

ORDINANCE NO. 676

AN ORDINANCE of the City of Kirkland, Washington, providing for the improvement of certain streets and avenues in the city by the construction and installation of cement sidewalks, curbs and gutters and underground storm water trunk sewers and by doing all work necessary in connection therewith, all pursuant to Resolution No. 432, passed and approved June 6, 1955, creating a local improvement district therefor, and providing that the payment for said improvements be made by special assessments on the property in said district specially benefited thereby payable by the mode of "payment by bonds," all in accordance with maps, plans and specifications prepared by the city's engineers and herein adopted.

WHEREAS, on June 6, 1955, the Council of the City of Kirkland, Washington adopted its Resolution No. 432, declaring its intention to order the improvement of certain streets and avenues within the city by constructing and installing cement sidewalks, curbs and gutters and underground storm water trunk sewers and by doing all work necessary in connection therewith and fixing a time for the hearing thereon; and

WHEREAS, said resolution was duly published and notice of said hearing was duly given, both in the manner required by law; and

WHEREAS, said hearing was held on June 27, 1955 as provided in said resolution and notice, and after hearing all protests, both written and oral, made prior to and at the time of said hearing, a discussion of the same and of said improvements was had, and after due consideration of all of said protests and the necessity of said improvements the Council determined to order the construction and installation of the improvements hereinafter provided for as set forth in said Resolution No. 432 *except for deletion of North Market Street* and determined that an enlarged local improvement district be created therefor, *as amended* with the boundaries as set forth in said resolution *as amended* and as herein provided;

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

Section 1.

A. The improvement of the hereinafter described streets by the construction and installation of cement sidewalks, curbs and gutters and by doing all other work as may be necessary in connection therewith, all in accordance with maps, plans and specifications prepared by R. W. Beck & Associates, the city's engineers, is hereby ordered:

Market Street from Central Way to ~~the north city limits~~.
R.P.F. 2nd Avenue

State Street from 2nd Avenue South to N. E. 68th Street.

Central Way from Market Street to 4th Street.

B. The improvement of the areas hereinafter described by the construction and installation of the following described underground storm water trunk sewers and by doing all other work as may be necessary in connection therewith, all in accordance with maps, plans and specifications prepared by R. W. Beck & Associates, the city's engineers, is hereby ordered:

(AREA NO. TWO)

Market Street from 15th Avenue to Central Way, with 1245' of 27" pipe, 1665' of 24" pipe, 335' of 21" pipe, and 300' of 15" pipe.

(AREA NO. THREE)

State Street from 2nd Avenue South to N. E. 68th Street, with 690' of 30" pipe, 750' of 24" pipe, 600' of 21" pipe, 250' of 18" pipe, and 1000' of 15" pipe.
R.P.F. 15"

Lake Street from 2nd Avenue South to the south city limits, with 100' of 36" pipe, 100' of 15" pipe, and 1340' of 15" pipe.
R.P.F. 15"

(AREA NO. FOUR)

Central Way from Market Street to 4th Street, with 330' of 36" pipe and 10' of 18" pipe.

Commercial Avenue from Lake Street to 3rd Street, with 490' of 24" pipe and 370' of 15" pipe.

Kirkland Avenue from Lake Street to a point east of 3rd Street, with 350' of 36" pipe and 1100' of 24" pipe.

State Street from Kirkland Avenue to 2nd Avenue South, with 300' of 15" pipe.

Lake Street and Lake Street South from Central Way to 2nd Avenue South, with 150' of 24" pipe and 150' of 15" pipe.

Main Street from Central Way to Kirkland Avenue, with 130' of 15" pipe and 150' of 15" pipe.

3rd Street from Central Way to Kirkland Avenue, with 280' of 15" pipe and 220' of 15" pipe.

The maps, plans and specifications for the above described improvements prepared by R. W. Beck & Associates, the city's engineers, and now on file in the office of the City Clerk, are hereby adopted as the maps, plans and specifications for said improvements.

