

ORDINANCE NO. 707

AN ORDINANCE of the City of Kirkland, Washington, approving and confirming the assessments and assessment roll of Local Improvement District No. 96 for the improvement of Market Street, State Street and Central Way, et al. by the construction and installation of cement sidewalks, curbs, gutters and trunk sewers and by doing other work incidental thereto and necessary in connection therewith, levying and assessing the amounts thereof against the several lots, tracts, parcels of land and other property as shown on said assessment roll, providing for the payment of such assessments into the Local Improvement District No. 96 Fund created by Ordinance No. 676, and declaring an emergency.

WHEREAS, by motion made, seconded and passed at a special meeting of the City Council held on December 27, 1956 (notice of which special meeting was given as provided by law), the time, date and place of the hearing on the assessment roll for Local Improvement District No. 96 were fixed at 8:00 p. m. on January 28, 1957 in the Council Chambers of the City Hall, Kirkland, Washington; and

WHEREAS, notice of such hearing was duly and regularly given by publication in the Kirkland Chronicle (the official city paper) on January 2 and January 9, 1957, and by mailing a notice thereof at least fifteen days prior to said date of hearing to the owner or reputed owner of each lot, tract, parcel of land or other property whose name appears on such assessment roll, at the address of such owner as shown on the tax rolls of the King County Treasurer for the property described on the roll; and

WHEREAS, at the time and place of said hearing the Council met and duly considered said assessment roll and all protests filed thereto, and after consideration and discussion of such assessments and protests it was announced at the close of said meeting that the

same would be continued to the next regular meeting of the Council to be held at the Council Chambers on February 4, 1957, at 8:00 p.m., at which time the Council's decision on all protests would be announced; and

WHEREAS, it is deemed necessary, because of the interest accruing each day upon the outstanding warrants of this local improvement district, that this ordinance be effective immediately upon its passage, approval and publication, to permit the bonds of this district to be issued immediately and the earliest possible redemption of such warrants accomplished;

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

Section 1. That all of the protests filed to the assessments contained in the assessment roll of Local Improvement District No. 96 of the city be and the same are hereby denied, except that the following three assessments appearing thereon are revised as follows:

<u>Assessment No.</u>	<u>Property Owner</u>	<u>Property Description</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
542	H. M. Dickerman	8-25-5, Tax Lot 174. The N. 100 feet of the S. 154.06 feet of the N. 544 feet of Govt. Lot 3, lying west of Lake Ave. and Shorelands adjacent, less N. 40 feet	\$ 512.75	\$307.35
558	Henry Ovink	8-25-5, Tax Lot 184. The N. 40.25 feet of portion Govt. Lot 3, lying easterly of Lake Avenue and west of 1st Street S. and south 43.73 feet of the west 195 feet of portion of Govt. Lot 2, lying easterly of Lake Ave.	\$1,115.82	\$725.82
49-A	Change ownership from Lake Wash. School District #414 to City of Kirkland	Beg at the nakj of the Wly margin of Market Street with the NEly margin of Lake Ave. in Map of Kirkland plt 6-53 to 65 inc and run along sd margin of Lake Ave. N53°24'00" West 211.39 ft thence on a curve to right with radius of 786.824 feet a distance of 29.08 ft thence North 88°33'20" East 189.16 feet to Westerly margin of Market St thence along ad margin S 1°24'00" East 148.64 to pob being portion of vac Lake Ave and ptn of vac Block 1 sd Map of Kirkland	\$560.23	

Section 2. That the assessments and assessment roll of

Local Improvement District No. 96 for the improvement of Market Street, State Street and Central Way, et al. by the construction and installation of cement sidewalks, curbs, gutters and trunk sewers and by doing all work incidental thereto and necessary in connection therewith as authorized by Ordinance No. 676, passed and approved July 11, 1955, as such assessments now stand on such assessment roll as above revised, be and the same are hereby in all things approved and confirmed.

Section 3. That each of the lots, tracts, parcels of land and other property shown upon said roll is hereby declared to be specially benefited by said improvement in at least the amount charged against the same, and the assessment appearing against each such lot, tract, parcel of land and other property is in proportion to the several assessments appearing upon said roll. There is hereby levied and assessed against each such lot, tract, parcel of land and other property appearing upon said roll the amount finally charged against the same thereon.

Section 4. Said amount or any portion thereof may be paid at any time within thirty days from the date of the first publication of the City Treasurer's notice that the assessment roll has been placed in his hands for collection, without penalty, interest or costs, and thereafter the sum remaining unpaid, if any, may be paid in fifteen equal annual installments with interest on the whole unpaid sum at the rate of 4 1/2% per annum, such installments coming due each year commencing with the year 1958 on the date that is thirty days after the first publication of said notice, and each year thereafter one of said installments, together with the interest due thereon and on all installments thereafter to become

due, shall be collected as provided by law and ordinances of the City of Kirkland.

Section 5. All of such assessments or installments thereof and interest, and penalties if any, thereon when collected by the City Treasurer shall be paid into the "Local Improvement District No. 96 Fund" created by said Ordinance No. 676, and shall be used solely for the purpose of paying the principal of and interest on warrants and bonds drawn upon or issued against said Fund.

Section 6. This ordinance is declared to be one necessary for the immediate preservation of the public peace, property, health and safety of the people of the City of Kirkland, Washington. An emergency is hereby declared to exist, and this ordinance is hereby declared to be in full force and effect from and after its passage, approval and publication as provided 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 4th day of February, 1957.

CITY OF KIRKLAND, WASHINGTON

By *Ern Bayley* Mayor

ATTEST:

Lawrence L. Dille
City Clerk

APPROVED AS TO FORM:

Richard Thorgrimson
Partner

PRESTON, THORGRIMSON & HOROWITZ
Special Bond Counsel for the City