

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2250

AN ORDINANCE ordering the construction and installation of sanitary sewer lines in N. E. 52nd Street and in certain other streets and easements in the City in accordance with Resolution No. 2224 of the City Council of the City of Kirkland, Washington; establishing Local Improvement District No. 113; providing that payment for such improvement be made by special assessments upon property in said District payable by the mode of "payment by bonds," or "notes" in lieu thereof, as determined by the City Council and providing for issuance and sale of local improvement district warrants redeemable in cash and local improvement district bonds or notes.

WHEREAS, by Resolution No. 2224, adopted November 19, 1973, the City Council of the City of Kirkland declared its intention to order the installation of sanitary sewer lines in N. E. 52nd Street and in certain other streets and easements in the City, and fixed the 7th day of January, 1974, at 8:00 o'clock p.m. (PDST) 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, Arthur Knutson, the City's public works director, has caused an estimate to be made of the cost and expense of the proposed improvement and has certified said estimate to the City Council, together with all papers and information in his 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. 2224 was given in the manner provided by law and said hearing was held by the City Council on January 7, 1974, 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

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. The City Council hereby orders the construction and installation of sanitary sewer lines in N. E. 52nd Street and in certain other streets and easements in the City as more particularly

set forth in Exhibit A attached hereto and by this reference incorporated herein.

Construction shall include installation of the above items complete, including all work and appurtenances required for a complete and operable system, and all required restoration of existing streets and other improvements disturbed during construction.

Section 2. There is hereby created and established a local improvement district to be called "Local Improvement District No. 113 of the City of Kirkland, Washington," the boundaries thereof being more particularly described in Exhibit "B," attached hereto and by this reference made a part hereof.

Section 3. The total estimated cost and expense of said improvement is declared to be \$189,000.00, and the entire cost and expense of such improvement shall be borne by and assessed against the property specially benefited by such improvement included in the local improvement district herein established embracing as near as may be all property specially benefited by such improvement. Pursuant to the provisions of RCW 35.44.047, the City Council intends to apportion the special benefits accruing on a square foot basis with a 2¢ per square foot assessment on all of the properties within the boundaries of the proposed district and an additional 5¢ per square foot assessment on all of the properties within the boundaries of the proposed district lying within 200 feet of any sewer line constructed as a part of the improvement.

Section 4. 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. 113," 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 ordered 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 Director of Administration and Finance of notice that the assessment roll for "Local Improvement District No. 113" 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 3% 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

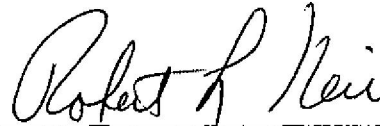
City Council shall hereafter determine.

Section 5. There is hereby created and established in the office of the Director of Administration and Finance of the City of Kirkland, for Local Improvement District No. 113, a special fund to be known and designated as "Local Improvement Fund, District No. 113," 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 and collections pertaining to assessments, and against which fund 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.

Section 6. The City reserves the right to issue, in lieu of bonds and warrants, in payment of the cost and expense of the improvement to be carried out in said Local Improvement District No. 113, an installment note or notes payable out of the "Local Improvement Fund, District No. 113," pursuant to RCW 35.45.150, whenever such note or notes are sold exclusively to another fund of the City as an investment thereof, and as further provided by law. Such installment note or notes may be issued any time after a thirty-day period allowed by law for the payment of assessments of said District without penalty or interest, and such note or notes may be of any denomination or denominations, the aggregate of which shall represent the balance of the cost and expense of the Local Improvement District which is to

be borne by the property owners therein, and as further provided by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at an open public regular meeting thereof, this 21st day of January, 1974.



Mayor

ATTEST:



Director of Administration and Finance,
ex-officio City Clerk

FORM APPROVED:



City Attorney

CITY OF KIRKLAND

LID 113

SYSTEM IMPROVEMENTS

EXHIBIT "A"

Rev. Nov. 6, 1973

SIZE	ON	FROM	TO
8"	N.E. 52nd St.	N.P.R.R. R/W	A Point 250' + West of 108th Ave. N.E.
8"	Easement	N.E. 52nd St.	A Point 300' + South, Adjacent to N.P.R.R. R/W
8"	N.E. 53rd St.	N.P.R.R. R/W	A Point 200' + West of 108th Ave. N.E.
8"	Easement	N.E. 53rd St. A Point 120' + East of N.P.R.R. R/W	N.E. 52nd St. A Point 150' + East of N.P.R.R. R/W
	106th Ave. N.E.	N.E. 53rd St.	N.E. 60th St.
	N.E. 55th St.	N.P.R.R. R/W	A Point 300' + West of 108th Ave. N.E.
8"	Railroad Street	N.E. 55th St.	A Point 80' ± South
8"	104th Ave. N.E.	N.E. 55th St.	N.E. 58th St.
8"	105th Ave. N.E.	N.E. 55th St.	N.E. 58th St.
8"	N.E. 58th St.	104th Ave. N.E.	106th Ave. N.E.
8"	N.E. 60th St.	N.P.R.R. R/W	106th Ave. N.E.
8"	Easement	N.E. 60th St. A Point 300' + East of N.P.R.R. R/W	A Point 250' + South

EXHIBIT A

CITY OF KIRKLAND

Rev. Nov. 6, 1973.

LID #113

EXHIBIT "B"

BOUNDARY DESCRIPTION.

That portion of the Northwest quarter of Section 17, Township 25 North, Range 5 East, W.M., described as follows:

Beginning at the intersection of the Easterly margin of the Northern Pacific Railroad right-of-way and the South margin of N. E. 60th St.;

Thence East along said South margin to its intersection with a line 240 feet West of and parallel to the East line of said Northwest quarter;

Thence South along said parallel line to the North line of Lot 9, Block 8, of Burke and Farrar's Kirkland Addition to the City of Seattle, Division No. 7, as recorded in Volume 19 of Plats, page 70, records of King County;

Thence East along said North line to a point which is 92 feet East of the West line of said Lot 9;

Thence South along a line 92 feet East of and parallel to said West line and West line extended to the South margin of N. E. 53rd St.;

Thence West along said South margin to its intersection with a line 180 feet West of and parallel to the East line of said Northwest quarter;

Thence South along said parallel line to the South line of said Northwest quarter;

Thence West along said South line to the East line of the West 506.815 feet of the East 1013.63 feet of the South 107.5 feet of said Northwest quarter;

Thence North along the East line of said West 506.815 feet to the North line of the South half of the South half of the South half of the Southeast quarter of said Northwest quarter;

Thence West along said North line to the West line of the East 1013.63 feet of said Northwest quarter;

Thence South along said West line to its intersection with a line 150 feet South of and parallel to the South margin of N. E. 52nd St.;

EXHIBIT B

Thence West along said parallel line to its intersection with the West line of a parcel described as follows:

Beginning 1013.63 feet West of the Center of said Section 17; thence North 318.82 feet; thence West 220 feet; thence South-easterly to a point 198 feet West of the Point of Beginning;

Thence Northwesterly along said West line to the South margin of N. E. 52nd St.;

Thence West and Southwesterly along said South margin to the East margin of the Northern Pacific Railroad right-of-way;

Thence Northerly along said East margin to the Point of Beginning.