

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2200

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 further amended by Ordinances Nos. 2112 and 2118, all as applicable to the utility local improvement district hereinafter described; and creating Utility Local Improvement District No. 110.

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, as further amended by Ordinance No. 2118, passed by the City Council and approved by the Mayor on

September 8, 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. 2144, adopted August 21, 1972, declared its intention to initiate the formation of a utility local improvement district to be known and designated as "Utility Local Improvement District No. 110" 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 further amended by Ordinances Nos. 2112 and 2118, to serve the area within the corporate limits of the City hereinafter described by the construction and installation of sanitary sewers, and fixed the 2nd day of October, 1972, at 8:00 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. 110, 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 Hart, Sisler, Williams & Roth, Inc., the City's consulting engineers, caused an estimate to be made of the costs and expenses of the proposed improvement applicable to the utility local improvement district and certified said estimate to the City Council, together with all papers and information in its possession touching the proposed

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improvement, a description of the boundaries of the utility local improvement district, a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed utility local improvement district, a statement in detail of the local improvement assessments outstanding or unpaid against the properties in the 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 improvement in the 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 the utility local improvement district 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. 2144 was given in the manner provided by law, and the hearing on proposed Utility Local Improvement District No. 110 was held by the City Council on October 2, 1972, and all persons appearing at the hearing desiring to be heard were heard and all written protests received were duly considered and overruled; and

WHEREAS, the owners of three properties outside the boundaries of the utility local improvement district as proposed have petitioned the City to have such properties included within the boundaries of the proposed utility local improvement district, and the City Council deems it in the best interests of the City and such property owners that such properties be included within the boundaries of the proposed utility local improvement district; and

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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 the utility local improvement district; 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 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 35.43.180, the City Council of the City of Kirkland, Washington, hereby finds and recites that the acquisition and construction of the improvement hereinafter described applicable to Utility Local Improvement District No. 110 is necessary for the protection of the public health and safety.

Section 2. It is hereby ordered that the acquisition and construction of the following portion of the system or plan for making additions to and betterments and extensions of the waterworks 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, and as further amended by Ordinance No. 2118, passed by the City Council and approved by the Mayor on September 8, 1970, to serve the area within the corporate limits of the City hereinafter described, consisting of the construction and installation of 8" sanitary sewer lines, together with side sewers, manholes and other work and appurtenances as may

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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:

On	From	To
112th Ave. N.E.	a pt. 80' $\pm$ S. of N.E. 95th St.	a pt. 200' $\pm$ S. of N.E. 100th St.
N.E. 97th St.	112th Ave. N.E.	a pt. 140' $\pm$ W. of Observation Drive
N.E. 95th St.	112th Ave. N.E.	a pt. 380' $\pm$ W. of 114th Ave. N.E.
Easement	N.E. 97th St. approx. 170' $\pm$ E. of 112th Ave. N.E.	Fire Lane
Fire Lane	a pt. 300' $\pm$ S'ly of N.E. 97th St.	a pt. 250' $\pm$ N'ly of N.E. 95th St.

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, there is hereby created and established a utility local improvement district to be known and designated as "Utility Local Improvement District No. 110 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 and incorporated herein.

Section 4. The estimated cost and expense of the portion of the system or plan applicable to Utility Local Improvement District No. 110 is hereby declared to be \$43,000.00. Approximately \$16,000.00 of such estimated cost and expense shall be borne by and assessed against the property included within Utility Local Improvement District No. 110. The properties in said utility local improvement district will be all the properties specially benefited by such improvement. The assessments in said utility local improvement district shall be

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for the sole purpose of payment into a special bond redemption fund to be here-  
after 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.

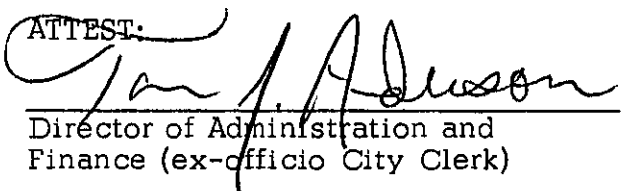
Section 5. In accordance with the provisions of Section 7 of  
Chapter 258, Laws of Washington, 1969, 1st Ex. Sess., the City may use any  
method or combination of methods to compute assessments which may be deemed  
to fairly reflect the special benefits to the properties being assessed.

Section 6. 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 unanimously by the City Council of the City of Kirkland,  
Washington, at an open public regular meeting thereof and APPROVED by the  
Mayor this 16th day of October, 1972.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and  
Finance (ex-officio City Clerk)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

Ordinance No.2200

CITY OF KIRKLAND  
U.L.I.D. NO. 110 LEGAL DESCRIPTION  
EXHIBIT A

October 9, 1972.

