

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2116

AN ORDINANCE of the City of Kirkland, Washington, ordering the carrying out of that portion of the system or plan for making additions to and betterments and extensions of the waterworks utility of the City, including the system of sewerage as a part thereof, as adopted by Ordinance No. 1124, as supplemented and amended by Ordinance No. 1151 and as amended by Ordinance No. 2112, applicable to a certain area commonly known as the Bridle Trails area lying within and without the corporate limits of the City, by the construction and installation of sanitary sewers, and that portion of the said system or plan for making additions to and betterments and extensions of the waterworks utility of the City, including a system of sewerage as a part thereof, applicable to a certain area commonly known as the N.E. 60th Street area lying within the corporate limits of the City, by the construction and installation of sanitary sewers, all as applicable to the utility local improvement districts hereinafter described: creating Utility Local Improvement Districts Nos. 106 and 107; and fixing the time and place for a public hearing on the final assessment rolls of said utility local improvement districts.

WHEREAS, the City of Kirkland heretofore combined its municipal water system and system of sewerage, including all additions thereto and betterments and extensions thereof at any time made, pursuant to RCW 35.67.320, by Ordinance No. 576 of the City, passed and approved July 18, 1949, and such combined systems, including the separate waterworks system and separate system of sewerage maintained and operated by the former City of Houghton, Washington, if the same shall hereafter be combined with and made a part of the waterworks utility of the City, shall hereinafter be referred to as the "waterworks utility of the City"; and

WHEREAS, pursuant to Ordinance No. 1124, passed by the City Council and approved by the Mayor on January 15, 1968, as supplemented and amended by Ordinance No. 1151, passed by the City Council and approved by the Mayor on June 17, 1968, as amended by Ordinance No. 2112, passed by the City Council and approved by the Mayor on July 6, 1970, the City Council specified and adopted a system or plan for making additions to and betterments and extensions of the waterworks utility of the City and provided the method of financing the same by the issuance and sale of water and sewer revenue bonds in one or more series to be supported by assessments

to be levied in one or more utility local improvement districts authorized to be created to obtain the funds with which to pay the cost of such system or plan; and

WHEREAS, the City Council by Resolution No. 2064 adopted July 6, 1970, declared its intention to initiate the formation of a utility local improvement district to be known and designated as "Utility Local Improvement District No. 106," of the City of Kirkland, Washington, to carry out that portion of the system or plan for making additions to and betterments and extensions of the waterworks utility of the City, as adopted by Ordinance No. 1124, as supplemented and amended by Ordinance No. 1151 and as amended by Ordinance No. 2112, applicable to a certain area commonly known as the Bridle Trails area lying within and without the corporate limits of the City, by the construction and installation of sanitary sewers, and further declared its intention to initiate the formation of a utility local improvement district to be known and designated as "Utility Local Improvement District No. 107," of the City of Kirkland, Washington, to carry out that portion of the system or plan of making additions to and betterments and extensions of the waterworks utility of the City applicable to a certain area commonly known as the N.E. 60th Street area lying within the corporate limits of the City, by the construction and installation of sanitary sewers, all as applicable to said utility local improvement districts, and fixed the 3rd day of August, 1970, at 8:15 o'clock p.m. (PDST) in the Council Chambers in the City Hall, Kirkland, Washington, as the time and place for hearing all matters relating to the improvement applicable to Utility Local Improvement District No. 106, and fixed the hour of 8:45 o'clock p.m. (PDST) on the same date and at the same place as the time and place for hearing all matters relating to the improvement applicable to Utility Local Improvement District No. 107, and for hearing all objections thereto and for determining the method of payment for said improvement; and

WHEREAS, the City's Public Works Director and Jones Associates, Inc., the City's consulting engineers, caused an estimate to be made of the costs and expenses of the proposed improvement applicable to each utility local improvement district, and certified said estimate to the City Council, together with all papers and information in their possession touching the proposed improvement, a description of the boundaries of each utility local improvement district, a statement of what portion of the cost and expense of the improvement should be borne by the property within each proposed utility local improvement district, a statement in detail of the local improvement assessments outstanding or unpaid against the properties in each proposed utility local improvement district, and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvements in each proposed utility local improvement district, according to the valuation last placed upon it for the purpose of general taxation; and

