

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2461

AN ORDINANCE ordering the improvement of certain properties within a portion of the central business district of the City by the acquisition, construction, improvement and installation of parking facilities and pedestrian safety improvements, including the acquisition of necessary real property, easements, construction and installation of parking lot drainage facilities, regrading, ballasting and surfacing of such parking facilities, reconstruction of curbs, sidewalks and the installation of landscaping, underground wiring, benches and new decorative lighting, together with all work necessary in connection therewith, all in accordance with Resolution No. 2601 of the City Council of the City of Kirkland, Washington; establishing Local Improvement District No. 118; providing that payment for such improvement be made by special assessments against the properties specially benefited thereby in that 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. R-2601 adopted March 19, 1979, the City Council of the City of Kirkland, Washington (the "City"), declared its intention to order the improvement of certain properties within a portion of the central business district of the City by the acquisition, construction, improvement and installation of parking facilities and pedestrian safety improvements, including the acquisition of necessary real property, easements, construction and installation of parking lot drainage facilities, regrading, ballasting and surfacing of such parking facilities, reconstructions of curbs,

sidewalks and the installation of landscaping, underground wiring, benches and new decorative lighting, together with all work necessary in connection therewith, and fixed the 16th day of April, 1979, at 8:00 o'clock p.m. (PST) in the Council Chambers in the City Hall as the time and place for hearing all matters relating to such proposed improvement and all objections thereto and for determining the method of payment for such improvement; and

WHEREAS, Calvin Jordan and Associates, consulting engineers to the City, and/or Arthur E. Knutson, Public Service Director, caused an estimate to be made of the costs and expenses of the proposed improvement and certified that 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 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, such 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

Ord. 2461

WHEREAS, due notice of the hearing upon Resolution No. 2601 was given in the manner provided by law and that hearing was held by the City Council on April 16, 1979, and all persons appearing at such hearing were heard and no written protests were received; 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 of the City hereby orders the improvement of certain parcels of land located within the City, as more particularly described in Exhibit A attached hereto and by this reference incorporated herein and made a part hereof, by the acquisition, construction, improvements and installation of parking facilities and pedestrian safety improvements, including the acquisition of necessary real property, easements, installation of parking lot drainage facilities, regrading, ballasting and surfacing of said parking lot facilities, reconstruction of curbs, sidewalks, and the installation of landscaping, underground wiring, benches and new decorative lighting, together with all work necessary in connection therewith; and all as more particularly described in Exhibit B attached hereto and by this reference incorporated herein.

Section 2. All of the foregoing shall be in accordance with the plans and specifications therefor prepared by Calvin Jordan and Associates, consulting engineers to the City, and/or

Arthur E. Knutson, Public Service Director, and may be subject to change made by the City Council so long as any such change does not materially alter the purpose of such improvement.

Section 3. There is hereby created and established a local improvement district to be called "Local Improvement District No. 118 of the City of Kirkland, Washington," the boundaries being more particularly described in Exhibit A attached hereto and referred to in Section 1 hereof.

Section 4. The total estimated cost and expense of such improvement is declared to be, as near as may be, the sum of \$590,000, and the entire cost and expense thereof shall be borne by and assessed against the properties specially benefited by such improvement included in the local improvement district herein established embracing as near as may be all properties specially benefited by such improvement.

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 property being assessed.

Section 6. 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. 118," 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. 118 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 the District, payable in ten equal annual installments, with interest at a rate to be hereafter fixed by ordinance, under the mode of "payment by bonds," as defined by law and the ordinances of the City. 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 and a penalty of 5% which shall also be collected. The exact form, amount, date, interest rate and denominations of such warrants and bonds shall be hereafter fixed by ordinance of the City Council. The warrants and bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 7. All the work necessary to be done in connection with the making of the improvement shall be done by and made by contract upon competitive bids and the City shall have and reserves the right to reject any and all bids. The call for bids for work authorized pursuant to this ordinance shall include

Ord. 2461

a statement that payment for such work will be made in cash warrants drawn upon the "Local Improvement Fund, District No. 118."

Section 8. There is hereby created and established in the office of the Director of Administration and Finance of the City for Local Improvement District No. 118 a special fund to be known and designated as "Local Improvement Fund, District No. 118," 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 such improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with such improvement.

PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at a regular open public meeting thereof, this 7th day of May, 1979.



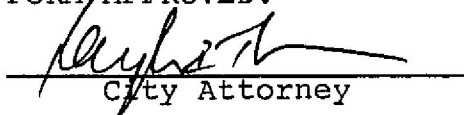
Mayor

ATTEST:



Director of Administration and
Finance, ex-officio City Clerk

FORM APPROVED:



