

ORDINANCE NO. 573

AN ORDINANCE of the City of Kirkland, Washington, providing for the improvement of Market Street et al by the construction of concrete walks and curbs, the grading and graveling of streets, including any necessary adjustment of manholes and other utilities, and doing such other work as may be necessary in connection therewith, all in accordance with a resolution of the Council of the city passed July 19, 1948, creating a local improvement district therefor, and providing that the payment for said improvements be made by special assessments upon property in said district, payable by the mode of "payment by bonds".

WHEREAS, a resolution was passed by the Council of the City of Kirkland, Washington, on the 19th day of July, 1948, declaring the intention of the Council to order the improvement of Market Street and certain other streets connecting thereto and in the vicinity thereof by the construction of concrete walks and curbs and the grading and graveling of such streets, including any necessary adjustment of manholes and other utilities, and fixed a time for the hearing thereon; and

WHEREAS, said resolution has been duly published and due notice of said hearing was given as required by law; and

WHEREAS, the said hearing was held as provided in said notice and, after hearing protests of certain property owners, the Council has decided to order the construction and installation of said improvements with certain changes, as herein provided;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirkland, Washington, as follows:

Section 1. The following described streets shall be improved by the construction of concrete walks and curbs and grading and graveling, including any necessary adjustment of manholes and other

utilities, and by doing such other work as may be necessary in connection therewith, all in accordance with plans prepared by the city's engineers and now on file in the office of the City Clerk:

- (1) Market Street from Central Way to 18th Avenue
- (2) Waverly Way from Market Street to the north line of Block 22, Town of Kirkland Addition
- (3) 10th, 9th, 7th, and 5th Avenues West from Waverly Way to Market Street
- (4) 11th Avenue West from Market Street to a point approximately 300 feet west of 6th Street West
- (5) 2d and 3d Streets West from Waverly Way to Market Street
- (6) 4th, 5th and 6th Streets West from Waverly Way to the alley north of 11th Avenue West
- (7) 1st Street from Central Way to 16th Avenue
- (8) 2d Street from Central Way to 10th Avenue
- (9) 3d Street from Central Way to 7th Avenue
- (10) 10th, 9th and 8th Avenues from Market Street to 2d Street
- (11) 7th, 6th, 5th, 4th and 3d Avenues from Market Street to 3d Street
- (12) 16th, 15th, 14th, 13th, 12th and 11th Avenues from Market Street to 1st Street

EXCEPT for the following:

- (1) That a sidewalk shall not be constructed on the south side of Waverly Way
- (2) That a sidewalk shall not be constructed on the north side of the triangle located at 10th Avenue West and 6th Street

(3) That a sidewalk shall not be constructed on the northeast and southeast sides of the triangle located at Waverly Way and 9th Avenue West

(4) That a sidewalk shall not be constructed on the northwest side of the triangle located at Market Street and 10th Avenue West

(5) That sidewalks shall not be constructed on 11th Avenue West from 6th Street West to the west end of 11th Avenue West.

Section 2. That there be and is hereby established a local improvement district, to be known as "Local Improvement District No. 94", which said district shall include all the property between the termini of said improvement abutting upon, adjacent, vicinal or proximate to the streets proposed to be improved, to a distance back from the marginal line thereof to the center line of the blocks facing or abutting thereon, and in any case at least a distance of ninety feet back from such street.

Section 3. That all the cost and expense of said improvement, including all necessary and incidental expenses, shall be borne by and assessed against the property included in the assessment district hereinbefore created. The City of Kirkland shall not be liable in any manner for any portion of the cost and expense of said improvements.

Section 4. The proper city officials are hereby authorized and directed to call for bids for the construction and installation of the improvements provided for herein, and to do everything necessary for the carrying out and completion of said plan of improvements.

Section 5. Bonds of said local improvement district, bearing interest at the rate of 5% per annum, payable on or before twelve years from date of issuance, shall be issued in payment of the cost and expense of said improvements, which bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said district, payable in ten equal annual installments with interest at the rate of 5% per annum under the mode of "payment by bonds" as defined by law and ordinances of the City of Kirkland.

That there be and is hereby created in the office of the Treasurer of the City of Kirkland a fund to be known as "Local Improvement District No. 94 Fund". Warrants shall be drawn on said fund, based on estimates of the City Engineer, in payment of the cost of construction and installation of all of said improvements. Said bonds shall be delivered to the contractor in redemption of said warrants, or the City of Kirkland may, at its election, sell said bonds and make such redemption in cash.

Section 6. This ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

PASSED by the Council of the City of Kirkland and approved by its Mayor this 18th day of April, 1949.

CITY OF KIRKLAND, WASHINGTON

By Harvey M. Everett Mayor

Attest:

Clyde J. Jrenz
City Clerk

Approved:
Charles W. Johnson Jr.
City Attorney

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same was duly passed and approved by the Council of the City of Kirkland and entitled "An Ordinance to provide for the issuance of bonds of the City of Kirkland for the purpose of financing the construction and installation of local improvements." and entitled "Local Improvement District No. 94 Fund" and certified to the City Clerk on this 18th day of April, 1949.
Clyde J. Jrenz City Clerk

C E R T I F I C A T E

I, CLYDE F. TRENT, Clerk of the City of Kirkland, Washington, do hereby certify that the foregoing ordinance is a true and correct copy of an ordinance duly and regularly passed by the Council of the City of Kirkland, Washington, on the 18th day of April, 1949, and that the same has been duly entered in the minutes of the meeting of said Council for said date.

Clyde F. Trent

City Clerk