Section 2. That there be and is hereby established an enlarged local improvement district of the city, to be known as "Local Improvement District No. 96," which said district shall include all of the property between the termini of the improvements described in Section 1. A hereof abutting upon, vicinal or proximate to such streets to be improved to a distance back from the marginal lines thereof to the center line of the blocks facing or abutting thereon and in any case a distance of at least ninety feet back from each such street.

Said district shall also include all the property within the following described boundaries for the construction and installation of the improvements described in Section 1 B hereof:

BOUNDARIES OF AREA NO. TWO

Beginning at the intersection of the north margin of Central Way and the center line of the alley in block 216 of Kirkland Addition; thence northerly along the center line of said alley to a point opposite the south line of lot 6, block 216, Kirkland Addition; thence easterly along the south line of lot 6 to the west margin of First Street; thence easterly to the intersection of the east margin of First Street and the south line of lot 5, block 215, Kirkland Addition; thence easterly along the south line of lot 5, block 215, Kirkland Addition to the center line of the alley between blocks 215 and 214, Kirkland Addition; thence northerly along the center line of the alley between said blocks 214 and 215 to the south margin of Third Avenue; thence northerly across Third Avenue and along the center line of the alley between blocks 209 and 210 of Kirkland Addition to the south margin of Fourth Avenue; thence northerly along the projection of the center line of the alley between blocks 209 and 210 of Kirkland Addition to the south margin of Fifth Avenue; thence easterly along the south margin of Fifth Avenue to a point opposite the east line of lot 11, block 196, Kirkland Addition; thence northerly along the east line of lots 11 and 4, block 196, Kirkland Addition to the south margin of Sixth Avenue; thence northerly across Sixth Avenue and along the east line of lots 11 and 4, block 191, Kirkland Addition to the south margin of Seventh Avenue; thence northerly across Seventh Avenue and along the east line of lots 11 and 4, block 180, Kirkland Addition to the south margin of Eighth Avenue; thence northwesterly across Eighth Avenue to the intersection of the north margin of Eighth Avenue and the east line of lot 17, block 175, Kirkland Addition; thence northerly along the east line of lots 17 and 6, block 175, Kirkland Addition

to the south margin of Ninth Avenue; thence northerly across Ninth Avenue and along the east line of lot 20, block 164, Kirkland Addition, to the south margin of the alley between block 164, Kirkland Addition and block 143, Burke and Farrar's Kirkland Addition, Division No. 27; thence northeasterly to the intersection of the north margin of said alley and the east line of lot 7, block 143, Burke and Farrar's Kirkland Addition, Division No. 27; thence northerly along said east line of lot 7 to the south margin of Tenth Avenue; thence northerly across Tenth Avenue and along the east line of lots 22 and 7, block 159 Central Addition to Kirkland, to the south margin of Eleventh Avenue; thence northerly across Eleventh Avenue and along the east line of lot 22, block 150, Central Addition to Kirkland to the center line of the alley in said block 150; thence easterly along the center line of the alley in block 150, Central Addition to Kirkland to the center line of Second Street; thence northerly along the center line of Second Street to the intersection with the center line of Fifteenth Avenue; thence westerly along the center line of Fifteenth Avenue to the center line of Market Street; thence southwesterly to the intersection of the west margin of Market Street and the north line of lot 6, block 38, Kirkland Addition; thence westerly along the north line of said lot 6 to the center line of the alley in block 38, Kirkland Addition; thence southerly along the center line of said alley to the northeasterly margin of Fourteenth Avenue West; thence southeasterly across Fourteenth Avenue West to the northeasterly corner of lot 12, block 36, Kirkland Addition; thence southwesterly along the northwesterly line of lots 12 and 29, block 36, Kirkland Addition to the northeasterly margin of Thirteenth Avenue West; thence southwesterly across Thirteenth Avenue West and along the northwesterly line of lots 8 and 25, block 28, Kirkland Addition to the northeasterly margin of Eleventh Avenue West; thence southwesterly across Eleventh Avenue West and along the northwesterly line of lot 8, block 24,

