

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2189

AN ORDINANCE ordering the installation of a street lighting system, together with an underground electrical distribution system and an underground telephone system to replace the present overhead systems along Market Street and Central Way from N.E. 106th Street south on Market Street to its intersection with Central Way and then east on Central Way to the intersection of Central Way and Third Street, in accordance with Resolution No. 2123 of the City Council of the City of Kirkland, Washington; establishing Local Improvement District No. 108; providing that payment for said improvement be made in part by special assessments upon property in said District, payable by the mode of "payment by bonds"; and providing for the issuance and sale of local improvement district warrants redeemable in cash and local improvement district bonds.

WHEREAS, by Resolution No. 2123, adopted May 1, 1972, the City Council of the City of Kirkland declared its intention to order the installation of a street lighting system, together with an underground electrical distribution system and an underground telephone system to replace the present overhead systems along Market Street and Central Way from N.E. 106th Street south on Market Street to its intersection with Central Way and then east on Central Way to the intersection of Central Way and Third Street, and fixed the 5th day of June, 1972, at 8:00 o'clock p.m. (PST) in the Council Chambers in the City Hall in the City of Kirkland, Washington, as the time and place of hearing all matters relating to said proposed improvement and all objections thereto and for determining the method of payment for said improvement; and

WHEREAS, Stevens, Thompson & Runyan, Inc., consulting engineers to the City, have caused an estimate to be made of the cost and expense of the proposed improvement and have 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 the District, a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding or unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvements in the proposed 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 showing thereon the lots, tracts, parcels of land, and other property 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 hearing upon said Resolution No. 2123 was given in the manner provided by law and said hearing was held by the City Council on June 5, 1972, and all written protests filed with the City Council on or before that date were duly considered and overruled, and all persons appearing at the hearing were heard; and

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WHEREAS, the City Council has determined it to be in the best interests of the City that the improvement as hereinafter described be carried out and that a local improvement district 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 Ch. 35.96 and RCW Ch. 35.43 et seq., the City Council hereby orders the construction and installation, as a part of the joint Urban Arterial Project for Market Street and N.E. 98th Street, of a street lighting system, together with an underground electrical distribution system and an underground telephone system to replace the present overhead systems from the structures served by the electrical and telephone systems out to and including the right-of-way within that portion of Market Street lying in Sections 6 and 31, Township 25 North, Range 5, EWM, beginning at the point of intersection of N.E. 106th Street and Market Street, thence southerly along the centerline of Market Street to a point lying 350 feet south of the intersecting point of the centerlines of Market Street and Central Way, together with that portion of Central Way lying in Sections 5 and 6, Township 25 North, Range 5 EWM beginning at the point of intersection of Market Street and Central Way; thence easterly along said Central Way to the point of intersection of the centerline of Central Way and Third Street all within the City of Kirkland, King County, Washington.

Construction shall include installation of the above items complete, including all work and appurtenances required for complete

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and operable systems, and all required restoration of existing sidewalks and other improvements disturbed during construction.

Pursuant to the provisions of RCW 35.96.040, contracts for the conversion of the existing overhead electrical and communication facilities to underground facilities, including all work incidental to such conversion, may be entered into by the City with Puget Sound Power and Light Company and General Telephone Company. The City, however, may determine to bid or negotiate the contract for trenching, back-filling, furnishing and installing the underground conduit system with the prime contractor for the City of Kirkland's portion of the Urban Arterial Street Project or may determine to do some of such work by its own crews.

Section 2. There is hereby created and established a local improvement district to be called "Local Improvement District No. 108 of the City of Kirkland, Washington," the boundaries thereof being more particularly described in Exhibit "A," attached hereto and by this reference made a part hereof.

Section 3. The estimated cost and expense of such improvement is hereby declared to be \$225,665.00. Included in the cost of this improvement shall be (1) the cost of the construction and installation of the street lighting system, underground electrical distribution system and underground telephone system, etc., (2) all engineering and surveying necessary for the improvement, (3) all legal work and opinions incidental thereto, (4) ascertaining the ownership of lots or parcels of land included within the assessment district, (5) appraisals, (6) advertising, mailing,

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posting and publishing all necessary notices, (7) accounting, clerical labor and books and blanks extended or used on the part of the City Clerk or Treasurer in connection with the improvement, and all other expenses incidental thereto as required or provided by the State of Washington or ordinances of the City of Kirkland. Approximately \$109,974.12 of the cost and expense of said improvement shall be levied and assessed against all the property legally and properly assessable therefor as provided by the laws of the State of Washington and the ordinances of the City of Kirkland. The balance of such cost and expense shall be paid from City funds available therefor.

