voting precinct therein, on the 15th day of November, A. D., 1913, for the purpose of submitting to the qualified voters of said Town of Kirkland, the question of the ratification or rejection of said proposed plan and system for a water works system for said town, as proposed in Section 2 herein, and the question of the incurring of bonded indebtedness in the sum of Eighteen Thousand Two Hundred Fifty (\$18,250.) Dollars, and the issuance

of bonds therefor, as provided in Section 5 hereof.

Sec. 5. That the Town of Kirkland become indebted and issue general town bonds to raise revenue to meet the cost of said system or plan, in an amount not exceeding the said estimated cost of Eighteen Thousand Two Hundred Fifty (\$18,250.) Dollars; said bonds to be payable twenty (20) years from their date of issue; to bear interest not exceeding Six (6%) per cent. per annum, payable semi-annually, for which coupons shall be attached to and made a part of said bonds, and to be payable, both principal and interest, at the fiscal agency of the State of Washington, in New York City; said bonds shall be in such form and bear such date as may hereafter be prescribed by the Town Council.

Sec. 6. The proposition and question so submitted shall be voted upon in the following manner, to-wit:

Every voter at such election desiring to vote in favor of the said proposed system or plan, and the issuance and sale of said bonds, shall vote a ballot containing the following statement of the said proposition, to-wit:

"IN FAVOR of the proposition and question of specifying and adopting the system or plan proposed to construct, condemn and purchase, purchase, acquire, maintain and operate a system of waterworks within or without the limits of the Town of Kirkland for the purpose of furnishing such town and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including waterpower and other power derived therefrom, as specified and adopted in Section 2 of Ordinance No. 116 of said Town, approved October 20, 1913, and authorizing a bonded indebtedness for the purpose of providing funds for the construction of said waterworks system, and the issuance and sale of general negotiable coupon bonds of said Town of Kirkland in the sum of Eighteen Thousand Two Hundred Fifty (\$18,250.) Dollars, payable twenty (20) years from date thereof and bearing interest at the rate of Six (6%) per annum payable semi-annually, said bonds being payable out of a sinking fund to be created as provided by statute, said bonds bearing such date and being in such form as shall hereafter be prescribed by the Town Council, as provided in said Ordinance No. 116 of said Town of Kirkland."

Every voter at such election desiring to vote against the said proposed system or plan, and the issuance and sale of said bonds, shall vote a ballot containing the following statement of the said proposition, to-wit:

loaded, shall be...  
"AGAINST the proposition and question of specifying and adopting the system or plan proposed to construct, condemn and purchase, purchase, acquire, maintain and operate a system of waterworks within or without the limits of the Town of Kirkland for the purpose of furnishing such town and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including waterpower and other power derived therefrom, as specified and adopted in Section Two (2) of Ordinance No. 116 of said Town, approved October 20, 1915, and authorizing a bonded indebtedness for the purpose of providing funds for the construction of said waterworks system, and the issuance and sale of general negotiable coupon bonds of said Town of Kirkland in the sum of Eighteen Thousand Two Hundred Fifth (\$18,250.) Dollars, payable twenty (20) years from date thereof, and bearing interest at the rate of Six (6%) per cent. per annum, payable semi-annually, said bonds being payable out of a sinking fund to be created as provided by statute, said bonds bearing such date and being in such form as shall hereafter be prescribed by the Town Council, as provided in said Ordinance No. 116 of said Town of Kirkland."

Sec. 7. In case three-fifths of the qualified voters of the Town of Kirkland, voting at said election, vote in favor of the said system or plan for the said waterworks and water supply system, and the said proposition to become indebted and issue general town bonds to meet the cost of said system or plan, the same shall constitute and be an assent to and adoption of said system or plan for said waterworks and water supply system, and shall constitute and be an assent and authority to become indebted and issue general town bonds, as detailed in Section 5 of this ordinance, to raise revenue to meet the cost of said system or plan; said bonds to conform in all respects to the provisions of Chapter 150 of the Session Laws of 1909 of the State of Washington, and acts amendatory thereof, and the Mayor and Town Council shall provide, by the necessary ordinances, for the issuance and sale of said bonds and the payment of the interest and principal thereof in accordance with the terms of said law.

Sec. 8. There shall be levied each year by the Council of said town, in its annual tax levy, a tax upon all the property in said town subject to taxation sufficient to pay the interest upon said bonds as the same accrue, and the amount of such tax, as col-

lected, shall be by the Town Treasurer credited to a special fund for the payment of the interest upon said bonds, and no part of such fund shall be diverted to any other purpose than the payment of such interest, and the faith, credit and property of the Town of Kirkland are hereby irrevocably pledged for the annual levy and collection of such tax and the regular payment of such interest, and the payment of the principal of such bonds at maturity. Such taxes shall become due and collectible as other taxes.