WHEREAS, said estimate is accompanied by a diagram of the proposed improvement applicable to each utility local improvement district showing thereon the lots, tracts, parcels of land and other property, both within and without the corporate limits of the City, which will be specially benefited by the proposed improvement and the estimated amount of the cost and expense thereof to be borne by each lot, tract and parcel of land or other property; and

WHEREAS, due notice of the hearings upon said Resolution No. 2064 was given in the manner provided by law, and the hearings on Utility Local Improvement Districts Nos. 106 and 107 were held by the City Council on August 3, 1970, and all persons appearing at each hearing desiring to be heard were heard and only one written protest was filed with the City Council pertaining to Utility Local Improvement District No. 106 and no written protests were filed with the City Council pertaining to Utility Local Improvement District No. 107 on or before and since the date of each respective hearing, which written protest was overruled; and

WHEREAS, the Seattle-King County Health Department, acting as the health officer of the City of Kirkland, Washington, has filed with the City Council a report showing the necessity for the improvement within each utility local improvement district; and

WHEREAS, the final assessment rolls for Utility Local Improvement Districts Nos. 106 and 107 have been prepared and filed with the City Clerk, and it is necessary to fix the time and place of the public hearings thereon; and

WHEREAS, the City Council deems it necessary for the protection of the public health and safety and in the best interests of the City that the improvement as hereinafter described be carried out and that said utility local improvement districts be created in connection therewith; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON,
DO ORDAIN, as follows:

Section 1. Pursuant to RCW 35.43.180, the City Council of the City of Kirkland, Washington, hereby finds and recites that the acquisition and construction of the improvements hereinafter described applicable to Utility Local Improvement Districts Nos. 106 and 107 are necessary for the protection of the public health and safety.

Section 2. It is hereby ordered that the acquisition and construction of the following portions of the system or plan for making additions to and betterments and extensions of the water-works utility of the City, as specified and adopted in Ordinance No. 1124 passed by the City Council and approved by the Mayor on January 15, 1968, as supplemented and amended by Ordinance No. 1151

passed by the City Council and approved by the Mayor on June 17, 1968, as amended by Ordinance No. 2112 passed by the City Council and approved by the Mayor on July 6, 1970, be carried out:

A. That portion of said system or plan to serve the Bridle Trails area lying within the corporate limits of the City, and the Benjamin Franklin School of Lake Washington School District No. 414, King County, Washington, lying outside the corporate limits of the City, consisting of the construction and installation of trunk and lateral sanitary sewers, manholes and all other work and appurtenances as may be necessary for a complete sanitary sewer system within the area to be served and its connection to the existing waterworks utility of the City along the following routes:

<u>Location</u>	<u>From</u>	<u>To</u>	<u>Size</u>	<u>Length</u>
120th Ave. N.E.	Approx. 800' south of N.E. 70th Street	Approx. 1000' south of N.E. 70th Street	8"	200'
Easement Generally parallel to 120th Ave. N.E. beginning and ending on 120th Ave. N.E.	Approx. 1000' south of N.E. 70th Street	N.E. 64th Street	8"	995'
120th Ave. N.E.	N.E. 64th St.	Easterly extension common lot line of Lots 2 and 3, Block 3, Replat of Bridle Ridge Addn.	8"	290'
Easement across portion of Lots 7 and 8, Plat of Colonial Lane	120th Ave. N.E.	N.E. 66th Street	8"	300'
N.E. 66th Street	490' plus or minus west of 122nd Ave. N.E.	300' plus or minus east of 122nd Ave. N.E.	8"	790'
N.E. 67th Street	65' plus or minus east of 122nd Ave. N.E.	123rd Ave. N.E.	8"	400'
123rd Ave. N.E.	N.E. 67th St.	N.E. 66th St.	8"	310'
Easement across lots 9 and 10, Plat of Northwood	100' west of 120th Ave. N.E.	N.E. 65th St. cul-de-sac	8"	275'
N.E. 65th St.	530' plus or minus west of 122nd Ave. N.E.	124th Ave. N.E.	8"	1180'

