

ORDINANCE No. 1121

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, PROVIDING FOR THE IMPROVEMENT OF A CERTAIN AREA WITHIN THE CITY BY THE CONVERSION WITHIN SAID AREA OF UTILITY FACILITIES FROM OVERHEAD TO UNDERGROUND, AND TO DO ALL OTHER WORK NECESSARY IN CONNECTION WITH SUCH IMPROVEMENT, ALL PURSUANT TO PETITION REQUESTING SUCH IMPROVEMENT FILED WITH THE CITY OF KIRKLAND OCTOBER 30, 1967, AND FURTHER PURSUANT TO CHAPTER 119 OF THE LAWS OF 1967, REGULAR SESSION, CREATING A LOCAL IMPROVEMENT DISTRICT THEREFORE, PROVIDING FOR THE PAYMENT FOR SAID IMPROVEMENT BY SPECIAL ASSESSMENTS UPON THE PROPERTY IN SAID DISTRICT, PROVIDING FOR THE CREATION OF A LOCAL IMPROVEMENT DISTRICT NO. 101, AND FOR THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT DISTRICT WARRANTS AND BONDS.

WHEREAS, On October 30, 1967, there was filed with the City of Kirkland a petition requesting the improvement of a certain area within the city by the conversion within said area of utility facilities from overhead to underground, and for the creation of a local improvement district pursuant to Chapter 119 of the Laws of 1967, Regular Session, and,

WHEREAS, said petition is found to be in proper form and bearing the signatures of owners of property aggregating not less than a majority of the lineal footage of the proposed improvement and of the area within the proposed district, and,

WHEREAS, after consideration of the prayer of said petition, the Council determined to order the creation of a local improvement district and to contract with the electric and communication utilities serving said area for the conversion of the utility facilities within said area from overhead to underground, all as permitted by Chapter 119 of the Laws of 1967,

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

Section 1. The overhead electrical and communication facilities installed within the conversion area hereinafter described shall be converted to underground facilities, together with all other work necessary in connection with such improvement.

Section 2. The property especially benefited by such conversion shall include all of the area lying within the conversion area described as follows:

Beginning at the center of Section 31, township 26 north, range 5 east, thence east along the half section line a distance of 503.93 feet to a point of intersection with the inner harbor line, the true point of beginning; thence South $44^{\circ}39'14''$ W, a distance of 673.89 ft. along said inner harbor line; thence S $1^{\circ}47'00''$ E a distance of 277.57 ft. to the southern boundary of Lot 31, Rose Point Addition (unrecorded) thence S $82^{\circ}54'45''$ E along southerly lot line of said Lot 31 a distance of 685.71 ft. to the westerly boundary of 10th St. West; thence continuing in a southerly direction along the western boundary of 10th St. West to a point of intersection with the southern boundary of Lot 1, Block 151, Burke & Farrar's Addition, Division #29 extended, thence easterly along southern boundary of said Lot 1, Block 151, Burke & Farrar's Addn., Div. #29 as extended to the southeasterly corner of said lot 1, Block 151, Burke & Farrar's Addn., Div. #29, thence southerly along the westerly boundary of Lot 24, Block 151, Burke & Farrar's Addn., Div. #29 to a point of intersection with the southwesterly boundary of Lot 22, Block 151, Burke & Farrar's Addn., Div. #29, thence southeasterly along the southwesterly boundary of said Lot 22, Block 151, Burke & Farrar's Addn., Div. #29, to the southerly corner of Lot 21, Block 151, Burke & Farrar's Addn., Div. #29, thence northeasterly a distance of 130 ft along the southeasterly boundary of said Lot 21, Block 151, Burke & Farrar's Addn., Div. #29, thence southeasterly a distance of 100 ft on a line parallel to the southwesterly boundary of 18th Avenue West to a point on the common boundary of Lots 18 and 19, Block 151, Burke & Farrar's Addn., Div. #29, thence northeasterly along southeasterly boundary of said Lot 19, Block 151, Burke & Farrar's Addn., Div. #29, extended to a point of intersection with the centerline of 18th Ave. West, thence northwesterly along said centerline to a point of intersection with the centerline of 9th St. West; thence northeasterly along said centerline of 9th St. W., a distance of 140 ft. thence northwesterly along a line parallel to the southeasterly boundary of 18th Ave. West, a distance of 230 ft. to the northwesterly boundary of Lot 1, Block 148,