City Attorney

Ord. 2461

EXHIBIT A

That portion of the Southwest 1/4 of Section 5, township 25 North, Range 5 East, W.M. and the Northwest 1/4 of Section 8, Township 25 North, Range 5 East, W.M., described as follows: Beginning at the Northeast corner of Lot 5, Block 98 of BURKE AND FARRAR'S KIRKLAND BUSINESS CENTER ADDITION, DIVISION NO. 25, Volume 25, page 14, records of King County, Washington; thence North to the North line of the Northwest 1/4 of said Section 8; thence East along said North line, 45 feet more or less to a point which is the Southerly extension of the East line of the West 10 feet of Lot 51, Block 106, of BURKE AND FARRAR'S KIRKLAND DIVISION NO. 26 (unrec.); then North 625 feet more or less on a line parallel with and 140 feet Easterly of the centerline of 2nd Street, to the centerline of Secondary State Highway No. 2-D (Central Way); thence Southwesterly along said centerline to a point which is the Southerly extension of the Westerly line of Block 93, KIRKLAND TERRACE, Volume 21, page 42; thence Northerly along the Westerly line of said Block 93 (also the Easterly right of way of 2nd Street) to point which is the Easterly extension of the North line of Block 214, TOWN OF KIRKLAND, Volume 6, page 62; thence Westerly on said Northerly line 148 feet to the West line of the Easterly 38 feet of Lot 2 of said Block 214; thence South along the aforementioned line 84 feet; thence West 73 feet; thence South 26 feet to the centerline of a 16 foot alley (vacated); thence West along the centerline of said alley to the Westerly

line of said Block 214; thence South 90 feet along the Westerly line of said Block 214 (also the Easterly margin of a 16 foot alley); to a point which is the Easterly extension of the North line of Lot 7, Block 215, KIRKLAND TERRACE; thence West 140 feet along the North line of said Lot 7, to the West line of Block 215; thence South 60.54 feet to the Southwest corner of said Block 215 and the Northerly margin of Central way; thence North-easterly along said Northerly margin 25 feet; thence South 190 feet to the North line of Tax Lot 15 in the Southeast 1/4 of Section 6, Township 25 North, Range 5 E., W.M.; thence North-easterly along the North line of said Tax Lot 15 to a point on a line 100 feet Westerly and parallel with the Westerly right of way of Lake Street South; thence Southeasterly along said line 410 feet; thence Northeasterly 130 feet at right angles to the centerline of Lake Street; thence Northwesterly along the centerline of said Lake Street 28 feet more or less to the Westerly extension of the North line of an alley lying 16 feet Northerly of the North line of ALLENS P-O TRACTS (unrec.); thence Easterly along the North line of said 16 foot alley 455 feet to the Southeast corner of Lot 5, Block 98, BURKE AND FARRAR'S KIRKLAND BUSINESS CENTER ADDITION, DIVISION NO. 25, Volume 25, page 14; thence North 99.89 feet along the East line of said Lot 5, to the True Point of Beginning.

EXHIBIT B
PEDESTRIAN SAFETY & OFF-STREET
PARKING LOCAL IMPROVEMENT DISTRICT (LID)

The LID will acquire the property and construct a new 50 car parking lot on Lots 1 through 6 of Block 104, Burke & Farrar's Addition th Kirkland. The property located on Lake Street between Commercial Avenue and Central Way will be improved to include asphalt paving surfacing, storm drainage, wood bollards for pedestrian separation, decorative lighting, sidewalks, curbs and landscaping.

The pedestrian safety improvements portion of the LID will provide improvements to six specific intersections in the downtown.

Lake Street - Central Way

The northeast and southeast corners will have textured concrete sidewalk areas with wood bollards at the curb edge. Crosswalks with patterned paving will connect the southwest corner to the south east corner and the northwest corner to the southeast corner. Decorative lighting will be provided at the southwest and southeast corners.

Lake Street - Commercial Avenue

The sidewalk area at the west end of the intersection will be expanded into the parking lane to provide a pedestrian "bubble" that will have a textured concrete surface. Wood bollards will be installed at the curb edge. Decorative lighting will be provided at the "bubble". The crosswalk area, extending the full width of Commercial Avenue, will have a patterned paving surface.

Ord. 2461

Lake Street - Kirkland Avenue

All four corners of the intersection will have textured concrete surfaces with wood bollards at the curb edges. The northeast and south east corners will have decorative lighting. The entire street area at the intersection will have a patterned paving surface that will tie into the Commercial Avenue LID improvements.

Kirkland Avenue - Main Street

The sidewalk areas of the northwest, northeast and southwest corners of the intersection will have textured concrete surfaces with wood bollards at the curb edges. Decorative lighting will be installed at the northwest corner. Crosswalks with patterned paving will connect the northwest corner to the southwest and northeast corners and the northeast corner to the southeast corner.

Commercial Avenue - Main Street

The sidewalk area on the southwest corner of the intersection will be expanded from the Commercial Avenue LID improvements to provide a pedestrian "bubble" to allow diagonal parking on the west side of Main Street south of the intersection. The sidewalk area will have a textured concrete surface with decorative lighting and wood bollards at the curb edge. The sidewalk area on the northeast corner will be expanded as well as to provide diagonal parking on the east side of Main Street north of the intersection. This sidewalk area will also have textured concrete surfacing, decorative lighting and wood bollards. The southwest corner will have a pedestrian "bubble" with textured concrete surfacing and wood bollards. The entire street area at the intersection will have a patterned paving surfacing that will tie into the Commercial Avenue LID improvements.

Main Street - Central Way

The sidewalk area at the southeast corner of the intersection will be expanded to provide a pedestrian "bubble" that will allow diagonal parking on the east side of Main Street south of the intersection. The sidewalk area will have textured concrete surfacing with wood bollards at the curb edge. The sidewalk at the southwest will also have textured concrete surfacing and wood bollards. A crosswalk with patterned paving surfacing will connect the southwest and southeast corners of the intersection. Decorative lighting will be installed at the southeast corner.