124th Ave. N.E.	N.E. 65th Street	60' plus or minus north of N.E. 60th Street	8"	1070'
N.E. 64th Street	120th Ave. N.E.	123rd Ave. N.E.	8"	1020'
Easement across portion of Lots 2 and 3, Block 3, and Lots 6 and 7, Block 2, Replat of Bridle Ridge Addition	120th Ave. N.E.	120th Place N.E.	8"	320'
N.E. 62nd Street	120th Place N.E.	122nd Ave. N.E.	8"	340'
N.E. 62nd Street	122nd Ave. N.E.	123rd Ave. N.E.	8"	495'
120th Place N.E.	N.E. 62nd Street	N.E. 61st Street	8"	360'
N.E. 61st Street	120th Place N.E.	123rd Ave. N.E.	8"	845'

B. That portion of said system or plan to serve the N.E. 60th Street area and consisting of the construction and installation of the following sewer mains:

<u>Location</u>	<u>From</u>	<u>To</u>	<u>Size</u>	<u>Length</u>
111th Ave. N.E.	250' south of N.E. 62nd St.	N.E. 60th Street	8"	500'
N.E. 60th Street	111th Ave. N.E.	114th Ave. N.E.	8"	1150'
114th Ave. N.E.	N.E. 60th Street	N.E. 56th Street	8"	1300'
111th Place N.E.	N.E. 60th Street	250' north of N.E. 60th St.	8"	250'

Section 3. To carry out the foregoing portion of the system or plan for making additions to and betterments and extensions of the waterworks utility of the City to serve the Bridle Trails area as described in Section 2 above, there is hereby created and established a utility local improvement district to be known and designated as "Utility Local Improvement District No. 106 of the City of Kirkland, Washington," the boundaries thereof being more particularly described as follows:

Beginning at the South one-quarter corner of Section 9, Township 25 North, Range 5 East; thence westerly along the south line of said southwest one-quarter to an intersection with the southerly production of the west line of Lot 12, Block 2, said Replat of Bridle Ridge Addition; thence northerly

along said southerly production and the west lines of Lots 7 through 12, Block 2, said replat of Bridle Ridge Addition to the South east corner of Lot 3, Block 3, Replat of Bridle Ridge Addition; thence westerly along the south line of said Lot 3 and its westerly production to the west line of the east one-half of said southwest one-quarter of Section 9; thence northerly along the west line of the east one-half of the southwest one-quarter of said Section 9 to the northwest corner of Lot 8, said plat of Colonial Lane; thence easterly along the north line of said plat of Colonial Lane and its easterly production to the west line of the east one-half of the east one-half of the southwest one-quarter of said Section 9, said line being the centerline of Lakeview Street, also known as 122nd Avenue N.E.; thence northerly along the centerline of 122nd Avenue N.E. to an intersection of the north line of the plat of Bridle Trails Park, Addition No. 1; thence easterly along said north line to the northwest corner of Lot 2, Block 1 of said plat of Bridle Trails Park, Addition No. 1; thence southerly along the west line of said Lot 2 to the south west corner thereof; thence easterly along the south line of Lots 2, 3, 4 and 5 to the southeast corner of Lot 5; thence northerly along the east line thereof to the north line of said Plat of Bridle Trails Park, Addition No. 1; thence easterly along said north line to an intersection with the east line of the southwest one-quarter of said Section 9; thence southerly along said east line to the point of beginning:

being the area located within the corporate limits of the City; and

Beginning at the South one-quarter corner of Section 9, Township 25 North, Range 5 East, W.M.; thence northerly along the west line of the southeast one-quarter of said Section 9 to the north line of the south 1,014.05 feet of the southeast one-quarter of said Section 9; thence easterly parallel with the south line of the southeast one-quarter of said Section 9 to the east line of the west 514.25 feet of the southwest one-quarter of the southeast one-quarter of said Section 9; thence southerly parallel with the west line of said southeast one-quarter of Section 9 to the south line of the southeast one-quarter of said Section 9; thence westerly along the south line of the southeast one-quarter of said Section 9 to the point of beginning;

being the area owned by Lake Washington School District No. 414, King County, Washington, and located outside the corporate limits of the City.