Sec. 9. At least five (5) years prior to the maturity of said bonds and thereafter in each year until their maturity, there shall be levied by the Town Council of said town, in its annual tax levy, a tax upon all the property in said town subject to taxation, sufficient to accumulate during said series of years a fund equal to the principal sum of all of said bonds remaining unpaid and not owned by said town, and the amount of such tax, as collected, shall be by the Treasurer of said town credited to a special fund for the payment of the principal of such bonds, and no part of such funds shall be diverted to any other purpose than the payment of such principal, and the faith, property and credit of said Town are hereby pledged for the levy and collection of such tax, and the payment of the principal of such bonds at the maturity thereof; but such sinking fund, or any accumulated portion thereof, may be invested at any time or times, not less than six months prior to the maturity of the said bonds, in case the Town Council shall so direct, in any bonds issued in pursuance of this ordinance, to the extent only of the face amount of the principal of such bonds, or in any interest bearing bonds of the United States of America, or of the State of Washington, or in any other securities in which its investment may be authorized by a general law of this State, in which case all interest or premiums which may be realized on any investment as well as the principal thereof, shall be credited to,

such sinking fund.

Sec. 10. That said special election shall be held and conducted as other town elections in accordance with the provisions of the Ordinances of the Town of Kirkland and the General Laws of the State of Washington; and the Town Clerk shall give at least ten (10) days' notice of the time, place and purpose of such election and of the proposition to be submitted thereat. The voting place at said election shall be as follows:

At the Council Chambers in the Town of Kirkland.

The following named persons shall act as Inspectors and Judges of said election:

Inspector:	W. C. Sharp;
Judges:	Vannie Wittenmyer J. B. Jones;
Clerks:	John McEvers; E. Kyler;

Sec. 11. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Passed by Town Council of the Town of Kirkland this 20<sup>th</sup> day of October, 1913.

A. B. Newell

MAYOR.

Approved by me this 20<sup>th</sup> day of October, 1913.

A. B. Newell

MAYOR.

STATE OF WASHINGTON,     )  
                                  : ss.  
County of King.         )

I, J. S. COURTRIGHT, Town Clerk of the Town of Kirkland,  
do hereby certify that the within and foregoing is a true and  
correct copy of Ordinance No. 116 of said Town, as the same ap-  
pears on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed the seal of the Town of Kirkland on this 1st day of  
June, 1914.

J. S. Courtright  
Town Clerk of the Town of Kirkland

(SEAL)

Kirkland, Washington, May 4, 1914.

trial, etc.

WHEREAS, in order to have a continuous system from  
Honorable Board of County Commissioners,  
such reservoir up to the corporate limits of said Town of  
Courthouse,  
Kirkland, it is necessary that a right of way upon the county  
roads herein described be granted to the Town of Kirkland for  
Gentlemen:

the purpose of laying its waterworks therein; now, therefore,  
Your petitioner, the Town of Kirkland, a municipal  
corporation, hereby petitions Your Honorable Body to grant it  
a franchise to use the county roads in this petition mentioned

and described for the construction and maintenance of water-  
works, and respectfully represents as follows:

That heretofore, the Town of Kirkland duly passed  
Ordinance No. 116, specifying and adopting a plan or system  
for acquiring, constructing and operating a system of water-  
works for said town and the inhabitants thereof, which plan  
and system was duly and regularly submitted to the vote of the  
people, and upon such vote was, by a sufficient majority,  
ratified and approved, and

WHEREAS, pursuant to said plan and system, the Town of  
Kirkland has heretofore passed Ordinance No. 120 providing for  
the condemnation and acquisition of said lands and property nec-  
essary for a reservoir site and a right of way from such reservoir  
site to a connection with the county roads hereinbelow mentioned,  
the reservoir site being located in a portion of the Southwest  
Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seven-  
teen (17), Township Twenty-five (25) North, Range Five (5)  
East, W. M., and also in a portion of the Northwest Quarter (NW $\frac{1}{4}$ )  
of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Seventeen (17), Town-  
ship Twenty-five (25) North, Range Five (5) East, W. M., "Woods  
Addition to Kirkland, King County, Washington", which condemna-  
tion proceeding is now in court and will soon be brought on for

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ATTORNEYS AT LAW  
NEW YORK BLOCK SEATTLE

Two Ordinances here and a resolution  
Resolution is gone



trial, and

WHEREAS, in order to make a continuous system from such reservoir up to the corporate limits of said Town of Kirkland, it is necessary that a right of way upon the county roads herein described be granted to the Town of Kirkland for

the purpose of laying its watermains therein; now, therefore,

The description of the county roads upon which such watermains are to be constructed and maintained is as follows:

Commencing at the South line of Section Seventeen (17), Township Twenty-five (25) North, Range Five (5) East, W. M., being the intersection of the South line of Section Seventeen with roads Number Eighty-five (85) and Nine Hundred Thirty-five (935); thence continue in a Northerly direction along Road Number Eighty-five (85) to Road Number Nine Hundred Thirty-five (935); thence in a Northerly direction along Road Number Nine Hundred Thirty-five (935) to the intersection with Road Number Five Hundred Seventy-five; thence Northerly along roads Numbers Five Hundred Seventy-five (575), Four Hundred Fifty-six (456) and Three Hundred Seventy-two (372) to the South limits of the Town of Kirkland, said line being located approximately six hundred (600) feet, more or less, South of the East and West center-line of Section Eight (8), Township Twenty-five (25) North, Range Five (5) East, W. M.

WHEREFORE, your petitioner prays that after due proceedings, this petition may be granted for the term of fifty (50) years.

Dated at Kirkland, Washington, this \_\_\_\_ day of April,

1914.

TOWN OF KIRKLAND,

By A. B. Jewell

SHORETT, McLAREN & SHORETT  
ATTORNEYS AT LAW  
NEW YORK BLOCK SEATTLE

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