Section 4. Pursuant to the provisions of RCW 35.96.030, the special benefits accruing and the portion of the cost and expense of the improvement to be assessed shall be apportioned on a square foot basis at the rate of eight cents (\$.08) per square foot.

Section 5. Local improvement district warrants shall be issued in payment of the cost and expense of the improvement herein ordered, such warrants to be payable out of the "Local Improvement Fund, District No. 108," hereinafter created, to bear interest from the date thereof at a rate to be hereafter fixed by ordinance and to be redeemed in cash, and/or by local improvement district bonds herein authorized to be issued, said interest-bearing warrants to be hereafter referred to as "revenue warrants." Such bonds shall bear interest at a rate to be hereafter fixed by ordinance, shall be payable on or before twelve years from the date of issuance, the life of the improvement


order being not less than twelve years, and shall be issued in' exchange for and in redemption of any and all revenue warrants issued hereunder and not redeemed in cash within a period not to exceed 60 days after the first publication by the City Treasurer of notice that the assessment roll for "Local Improvement District No. 108" is in his hands for collection. The bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said District, payable in ten equal annual installments, with interest at a rate to be hereafter fixed by ordinance not exceeding 8-1/2% per annum, under the mode of "payment by bonds," as defined by law and the ordinances of the City of Kirkland. In the case of default in the payment of any assessment when the same shall become due, there shall be added interest at a rate to be hereafter fixed by ordinance not to exceed 8-1/2% per annum and a penalty of 5% which shall also be collected. The exact form, amount, date, interest rate and denominations of said warrants and bonds shall be hereafter fixed by ordinance of the City Council. Said warrants and bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 6. There is hereby created and established in the office of the City Treasurer of the City of Kirkland, for Local Improvement District No. 108, a special fund to be known and designated as "Local Improvement Fund, District No. 108," into which fund shall be deposited the proceeds from the sale of revenue warrants drawn against said fund which may be issued and sold by the City, moneys contributed by the City toward the cost and expense of the improvement, and collections pertaining to assessments, and against which fund

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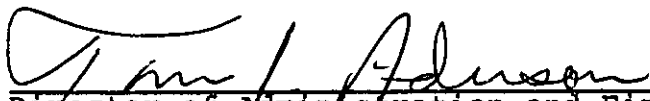
shall be issued cash warrants to the contractor or contractors in payment for the work to be done by them in connection with said improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with said improvement.

PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at an open public regular meeting thereof, this 19th day of June, 1972.




Mayor

ATTEST:



Director of Administration and Finance,
ex-officio City Clerk

FORM APPROVED:



City Attorney

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Section 4. Said bonds shall be sold at par to such purchaser as shall be approved by the City Council, on the terms provided herein.

PASSED by the Council of the City of Kirkland, Washington, at a regular meeting thereof held this 5th day of June, 1972.

CITY OF KIRKLAND, WASHINGTON

by William C. Woods
Mayor

ATTEST:

Tom F. Anderson
City Clerk

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Boundary Description

The proposed L.I.D. No. _____ in the City of Kirkland is within the following described boundary. A portion of the area is in southwest quarter of Section 5 and east half of Section 6, Township 25 North, Range 5 East, W.M. The other portion is in the southeast quarter of Section 31, Township 26 North, Range 5 East, W.M. All are in Kirkland, King County, Washington. The boundary is described as follows:

Beginning at a point of the intersection of Third Street centerline and the south right-of-way line of State Route 908 (Central Way); thence southeasterly along the centerline of Third Street a distance of 95.92 feet; thence southwesterly to the southeast corner of Lot 105 in Block 107 of Burke and Farrar's Kirkland Addition Division No. 26; thence continuing southwesterly along the south lot line of Lots 105, 104, 103, 102, 101, 100, 99, 98, 97, 96, 95, 94 and 93 to the southwest corner of Lot 93 of said Block; thence southwesterly across Second Street to the southeast corner of Lot 19 in Block 104 of Burke & Farrar's Kirkland Division No. 26; thence continuing southwesterly along the south lot line of Lots 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7 and extended to a point on the east line of Lot 4 of said Block; thence southeasterly along the east line of Lots 4 and 3 to a point a distance of 10 feet from the northeast corner of Lot 3 of said Block; thence southwesterly along a line which is 10 feet parallel to the north lot line of Lot 3 in said Block to a point on the west lot line of said Lot 3; thence southwesterly to the centerline of Lake Street a distance of 30 feet; thence northwesterly along the centerline of Lake Street an approximate distance of 145 feet to the point of intersection with the centerline of Central Way; thence southwesterly along the centerline of Central Way an approximate distance of 290 feet to the