To carry out the portion of the system or plan for making additions to and betterments and extensions of the waterworks utility of the City to serve the N.E. 60th Street area as described in Section 2 above, there is thereby created and established a

a utility local improvement district to be known and designated as "Utility Local Improvement District No. 107 of the City of Kirkland, Washington," the boundaries thereof being more particularly described as follows:

Beginning at the Southwest corner of the Southeast one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section 8, Township 25 North, Range 5 East, W.M.; thence easterly along the south line of said Section 8 to a point that is 93.61 feet westerly of the west right-of-way margin of 111th Avenue N.E.; thence northerly parallel with said westerly right-of-way margin for 130 feet; thence westerly to a point that is 135 feet west of the west right-of-way margin of 111th Avenue N.E.; thence northerly parallel with said westerly right-of-way margin to a point that is 30 feet southerly of as measured at right angles to the centerline of N.E. 62nd Street; thence easterly parallel with the centerline of N.E. 62nd Street to the centerline of 111th Avenue N.E.; thence southerly along the centerline of 111th Avenue N.E. to an intersection with the westerly production of the north line of Lot 10 Harry White's Fourth Addition to Kirkland according to the plat thereof recorded in Volume 6 of Plats, page 13, records of King County, Washington; thence easterly along said westerly production and the north line of Lot 10 to the northeast corner thereof; thence southerly along the east line of Lots 10, 11, 12, 13, 14, 15 and 16 to the northeast corner of Lot 17 said Harry White's Fourth Addition to Kirkland; thence easterly along the north line of Lot 32, said Harry White's Fourth Addition to Kirkland and the north line of Lot 17, Harry White's Third Addition to Kirkland according to the plat thereof recorded in Volume 6 of Plats, page 12, records of King County, Washington, to the northeast corner of said Lot 17 said Harry White's Third Addition to Kirkland; thence southerly along the east line of Lots 17, 18, 19 and 20 to the northeast corner of Lot 21 said Harry White's Third Addition to Kirkland; thence easterly along the north line of Lot 28 and its easterly production to an intersection with the west line of the southeast quarter of the southeast quarter of said Section 8; thence northerly along said west line to a point that is 120 feet northerly of the north line of N.E. 60th Street; thence east parallel with said north line of N.E. 60th Street to the westerly right-of-way margin of Interstate 405; thence southerly along said westerly right-of-way margin to an intersection with the south line of the northeast quarter of the northeast quarter of Section 17, Township 25 North, Range 5 East, W.M.; thence westerly along the south line of said northeast quarter of the northeast quarter of Section 17 to a point that is 120 feet westerly of as measured at right angles to the west right-of-way margin of 114th Avenue N.E.; thence northerly parallel with said westerly right-of-

