

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2273

AN ORDINANCE ordering the construction and installation of eight-inch sanitary sewer lines with appurtenances in Northeast 75th Street and in certain other streets and easements within the City and within the unincorporated territory adjacent thereto, all in accordance with Resolution No. R-2261 of the City Council of the City of Kirkland, Washington; establishing Local Improvement District No. 114; providing the method of assessment in said district; providing that payment for such improvements 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. R-2261, adopted July 15, 1974, the City Council of the City of Kirkland declared its intention to order the installation of eight-inch sanitary sewer lines in Northeast 75th Street and in certain other streets and easements within the City and within the unincorporated territory adjacent thereto, and fixed the 12th day of August, 1974, at eight o'clock p.m. (PDST) in the Rose Hill Elementary School at 8044-128th Avenue Northeast, 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 improvements; 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 improvements and has certified said estimate to the City Council, which

upon review appears to be \$300,000.00 rather than \$240,000.00, as previously declared, all without change in the amount, rate, and manner of assessment, together with all papers and information in his possession touching the proposed improvements, a description of the boundaries of the District, a statement of what portion of the cost and expense of the improvements 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 improvements showing thereon the lots, tracts, parcels of land, and other property which will be specially benefitted 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. R-2261 was held by the City Council on August 12, 1974, and all written protests filed with the City Council were duly considered and overruled, and all persons appearing in said hearing were heard; and

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WHEREAS, the City Council has given due consideration to the special benefits to be received from such proposed improvements by all of the properties to be included within the proposed local improvement district; and

WHEREAS, the City Council has determined it to be in the best interests of the City and that the said improvements as hereinafter described be carried out and the 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. It is hereby ordered that there be constructed and installed eight-inch sanitary sewer lines in Northeast 75th Street and in certain other streets and easements within the City and within the unincorporated territory adjacent thereto, 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. 114 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.

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Section 3. The total estimated cost and expense of said improvements is declared to be \$300,000.00 and the entire cost and expense of such improvements shall be borne by and assessed against the property specially benefitted by such improvements included in the local improvement district herein established embracing as near as may be all property specially benefitted 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 ^{9¢} ~~2¢~~ 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 improvements. *A.E.D.*

Section 4. Local improvement district warrants shall be issued in payments of the cost and expense of the improvements herein ordered, such warrants to be payable out of the "Local Improvement Fund, District No. 114," 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 12 years from the date of issuance, the life of the improvement ordered being not less than 12 years, and shall be issued in exchange for and in redemption of any and all revenue warrants issued hereunder and not

redeemable 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. 114" 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 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 of payment of any assessment when the same shall become due, there shall be added interest 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 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. 114, the special fund to be known and designated as "Local Improvement Fund, District No. 114," 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 improvements, and against which fund cash warrants shall be issued in

payment of all other items of expense in connection with said improvement.

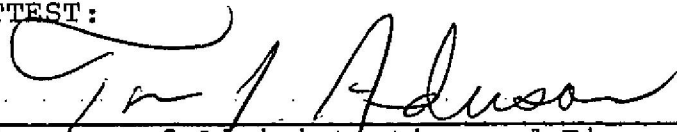
Section 6. The City reserves the right to issue, in lieu of bonds and warrants, in payment of the cost and expense of the improvement to be carried out in said Local Improvement District No. 114, an installment note or notes payable out of the "Local Improvement Fund, District No. 114," pursuant to RCW 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 at any time after a 30-day period allowed by law for 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 is 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 19th day of August, 1974.



Mayor pro tem

ATTEST:



Director of Administration and Finance,
ex-officio City Clerk

FORM APPROVED:



City Attorney

CITY OF KIRKLAND

L.I.D. #114

SYSTEM IMPROVEMENTS

Exhibit "A"
July 9, 1974

Size	On	From	To
8"	124th Ave. N.E.	N. E. 80th St.	N.E. 70th St.
8"	123rd Ave. N.E.	N. E. 80th St.	N.E. 75th St.
8"	122nd Ave. N.E.	N. E. 80th St.	N.E. 70th St.
8"	N. E. 75th St.	124th Ave. N.E.	Point 300' + W. of 122nd Ave. N.E.
8"	N. E. 73rd St.	124th Ave. N.E.	126th Ave. N.E.
8"	N. E. 73rd St.	124th Ave. N.E.	120th Ave. N.E.
8"	120th Ave. N.E.	N.E. 73rd St.	Point 330' + S.
8"	Easement 330' + of N.E. 75th St.	Point 400' + W. W. of 122nd Ave. N.E.	Point 400' + E. of 122nd Ave. N.E.
8"	Easement 330' + S. of N.E. 73rd St.	122nd Ave. N.E.	Point 400' + E.
8"	Easement 330' + S. of N.E. 73rd St.	120th Ave. N.E.	Point 440' + E.

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CITY OF KIRKLAND

L.I.D. #114

Boundary Description

Exhibit "B"
July 9, 1974

That portion of the Northeast quarter and Northwest quarter of Section 9, Township 25 North, Range 5 East, W.M., described as follows: Beginning at the intersection of the centerline of 122nd Ave. N.E. and the centerline of N. E. 80th St;

Thence Southerly along said centerline of 122nd Ave. N.E. to its intersection with the centerline of N. E. 75th St.;

Thence Westerly along said centerline of N. E. 75th St. to its intersection with the Northerly extension of the common lot line of Lot 2 and Lot 3, Block 1, Orchard Heights Add. as recorded in Volume 19 of Plats, page 89, records of King County, Washington;

Thence Southerly along said Northerly extension of and along said common lot line to the Southeast corner of said Lot 2;

Thence Westerly along the Southerly lot line of said Lot 2 to the Southwest corner of said Lot 2, being also the Northwest corner of Lot 9, Block 1, of said plat of Orchard Heights Add;

Thence Southerly along the Westerly lot line of said Lot 9 and the Southerly extension thereof to its intersection with the centerline of N. E. 73rd St.;

Thence Westerly along said centerline of N. E. 73rd St. to its intersection with the centerline of 120th Ave. N.E.;

Thence Southerly along said centerline of 120th Ave. N.E. to its intersection with the centerline of N. E. 70th St.;

Thence Easterly along said centerline of N. E. 70th St. to its intersection with a line lying 180 feet Easterly of and parallel to the centerline of 124th Ave. N.E.;

Thence Northerly along said parallel line to its intersection with the Southerly lot line of Lots 7 thru 11 inclusive of the plat of Kirksmith Park as recorded in Volume 58 of Plats, page 5, records of King County, Washington;

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Thence Easterly along said Southerly lot line of said Lots 7 thru 11 and the Easterly extension thereof to its intersection with the centerline of 126th Ave. N.E.;

Thence Northerly along said centerline of 126th Ave. N.E. to its intersection with the Easterly extension of the Northerly lot line of Lots 2 thru 6 inclusive of said plat of Kirksmith Park;

Thence Westerly along said Easterly extension of and along said Northerly lot line of Lots 2 thru 6 to its intersection with a line lying 180 feet Easterly of and parallel to the centerline of 124th Ave. N.E.;

Thence Northerly along said parallel line to its intersection with the centerline of N. E. 80th St.;

Thence Westerly along said centerline of N. E. 80th St. to its intersection with the centerline of 122nd Ave. N.E. being the point of beginning and the terminus of this description.