point of intersection with First Street; thence southwesterly along the centerline of Central Way a distance of 148.20 feet; thence southeasterly to the northwest corner of tax lot 42, Section 6, Township 25 N, Range 5 E, W.M.; thence continuing southeasterly along the west lot line of tax lot 42 in said section to its southwest corner; thence continuing southeasterly in the same direction of said line an approximate distance of 100 feet to the point of intersection with south section line of Section 6, Township 25 N, Range 5 E, W.M.; thence northwesterly along said section line an approximate distance of 156 feet to the point of intersection with the centerline of Market Street; thence continuing northwesterly an approximate distance of 140 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 28 feet to the point of intersection with the southeast line of Lot 22 in Block 167 of Burke and Farrar's Kirkland Addition Division No. 36; thence northeasterly along said lot line an approximate distance of 17 feet to the point of intersection with the east lot line of said Lot; thence northwesterly along east lot line an approximate distance of 284 feet to the point of intersection with the centerline of Lake Avenue; thence northwesterly along said centerline an approximate distance of 28 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 700 feet to the point of intersection with the centerline of Waverly Way; thence continuing northwesterly along west lot line of Lots 3, 4, 5, 6, 7, 8 and 9 in Block 7 of Kirkland Addition an approximate distance of 211 feet to the northwest corner of Lot 9 in said Block; thence northwesterly along southwest lot line of Lots 10 and 11 in said Block

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to the southwest corner of Lot 11 in said Block; thence northeasterly along the northwest lot line to the northwest corner of Lot 11 in said Block; thence continuing northeasterly in the same direction to the centerline of Fifth Avenue West; thence northwesterly along said centerline an approximate distance of 70 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 226 feet to the northwest corner of Lot 11 in Block 8 of Kirkland Addition; thence northwesterly along the southwest lot line of Lots 12 and 13 a distance of 71.54 feet to southwest corner of Lot 13 in said Block; thence northeasterly along the northwest lot line of Lot 13 in said Block a distance of 144.50 feet to the centerline of Seventh Avenue West; thence northwesterly along said centerline an approximate distance of 180 feet to the point of intersection with Second Street West; thence northeasterly along Second Street West centerline a distance of 160.50 feet to the point of intersection with a line which is 144.50 feet parallel to the centerline of Eighth Avenue West; thence northwesterly along said parallel line a distance of 130 feet to the southwest corner of Lot 2 in Block 15 of Kirkland Addition; thence northeasterly along the northwest lot line of said Lot 2 a distance of 144.50 feet to the centerline of Eighth Avenue West; thence northwesterly along said centerline an approximate distance of 73 feet to the point of intersection with a line which is 140 feet parallel to centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 235.20 feet; thence northwesterly along southwest lot line of Lots 13 and 14 a distance of 35 feet to the southwest corner of Lot 14 in Block 17 of Kirkland Addition; thence northeasterly along northwest lot line of said Lot 14 a distance of

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150 feet to the centerline of Tenth Avenue West; thence northwesterly along said centerline a distance of 160 feet to the point of intersection with the centerline of Third Street West; thence northeasterly along said centerline a distance of 166 feet to the point of intersection with a line which is 150 feet parallel to the centerline of Eleventh Avenue West; thence northwesterly along said parallel line a distance of 173 feet to a point which is 15 feet from the southeast corner of Lot 5 in Block 25 of Kirkland Addition; thence northeasterly along a line which is 15 feet parallel to the southeast lot line of said Lot 5, a distance of 150 feet to the point of intersection with the centerline of Eleventh Avenue West; thence northwesterly along said centerline an approximate distance of 105 feet to the point of intersection with a line which is 140 feet parallel to Market Street centerline; thence northwesterly along said parallel line an approximate distance of 235.20 feet to the southeast corner of Lot 13 in Block 27 of Kirkland Addition; thence northeasterly along a line which is 24 feet parallel to the northwest lot line of said Lot 13, a distance of 60 feet; thence northwesterly along a line which is 90 feet parallel to the centerline of Thirteenth Avenue West, a distance of 124 feet to the centerline of Fourth Street West; thence northeasterly along said centerline a distance of 90 feet to the centerline of Thirteenth Avenue West; thence northwesterly along said centerline an approximate distance of 35 feet to a point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 192 feet to the southeast corner of Lot 10 in Block 36 of Kirkland Addition; thence northwesterly along said southwest lot line to the southwest corner of said Lot; thence northeasterly along northwest lot line of said Lot a distance of 150 feet