way margin for 260 feet; thence west to a point that is 182 feet westerly of the west right-of-way margin of said 114th Avenue N.E.; thence northerly parallel with said westerly right-of-way margin for 130 feet; thence east to a point that is 170 feet west of the west right-of-way margin of said 114th Avenue N.E.; thence northerly parallel with said westerly right-of-way margin for 130 feet; thence east to a point that is 120 feet west of the west right-of-way margin of said 114th Avenue N.E.; thence North parallel with said westerly right-of-way margin to the northerly right-of-way margin of N.E. 58th Street; thence west along said northerly right-of-way margin to a point that is 162 feet west of the west right-of-way margin of said 114th Avenue N.E.; thence northerly parallel with said westerly right-of-way margin for 162.44 feet; thence east to a point that is 100 feet west of the westerly right-of-way margin of said 114th Avenue N.E.; thence north parallel with the said westerly right-of-way margin for 185.49 feet; thence east to a point that is 87.98 feet west of the westerly right-of-way margin of said 114th Avenue N.E.; thence north parallel with said westerly right-of-way margin to a point that is 150 feet southerly of as measured at right angles to the southerly right-of-way margin of N.E. 60th Street; thence west parallel with said southerly right-of-way margin for 319.63 feet; thence North to a point that is 120 feet southerly of the southerly right-of-way margin of N.E. 60th Street; thence west parallel with said southerly right-of-way margin to the east line of the west half of the northeast quarter of the northwest quarter of the northeast quarter of said Section 17; thence southerly along said east line to a point that is 234 feet southerly of the southerly right-of-way margin of said N.E. 60th Street; thence west parallel with said southerly right-of-way margin for 132 feet; thence north to a point that is 120 feet south of the southerly right-of-way margin of said N.E. 60th Street; thence west parallel with said southerly right-of-way margin to the west line of the northeast quarter of the northwest quarter of the northeast quarter of said Section 17; thence north along said west line to the point of beginning.

Section 4. The estimated cost and expense of the portion of the system or plan applicable to Utility Local Improvement District No. 106 is hereby declared to be \$146,295.00 of which \$131,215.00 is allocated to the Bridle Trails area lying within the corporate limits of the City and \$15,080.00 is allocated to the Benjamin Franklin school site owned by the Lake Washington School District No. 414, King County, Washington, lying outside the corporate limits of the City. Not to exceed \$62,000.00 of such estimated cost and expense shall be borne by and assessed against the Bridle Trails area property lying within the corporate limits of the City and within Utility Local Improvement District No. 106 and not to exceed \$13,600.00 of such estimated cost and expense shall be borne by and assessed against

the property owned by the Lake Washington School District No. 414, King County, Washington, lying outside the corporate limits of the City and within Utility Local Improvement District No. 106. The estimated cost and expense of the portion of the system or plan applicable to Utility Local Improvement District No. 107 is hereby declared to be \$46,000.00, and not to exceed \$30,000.00 of such estimated cost and expense shall be borne by and assessed against the property included within Utility Local Improvement District No. 107. The properties in said utility local improvement districts will be all the properties specially benefited by such improvements. The assessments in said utility local improvement districts shall be for the sole purpose of payment into a special bond redemption fund to be hereafter created for the payment of water and sewer revenue bonds to be hereafter issued by the City to provide the funds required to pay the cost and expense of carrying out said system or plan.

Section 5. In accordance with provisions of Section 7 of Chapter 258, Laws of Washington, 1969, 1st Ex Sess., the City may use any method or combination of methods to compute assessments which may be deemed to fairly reflect the special benefits to the properties being assessed.

Section 6. A public hearing upon the final assessment roll of Utility Local Improvement District No. 106 shall be held in the Council Chambers in the City Hall, Kirkland, Washington, at 8:15 o'clock p.m. (PDST) on September 21, 1970.

A public hearing upon the final assessment roll of Utility Local Improvement District No. 107 shall be held in the Council Chambers in the City Hall, Kirkland, Washington, at 8:45 p.m. (PDST) on September 21, 1970.

The Director of Administration and Finance, ex officio City Clerk, is hereby authorized and directed to cause notice of such hearings upon said assessment rolls to be mailed and published in the manner required by law.

Section 7. 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 required by law.

PASSED by the City Council of the City of Kirkland, Washington, at a regular meeting thereof and APPROVED by the Mayor this

17th day of August, 1970.

William E Woods
Mayor

ATTESTED:

Tom J. Anderson
Director of Administration and Finance
ex officio City Clerk

APPROVED AS TO FORM:

Ray E. [Signature]
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 was published or posted according to law, said Ordinance being No. 2116 and entitled "An Ordinance as above.

Tom J. Anderson City Clerk."