Kirkland Addition to the center line of the alley in said block 24; thence southeasterly along the center line of the alley in block 24, Kirkland Addition, to the northwesterly margin of Fourth Street West; thence southeasterly across Fourth Street West and along the center line of the alley in block 25, Kirkland Addition, to a point opposite the northwesterly line of lot 22, block 25, Kirkland Addition; thence southwesterly along the northwesterly line of Lot 22, block 25, Kirkland Addition, to the northeasterly margin of Tenth Avenue West; thence southwesterly across Tenth Avenue West and along the northwesterly line of lot 11, block 18, Kirkland Addition, to the center line of the alley in said block 18; thence southeasterly along the center line of the alley in block 18, Kirkland Addition, to a point opposite the northwesterly line of lot 28, block 18, Kirkland Addition; thence southwesterly along the northwesterly line of lot 28 of said block 18 to the northeasterly margin of Eighth Avenue West; thence southwesterly across Eighth Avenue West to the intersection of the south margin of Eighth Avenue West and the northwesterly line of lot 3, block 14, Kirkland Addition; thence southwesterly along the northwesterly line of lot 3 of said block 14 to the center line of the alley of said block 14; thence southeasterly along the center line of said alley of said block 14 to the northwesterly margin of Third Street West; thence southeasterly across Third Street West and along the center line of the alley in block 15, Kirkland Addition to a point opposite the northwesterly line of lot 18 of said block 15; thence southwesterly along the northwesterly line of lot 18 of said block 15 to the northeasterly margin of Seventh Avenue West; thence southwesterly across Seventh Avenue West and along the northwesterly line of lot 3, block 9, Kirkland Addition to the center line of the alley in said block 9; thence southeasterly along the center line of the alley in said block 9 to the center line of Second Street West; thence southwesterly along the center line of Second Street West to the intersection of

the center line of Second Street West with the center line of the alley of block 7, Kirkland Addition projected northwesterly; thence southeasterly along the center line of the alley in said block 7 to a point opposite the northwesterly line of lot 26 of said block 7; thence southwesterly along the northwesterly line of lot 26, block 7, Kirkland Addition, to the northeasterly margin of Waverly Way; thence southwesterly along the southwesterly projection of the northwesterly line of lot 26, block 7, Kirkland Addition, across Waverly Way to a point 120 feet from the southwesterly margin of Waverly Way; thence southeasterly along a line parallel to and 120 feet southwesterly from the southwesterly margin of Waverly Way to a point 100 feet west of the west margin of Market Street; thence southerly along a line parallel to and 100 feet west of the west margin of Market Street to the intersection of the north margin of Lake Avenue West; thence southeasterly along the northeasterly margin of Lake Avenue West to the intersection with the west margin of Market Street; thence southeasterly across Market Street to the southwest corner of block 216, Kirkland Addition; thence southeasterly along the south line of said block 216 to the point of beginning.

BOUNDARIES OF AREA NO. THREE

Commencing at the intersection of the northwesterly margin of Second Avenue South with a line parallel to and 120 feet west of the westerly margin of Lake Street South; thence northeasterly along the northwesterly margin of Second Avenue South to the west margin of Lake Street South; thence easterly across Lake Street and along the north margin of Second Avenue South to the southwest corner of lot 12, Block 1, Loggie and Evans Addition to Kirkland; thence northerly along the west line of lots 12, 11 and 10 of said block 1 to the northwest corner of lot 10 of said block 1; thence easterly along the north line of lot 10 of said block 1 and across First Street South to the east margin of First Street South; thence northerly along the east margin of First Street South to the northwest corner of lot 4, block 2, Loggie and Evans Addition to Kirkland; thence easterly along the north line of lots 4 and 5 of said block 2 to the westerly margin of Second Street South; thence easterly across Second Street South and along the north line of lot 4, block 3, Loggie and Evans Addition to Kirkland, to the northeast corner of said lot 4; thence southerly along the east line of lots 4, 3 and 2 of said block 3 to the northwest corner of lot 8, block 3, Loggie and Evans Addition to Kirkland; thence easterly along the north line of said lot 8 to the westerly margin of Third Street South; thence northeasterly across Third Street South to the northwest corner of the south one-half of lot 2, block 4, Loggie and Evans Addition to Kirkland; thence easterly along the north line of the south one-half of said lot 2 to the northeast corner of the south one-half of said lot 2; thence southerly along the east line of lots 2 and 1, block 4, Loggie and Evans Addition to Kirkland, to the north margin of Second Avenue South; thence easterly along the north margin of Second Avenue South to the east margin of State Street South; thence southerly along the east margin of State Street South to the intersection of the east margin of State