to the point of intersection with the centerline of Fourteenth Avenue West; thence northwesterly along said centerline an approximate distance of 136 feet to the point of intersection with a line which is 148 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 290 feet to the point of intersection with the centerline of Fifth Street West; thence northeasterly along said centerline an approximate distance of 109 feet to the point of intersection with the centerline of Sixteenth Avenue West; thence northwesterly along said centerline an approximate distance of 100 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 234 feet to the southeast corner of Lot 12 in Block 47 of Kirkland Addition; thence northwesterly along southwest lot line of Lots 12 and 13 of said Block a distance of 46 feet; thence northeasterly along the northwest lot line of said Lot 13 a distance of 150 feet to the point of intersection with the centerline of Seventeenth Avenue West; thence northwesterly along said centerline an approximate distance of 109 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 210 feet to the centerline of Sixth Street West, thence northeasterly along said centerline an approximate distance of 20 feet to the point of intersection with a line which is 158 feet parallel to the centerline of Eighteenth Avenue West; thence northwesterly along said parallel line a distance of 100 feet; thence northeasterly along northwest lot line of Lot 2 in Block 49 of Lichtenberg's Addition to Kirkland, a distance of 158 feet to the point of intersection with the centerline of Eighteenth Avenue West; thence northwesterly

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along said centerline an approximate distance of 75 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 552 feet to the point of intersection with the centerline of Seventh Street West; thence northeasterly along said centerline an approximate distance of 47 feet to the point of intersection with a line which is 156 feet parallel to the centerline of Twentieth Avenue West; thence northwesterly along said parallel line a distance of 130 feet; thence northeasterly along the northwest lot line of Lot 18 in Block 149 of Burke and Farrar's Kirkland Addition, Division #29, a distance of 156 feet to the point of intersection with the centerline of Twentieth Avenue West; thence northwesterly along said centerline an approximate distance of 114 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence northwesterly along said parallel line an approximate distance of 900 feet to the point of intersection with the centerline of Northeast One hundred-Sixth Street; thence continuing northwesterly in the same direction an approximate distance of 315 feet to the point of intersection with a line; thence southeasterly with the bearing of south 81° 51' 39" east an approximate distance of 142.80 feet to the point of intersection with the centerline of Market Street; thence southeasterly along said centerline an approximate distance of 395 feet to the point of intersection with the centerline of Northeast One hundred-Sixth Street; thence northeasterly along said centerline an approximate distance of 108 feet to the point of intersection with a line which is 100 feet parallel to the centerline of Market Street; thence southeasterly along said parallel line an approximate distance of 193 feet to the south lot line of Lot 2 in Block 144 of Burke and Farrar's Kirkland

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Addition; thence northeasterly along said lot line a distance of 40 feet to the point of intersection with a line which is 140 feet parallel to the centerline of Market Street; thence southeasterly along said parallel line an approximate distance of 532.52 feet to the point of intersection with the centerline of Twentieth Avenue; thence continuing southeasterly in the same direction an approximate distance of 651 feet to the point of intersection with the centerline of Nineteenth Avenue; thence northeasterly along said centerline an approximate distance of 2 feet; thence southeasterly an approximate distance of 30 feet to the northeast corner of Lot 1 in Block 108 of Burke and Farrar's Division No. 27; thence southeasterly along the east lot line of said Lot an approximate distance of 41 feet to the southeast corner of said Lot; thence southeasterly along east lot line Lots 17; 16, 15, 14, 13, 12 and 11 in Block 92 of Blewett's 1st Addition, an approximate distance of 211 feet to the point of intersection with the centerline of Eighteenth Place, vacated; thence southeasterly along said centerline an approximate distance of 8 feet; thence southeasterly an approximate distance of 30 feet to the northeast corner of Lot 1 in Block 120 of Burke and Farrar's Division No. 27; thence southeasterly along its east lot line to the southeast corner of said Lot; thence southeasterly along a line which is 150.04 feet parallel to the centerline of Market Street an approximate distance of 280 feet to the point of intersection with the centerline of Eighteenth Avenue; thence southeasterly along a line an approximate distance of 30 feet to northeast corner of Lot 1 in Block 121 of Burke and Farrar's Kirkland Addition, Division No. 27; thence southeasterly along east lot line of Lots 1, 2, 3, 4, 5, and 6 in said Block; thence continuing southeasterly along the east lot line of Lots 18, 17, 16, 15, 14, 13, 12, and 11 in Block 119 of Kirkland Addition, to the southeast corner