That portion of the Northeast 1/4 of Section 5, Township 25 North, Range 5 East, W.M., described as follows:

Beginning at the intersection of the centerline of 112th Avenue Northeast and the Westerly extension of the North line of the South 90 feet of Lot 61, Block 29 of Burke & Farrars Kirkland Addition, Div. 10, Volume 19; page 85;

Thence Northerly and Easterly along said centerline of 112th Avenue Northeast to its intersection with the Easterly extension of the South line of Lot 11, Block 25 of said plat;

Thence Westerly along said extension and South line 150 feet;

Thence Northerly along a line 150 feet West of and parallel to the centerline of 112th Avenue Northeast to its intersection with the North line of said Lot 11;

Thence Westerly along the North line of Lot 11 which is also the South line of Lot 10 of said plat to a point 200 feet West of said centerline of 112th Avenue Northeast;

Thence Northerly along a line 200 feet West of and parallel to said centerline of 112th Avenue Northeast to its intersection with the North line of Lot 10;

Thence Easterly along said North line of Lot 10 which is also the South line of Lot 9 of said plat to a point 90 feet West of the East line of Lot 9;

Thence Northwesterly along a line bearing North 16°13'59" West to its intersection with the North line of said Lot 9, 120 feet more or less from the East line of Lot 9;

Thence Northwesterly to a point on the South line of Lot 8, Block 24 of said plat, which is 150 feet West of the centerline of 112th Avenue Northeast, said centerline bears North 9°30' West;

Thence Northwesterly along a line 150 feet West of and parallel to 112th Avenue Northeast to its intersection with the North line of Lot 2;

Thence Northeasterly along said North line of Lot 2 and its extension to its intersection with the centerline of 112th Avenue Northeast;

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Thence Northerly along centerline of said 112th Avenue Northeast to its intersection with the Westerly extension of the North line of Lot 20, Block 26, of said plat;

Thence Easterly along said extension and North line of Lot 20 to its intersection with a line 170 feet Easterly of and parallel to the centerline of 112th Avenue Northeast;

Thence Southerly along said parallel line to its intersection with the North line of Lot 19, Block 26, of said plat;

Thence Easterly along said North line of Lot 19 and its Easterly extension to its intersection with the East line of Lot 22, Block 26 of said plat;

Thence Southerly along said East line and its Southerly extension to its intersection with the centerline of Northeast 97th Street;

Thence Northeasterly along the centerline of said Northeast 97th Street to its intersection with an angle point in Northeast 97th Street;

Thence Southerly from the angle point through the most Northerly point in Lot 34, Block 28 said plat of Burke & Farrar's Div. 10 and continuing Southerly on this line extended to an intersection with a line 66 feet North of and parallel to the South line of Lot 35, Block 28;

Thence Easterly along said line to an intersection with the centerline of Observation Drive;

Thence Southerly along the centerline of said Observation Drive and its extended centerline to an intersection with the North line of Lot 39 of said Plat;

Thence Easterly along said North line to an intersection with the Easterly line of said Lot 39;

Thence Southerly along said Easterly line and along the Southerly extension of said Easterly line to an intersection with the centerline of an alley common to Lots 39 and 48, Block 28 of said Plat;

Thence Westerly along said alley to the Northeast corner of Lot 50, Block 28 of said Plat;

Thence Westerly along the North line of Lot 50, Block 28, and same extended to an intersection with the centerline of 113th Avenue Northeast;

Thence Southeasterly along said centerline to an intersection with the centerline of Northeast 95th Street;



Thence Southeasterly from said intersection to the Northeast corner of Lot 59, Block 29, of said plat;

Thence Southerly along the East line of Lots 59 and 60, Block 29, to the Southeast corner of Lot 60;

Thence Westerly along the South line of Lot 60, Block 29, to the Northeast corner of Lot 61, Block 29;

Thence Southeasterly along the Easterly line of Lot 61, Block 29 to an intersection with the North line of the South 90 feet of Lot 61, Block 29;

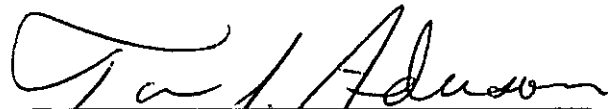
Thence Westerly along said North line and its Westerly extension to the intersection with the centerline of 112th Avenue Northeast and Point of Beginning;

And also the Easterly 120 feet of Lot 3, and the Easterly 120 feet of the North 119 feet of Lot 4 of Block 162, Burke & Farrar, Div. 33, Volume 62, Page 2;

Together with the street adjacent thereto.

I, TOM J. ANDERSON, Director of Administration and Finance,  
ex-officio City Clerk, of the City of Kirkland, Washington, do hereby certify  
that the attached copy of Ordinance No. 2700 is a true and correct copy of the  
original ordinance passed on the 16th day of October, 1972, as that ordinance  
appears on the Minute Book of the City.

DATED this 16 day of October, 1972.



TOM J. ANDERSON / Director of  
Administration and Finance,  
ex-officio City Clerk