Street South and the north margin of Second Avenue South; thence easterly along the north margin of Second Avenue South to the southeast corner of lot 3, South Kirkland Acreage; thence northerly along the east line of said lot 3 to the south margin of Kirkland Avenue; thence westerly along the south margin of Kirkland Avenue to the city limits of the City of Kirkland; thence northerly along the city limits of the City of Kirkland to the center line of Central Way; thence southwesterly along the center line of Central Way to the extension of the center line of the alley west of Lake Street; thence southeasterly along the center line of said alley to the intersection with a line parallel to and 120 feet northwesterly of the northwesterly line of the King County Ferry Slip; thence southwesterly along a line parallel to and 120 feet northwesterly of the northwesterly margin of the King County Ferry Slip to the intersection with a line parallel to and 200 feet westerly of the westerly margin of Lake Street; thence southeasterly along a line parallel to and 200 feet westerly of the westerly margin of Lake Street to the intersection with a line 120 feet southeasterly of the southeasterly margin of the King County Ferry Slip; thence northeasterly along a line parallel to and 120 feet southeasterly of the southeasterly margin of the King County Ferry Slip to the center line of the alley west of Lake Street; thence southeasterly along the center line of said alley to the point of beginning.

BOUNDARIES OF AREA NO. FOUR

Commencing at the intersection of the northwesterly margin of Second Avenue South with a line parallel to and 120 feet west of the westerly margin of Lake Street South; thence northeasterly along the northwesterly margin of Second Avenue South to the west margin of Lake Street South; thence easterly across Lake Street and along the north margin of Second Avenue South to the southwest corner of lot 12, block 1, Loggie and Evans Addition to Kirkland; thence northerly along the west line of lots 12, 11 and 10 of said block 1 to the northwest corner of lot 10 of said block 1; thence easterly along the north line of lot 10 of said block 1 and across First Street South to the east margin of First Street South; thence northerly along the east margin of First Street South to the northwest corner of lot 4, block 2, Loggie and Evans Addition to Kirkland; thence easterly along the north line of lots 4 and 5 of said block 2 to the westerly margin of Second Street South; thence easterly across Second Street South and along the north line of lot 4, block 3, Loggie and Evans Addition to Kirkland, to the northeast corner of said lot 4; thence southerly along the east line of lots 4, 3 and 2 of said block 3 to the northwest corner of lot 8, block 3, Loggie and Evans Addition to Kirkland; thence easterly along the north line of said lot 8 to the westerly margin of Third Street South; thence northeasterly across Third Street South to the northwest corner of the south one-half of lot 2, block 4, Loggie and Evans Addition to Kirkland; thence easterly along the north line of the south one-half of said lot 2 to the northeast corner of the south one-half of said lot 2; thence southerly along the east line of lots 2 and 1, block 4, Loggie and Evans Addition to Kirkland, to the north margin of Second Avenue South; thence easterly along the north margin of Second Avenue South to the east margin of State Street South; thence southerly along the east margin of State

Street South to the intersection of the east margin of State Street South and the north margin of Second Avenue South; thence easterly along the north margin of Second Avenue South and along the north margin of Second Avenue South projected easterly to the center line of Sixth Street South; thence southerly along the center line of Sixth Street South to the center line of the Northern Pacific Railroad right-of-way; thence southwesterly along the center line of the Northern Pacific Railroad right-of-way to the south city limits of the City of Kirkland; thence westerly along said south city limits to a point 120 feet westerly of the westerly margin of Lake Street South; thence northerly along a line parallel to and 120 feet westerly of the westerly margin of Lake Street South to the point of beginning.