Burke & Farrar's Addn., Div. #29, thence northeasterly along the northwesterly boundary of Lot 1, and Lot 8, Block 148, Burke & Farrar's Addn., Div. #29, extended to intersect the centerline of 20th Ave. West, thence northwesterly along said centerline of 20th Ave. West to a point of intersection with the centerline of 10th Street West, thence southwesterly along said centerline of 10th St. West to a point of intersection with the northerly line of Lot 33, Rose Point Addn. (unrecorded) extended which is also the easterly extension of the south line of Tax Lot No. 9017 in Section 31, Township 26, N.R. 5, E.W.M. thence westerly along said lot line extended a distance of 48.64 ft. to the westerly boundary of 10th St. West, thence northeasterly on a line parallel to the easterly boundary of 10th St. West a distance of 36.48 feet, thence N 82°54'45" W a distance of 111.37 ft. thence a distance of 21.08 ft as measured along the arc of a horizontal curve having a radius of 15 ft, thence N 02°24'45" W a distance of 30.89 ft. thence North 07°35'15" E a distance of 70 ft., thence N 18°50'15" E a distance of 480.00 ft. thence N 24°00'15" E a distance of 94.07 ft., thence N 16°48'15" E a distance of 121.75 ft. thence N 80°54'45" W a distance of 20 ft. thence N 16°48'15" E a distance of 121.75 ft. thence N 82°54'45" W a distance of approx. 300 ft. to a point of intersection with the inner harbor line, thence S 44°39'14" W a distance of approx. 400 ft. to the true point of beginning. All situate in Kirkland, King County, Washington.

Section 3. The plans and specifications for the improvements described in Section 1 as prepared and on file in the office of the Director of Public Services for the City of Kirkland 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. 101, which said district shall include all of the property described in Section 2 above.

Section 5. Any cost of the purchase of new equipment, or renewal of old equipment which is to remain private property, shall be borne by the respective utilities owning it and not by the local improvement district. All of the remaining costs of the improvement shall be allocated to and borne by the property within the improvement district in accordance with the special benefits conferred; the cost shall be assessed against

the property by employing the following formula:

For the purposes of levying assessments within said district, each ownership parcel of land shall be deemed to be a "lot" and the assessment shall be levied on a per lot basis in the manner provided for in Section 4, Chapter 119, Laws of 1967.

Section 6. There is hereby created a fund of the City to be known as Local Improvement District No. 101 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 therefore.

Interim revenue warrants bearing interest at a rate of not to exceed 6% per annum shall be drawn upon said fund based upon estimates of the City Engineer and shall be issued and sold to furnish moneys for the payment of the costs of construction and installation of said improvement and costs incidental thereto as same shall be incurred. The proceeds of sale of such interim warrants shall be deposited in said fund and cash warrants drawn thereon in payment of such costs.

Upon completion of the improvements and after the expiration of the 30-day assessment pre-payment period, installment notes or bonds of said local improvement district bearing interest of not to exceed 6% per annum, and payable on or before 12 years from issue, shall be issued for the redemption of the outstanding revenue 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 10 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. If bonds are issued, they shall be in denominations of \$500 each except for Bond No. 1, the denomination of which shall be hereafter provided by resolution of the City Council.

Section 7. This Ordinance shall become effective five (5) days from and after its passage, approval and publication.

PASSED by the City Council of the City of Kirkland, at

a regular meeting of said Council held the 18th day of December, 1967.

Lee Lanham
Mayor

Attest:
Alan C. Lucas
Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:
Ralph E. Thomas
City Attorney

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