

ORDINANCE NO. 607

AN ORDINANCE of the City of Kirkland, Washington providing for the improvements of 10th Avenue South from Lake Street South to 3rd Street South by the construction of concrete sidewalks, concrete curbs, and grading and paving with asphalt and all other work as may be necessary in connection therewith. All in accordance with the resolution of the Council of the city passed February 5, 1951, 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 5th day of February, 1951, declaring the intention of the Council to order the improvement of 10th Avenue South from Lake Street South to 3rd Street South and in the vicinity thereof by the construction of concrete walks and curbs, and the grading and paving with asphalt thereof, 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, concrete curbs and grading and paving with asphalt, 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) 10th Avenue South from Lake Street South to 3rd Street South.

Section 2. That there be and is hereby established a local improvement district, to be known as "Local Improvement District No. 95", 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/<sup>the</sup>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 the call heretofore made, in answer to which bids were received, is hereby ratified and confirmed together with all proceedings in connection therewith, and to do everything necessary for the carrying out and completion of said plan of improvements.

Section 5. Bonds of said local improvements 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. 95 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 5<sup>th</sup> day of March, 1951.

CITY OF KIRKLAND, WASHINGTON

By Alfred E. Ireland  
Mayor

Attest:

Clyde J. Jrent  
City Clerk

Approved:

Charles W. Johnson Jr  
City Attorney

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