Section 3. The entire cost and expense of said improvements, including all necessary and incidental expenses, shall be borne by and assessed against the property included in the enlarged local improvement 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 except in so far as the city is made liable by virtue of the law of the State of Washington and particularly those statutes providing for a local improvement guaranty fund of the city.

All of the cost of the improvements described in Section 1 A hereof shall be charged to the property specially benefited by said improvements lying between the termini of such proposed improvements and abutting upon, adjacent, vicinal or proximate to the streets proposed to be improved to a distance back from the marginal lines thereof to the center line of the blocks facing or abutting thereon and in any case to a distance of at least ninety feet back from each such street. Such assessments shall be computed by the zone and termini method of computation of local improvement district assessments.

Approximately 65% of the cost of the improvements described in Section 1 B hereof to be constructed and installed in Area No. Two, approximately 52% of the cost of the improvements described in Section 1 B hereof to be constructed in Area No. Three, and approximately 62% of the cost of the improvements described in Section 1 B hereof to be constructed in Area No. 4, shall be charged to the property specially benefited by said improvements lying between the termini of such proposed improvements and abutting upon, adjacent, vicinal or proximate to the streets and avenues proposed to be improved to a distance back from the marginal lines thereof to the center line of the blocks facing or abutting thereon and in any case to a distance of at least ninety feet back from each such street or avenue. The nature of such improvements is

such that the benefits conferred on said properties are not fairly reflected by the zone and termini method of computing assessments and, therefore, such approximate cost of such improvements shall be provided by assessments made against such properties in accordance with the special benefits they will derive from such improvements without regard to the zone and termini method of computing assessments. Approximately 35%, 48% and 38% of the cost of such improvements to be constructed in said areas numbered Two, Three and Four, respectively, shall be distributed over and assessed on an area basis against all of the properties within the three areas hereinbefore described in accordance with special benefits derived from said trunk sewer improvements without regard to the zone and termini method of computing assessments.

Section 4. It is hereby found and declared that the period during which the bonds hereinafter authorized are payable, to wit: seventeen years from date of issue, will not exceed the life of the improvements authorized herein. Bonds of said local improvement district, bearing interest at the rate of 4% per annum, payable on or before seventeen years from date of issuance, shall be issued in payment of the cost and expense of the improvements provided herein, which bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within the district payable in fifteen equal annual installments with interest at a rate of 4 1/2% per annum under the mode of "payment by bonds" as defined by law and ordinances of the City of Kirkland.

Any assessments or installments thereof when delinquent, plus the interest due thereon, shall bear a penalty of 10% of the total amount thereof from the date of such delinquency.

That there be and is hereby created a fund of the city to be known as "Local Improvement District No. 96 Fund." Warrants bearing interest at a rate of 3% per annum shall be drawn on said fund, based on estimates of the city's engineers in payment of the cost of construction

of said improvements and all costs incidental thereto. The money received from the sale of said warrants shall be placed in the Local Improvement District No. 96 Construction Fund of the city to be hereafter created, and shall be used to pay all of said costs. Said bonds shall be delivered to the owner and holder of said Local Improvement District No. 96 Fund warrants in redemption of the same.

Section 5. This ordinance shall become effective five days from and after its passage, approval and publication as required by law.

PASSED by the Council of the City of Kirkland, Washington and approved by its Mayor at a regular meeting of said Council held this 11th day of July, 1955.

CITY OF KIRKLAND, WASHINGTON

By Alfred E. Leland Mayor

ATTEST:

Loren L. Tuttle
City Clerk

APPROVED AS TO FORM:

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 has been posted according to law. Ordinance No. 676 and published in accordance with above.

Loren L. Tuttle City Clerk