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of said Lot 11; thence continuing southeasterly an approximate distance of 30 feet to the point of intersection with the centerline of Sixteenth Avenue; thence southwesterly along said centerline an approximate distance of 8 feet; thence southeasterly along the east lot line of the west half of the following Blocks: 120, 133, 134, 147, 148, 161, 162, 177, 178, 193, 194, 207, and 208 of Kirkland Addition, an approximate distance of 3,918.13 feet to the southeast corner of Lot 9 in said Block 208; thence continuing southeasterly along the east lot line of Lots 22, 21, 20, 19, 18, 17, 16, and 15 in Block 216 of Kirkland Addition, a distance of 225.00 feet to the southeast corner of said Lot 15, thence northeasterly along the south lot line of Lot 6 in said Block 216, a distance of 153 feet to the point of intersection with the centerline of First Street; thence northeasterly to a point on the west lot line of Lot 6 in Block 215 of Kirkland Addition, said point being 10 feet south of the northwest corner of said Lot; thence northeasterly to a point on the east lot line of said Lot, the point being 5 feet from the northeast corner of said Lot; thence continuing northeasterly in the same direction an approximate distance of 16 feet to a point on the west lot line of Lot 8 in Block 214 of Kirkland Addition; thence northwesterly along said west lot line an approximate distance of 44 feet to the centerline of vacated alley of said Block; thence northeasterly along said alley centerline a distance of 166 feet to a point on a line which is 16 feet parallel to the east lot line of Lot 5 in said Block 214; thence northwesterly along said parallel line a distance of 17 feet; thence northeasterly along a line which is 25 feet parallel to the centerline of said vacated alley a distance of 96 feet to the point of intersection with a line which is 12 feet parallel to east lot line of Lot 3 in said Block 214; thence northwesterly along said parallel line a distance of 85 feet to the point of intersection with the

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north lot line; thence northeasterly along the north lot line a distance of 118 feet to the point of intersection with the centerline of Second Street; thence northwesterly along said centerline an approximate distance of 35 feet to the point of intersection with a line which is 15 feet parallel to the centerline of Third Avenue; thence northeasterly along said parallel line an approximate distance of 30 feet to the northwest corner of Block 93 of Kirkland Terrace; thence northeasterly along the northwest block line of said Block 93 a distance of 73.18 feet to the northeast corner of Lot 4 in said Block 93; thence southeasterly along the northeast lot line of said Lot 4 a distance of 66.22 feet; thence northeasterly along a line which is 70 feet parallel to the southeast block line of said Block 93, a distance of 75 feet to a point on the northeast lot line of Lot 7 in said Block; thence northwesterly along said lot line a distance of 81.22 feet to the point of intersection with the centerline of Third Street; thence northeasterly along said centerline a distance of 75 feet to the point of intersection with the centerline of Second Place; thence southeasterly along said centerline a distance of 75 feet to the point of intersection with a line which is 60 feet parallel to the northwest block line of Block 94 of Kirkland Terrace; thence southeasterly along said parallel line an approximate distance of 65 feet to the point of intersection with the northeast lot line of Lot 2 in said Block 94; thence northwesterly along said lot line to the northeast corner of said Lot; thence northeasterly along the northwest block line to the northeast corner of said Block 94; thence continuing northeasterly along said line to the point of intersection with the centerline of Third Street; thence southeasterly along said centerline a distance of 159.17 feet to the point of intersection with the centerline of Central Way; thence southwesterly along a line an approximate distance of 40 feet to the point of beginning.

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