

ORDINANCE NO. 925

AN ORDINANCE of the City of Kirkland, Washington, providing for the improvement of a certain area within the city by the construction and installation of a system of lateral sanitary sewers therein pursuant to Resolution No. 498 of the city passed and approved September 9, 1963; creating a local improvement district therefor, providing for the payment for said improvements by special assessments upon the property in said district, providing for the creation of certain funds and for the issuance and sale of local improvement district bonds and warrants.

WHEREAS, on September 9, 1963, the Council of the City of Kirkland, Washington, adopted Resolution No. 498 declaring its intention to improve a certain area within the city by the construction and installation of lateral sanitary sewers, together with manholes, cleanouts and appurtenances, and to do all work necessary in connection therewith; and

WHEREAS, said resolution was duly published in The East Side Journal in the manner required by law, and notice of said hearing was also duly given by mailing as required by law; and

WHEREAS, said hearing was held on October 7, 1963, as provided in said notice, various oral statements and protests were made and certain written protests were filed against the creation of said proposed local improvement district, and after discussion of said improvements and due consideration thereof, the Council determined to delete from the proposed improvement district two lots already served by sanitary sewer and to order the construction and installation of the improvements as hereinafter more particularly described and to create a local improvement district therefor; and

WHEREAS, the health officer of the city has filed with the legislative authority thereof a report showing that the improvements are necessary to protect the public health and safety;

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

Section 1. It is hereby found and declared that the following described eight inch lateral sanitary sewers for the improvement of the area described in Section 2 hereof, together with all manholes, cleanouts and appurtenances are necessary for the protection of the public health and safety and said improvements are hereby ordered to be constructed, installed and connected to the existing sanitary sewer system of the city:

A. From the existing manhole located on the center line of 7th Avenue opposite the west line of Lot 33, Block 185, Town of Kirkland, then east on 7th Avenue to the intersection of 7th Avenue with 8th Street; thence north on 8th Street to the intersection of 8th Street and 11th Avenue;

B. From the intersection of 8th Street and 9th Avenue, then west on 9th Avenue approximately 530 feet to the west line of Lot 47, Block 169, Town of Kirkland.

Section 2. The property to be specially benefited by the foregoing sanitary sewer improvements shall include all of the following property within the city:

ALL OF BLOCK NO. 226, Supplementary Plat to Kirkland. (This block has not been subdivided into lots.)

BLOCK NO. 227, Supplementary Plat to Kirkland:  
Lots 17 to 23 inclusive.

BLOCK 232, Supplementary Plat to Kirkland:  
Lot 17, including the vacated portion of 9th Avenue and portion of vacated alley.  
Lots 18 to 23 inclusive, including the vacated portion of North and South alley.

BLOCK 233, Supplementary Plat to Kirkland:  
Lot 17, including vacated portion of 10th Avenue and vacated portion of North and South alley.  
Lot 24, including vacated portion of 9th Avenue and vacated portion of North and South alley.  
Lots 18 to 23 inclusive, including the vacated portion of North and South alley.

BLOCK 238, Supplementary Plat to Kirkland:  
Lots 17 to 23, including vacated portion of North and South alley.  
Lot 24, including vacated portion of 10th Avenue and vacated portion of North and South alley.

BLOCK 239, Supplementary Plat to Kirkland:  
Lots 1 to 8 inclusive.

BLOCK 169, Town of Kirkland:  
Lots 1 to 8 inclusive, including vacated portion of North and South alley.  
Lots 47 to 53 inclusive.  
Lot 54, except the West 16' of said lot deeded to the City of Kirkland for an alley but including the vacated portion of the East and West alley abutting the East 14' of said lot.  
Lots 55 to 57 inclusive, including the vacated portion of the East and West alley.  
Lot 58, including the vacated portion of the East and West alley and the vacated portion of the North and South alley.

BLOCK 170, Town of Kirkland:  
Lots 1 to 8 inclusive.  
Lots 9 to 18, inclusive.

Section 3. The plans and specifications for the improvements described in Section 1 as prepared by the city engineer and now on file, are hereby adopted and approved.

Section 4. There is hereby established a local improvement district of the city, to be known as "Local Improvement District No. 98," which said district shall include all the property described in Section 2 above.

Section 5. The entire cost of the improvements described in this ordinance shall be borne by and assessed against the property within the District specially benefited by said improvements.

The nature of the improvements to be constructed and installed pursuant to this ordinance is such that the special benefits conferred on the property within this local improvement district are not in all cases fairly reflected by the use of the zone and termini method of computing assessments, and assessments shall be made against the property of the district in accordance

with the special benefits it will derive from the respective improvements without regard to the zone and termini method.

Section 6. There is hereby created a fund of the city to be known as "Local Improvement District No. 98 Fund" into which Fund there shall be paid all of the assessments collected in said district as and when directed by the ordinance confirming said assessments and the assessment roll therefor. Said Fund shall be used solely for the purpose of payment of bonds and/or warrants to be issued in payment of the cost and expense of said improvements as hereinafter provided. Interim warrants bearing interest at rate of not to exceed 6% per annum shall be drawn on said Fund based upon estimates of the city engineer and sold by the city to provide funds for the payment of the costs of construction and installation of said improvements and costs incidental thereto as same shall be incurred. Bonds of said local improvement district in denominations of \$500.00 each, except for Bond No. 1, the denomination of which shall be hereafter provided by resolution of the City Council, bearing interest at a rate of not to exceed 6% per annum and payable on or before twelve years from date of issue shall be issued for the redemption of said warrants and shall be payable both principal and interest by the collection of special assessments to be levied and assessed upon the property within the district, payable in ten equal annual installments with interest at a rate of not to exceed 6% per annum, all as provided by law and ordinances of the city.

Section 7. There is hereby also created a fund of the city to be known as "Local Improvement District No. 98 Construction Fund." All moneys received from the sale of warrants drawn on the Local Improvement District No. 98 Fund shall be placed in said Local Improvement District No. 98 Construction Fund and shall be

used solely for the purpose of paying all of the costs of construction and installation of the improvements authorized in said local improvement district, including all costs and expenses incidental thereto. Any moneys remaining in said Construction Fund after payment of all costs of said district shall be transferred and paid into the Local Improvement District No. 98 Fund.

Section 8. This ordinance shall become effective five days from and after its passage, approval and publication.

PASSED by unanimous vote of the Council of the City of Kirkland, Washington, and approved by its Mayor at a regular meeting of said Council held this <sup>18<sup>th</sup> day of November</sup> ~~21<sup>st</sup> day of October~~, 1963.

CITY OF KIRKLAND, WASHINGTON

By: *[Signature]*  
Mayor

ATTEST:

*[Signature]*  
City Clerk

APPROVED AS TO FORM:

*[Signature]*  
City Attorney