

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2549

AN ORDINANCE ordering the improvement of certain properties within the City of Kirkland by the acquisition of necessary real property located on Lake Street between Commercial Avenue and Central Way for construction of an off-street parking facility having a capacity of approximately 60 parking stalls, and by construction and installation of improvements on such real property so acquired as may be necessary or required in the construction of such off-street parking facility, including demolition of existing structures, if any, reconstruction and improvement of public sidewalks immediately adjacent to such real property along Lake Street and Commercial Avenue, and relocation as may be necessary or desirable of the existing north-south alley within Block 104, Burke & Farrar's Addition to Kirkland, including such improvements and reconstruction as may be necessary as a result of such relocation, together with asphalt paving, surfacing, storm drainage, wood bollards for pedestrian separation, decorative lighting, sidewalks, curbs and landscaping as necessary and required for the construction and completion of such parking lot, together with all work necessary in connection therewith, all in accordance with Resolution No. R-2746 of the City Council of the City of Kirkland, Washington; establishing Local Improvement District No. 119; 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-2746 adopted September 2, 1980, the City Council of the City of Kirkland, Washington (the "City"), declared its intention, pursuant to a property owners' petition therefor, to order the improvement of certain properties

within the City by the acquisition of necessary real property located on Lake Street between Commercial Avenue and Central Way for construction of an off-street parking facility having a capacity of approximately 60 parking stalls, and by construction and installation of improvements on such real property so acquired as may be necessary or required in the construction of such off-street parking facility, including demolition of existing structures, if any, reconstruction and improvement of public sidewalks immediately adjacent to such real property along Lake Street and Commercial Avenue, and relocation as may be necessary or desirable of the existing north-south alley within Block 104, Burke & Farrar's Addition to Kirkland, including such improvements and reconstruction as may be necessary as a result of such relocation, together with asphalt paving, surfacing, storm drainage, wood bollards for pedestrian separation, decorative lighting, sidewalks, curbs and landscaping as necessary and required for the construction and completion of such parking lot, together with all work necessary in connection therewith, fixed the 6th day of October, 1980, at 8:00 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 the Director of Public Services for the City, 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

WHEREAS, due notice of the hearing upon Resolution No. R-2746 was given in the manner provided by law and that hearing was held by the City Council on October 6, 1980, 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 interest 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 of necessary real property located on Lake Street between Commercial Avenue and Central Way for construction of an off-street parking facility having a capacity of approximately 60 parking stalls, and by construction and installation of improvements on such real property so acquired as may be necessary or required in the construction of such off-street parking facility, including demolition of existing structures, if any, reconstruction and improvement of public sidewalks immediately adjacent to such real property along Lake Street and Commercial Avenue, and relocation as may be necessary or desirable of the existing north-south alley within Block 104, Burke & Farrar's Addition to Kirkland, including such improvements and reconstruction as may be necessary as a result of such relocation, together with asphalt paving, surfacing, storm drainage, wood bollards for pedestrian separation, decorative lighting, sidewalks, curbs and landscaping as necessary and required for the construction and completion of such parking lot, together with all work necessary in connection therewith.

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 the Director of Public Services for the City, 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. 119 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 \$413,000, 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. 119," 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, such 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 50 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. 119 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 10 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 a statement that payment for such work will be made in cash warrants drawn upon the "Local Improvement Fund, District No. 119."

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. 119 a special fund to be known and designated as "Local Improvement Fund, District No. 119," into which fund shall be deposited the proceeds from the sale of revenue warrants drawn against such 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.


Section 9. This ordinance shall take effect from and after its passage and five (5) days following its publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at a regular open public meeting thereof, this 6th day of October, 1980.



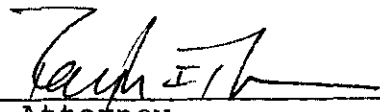
Mayor

ATTEST:



Director of Administration and
Finance, ex-officio City Clerk

FORM APPROVED:



City Attorney

EXHIBIT A

Beginning in the southeast quarter of Section 6, Township 25, Range 5, E.W.M. at a point 111.31 ft. south $84^{\circ}18'45''$ east of the intersection of the easterly margin of Market Street and the southerly margin of Central Way within the City of Kirkland and the true point of beginning. Thence south $3^{\circ}13'45''$ west 100 feet. Thence north $77^{\circ}51'15''$ east 337.26 feet. Thence south $22^{\circ}21'$ west to the north margin line of King County ferry slip, County road No. 1178, also known as Kirkland Avenue in the City of Kirkland. Thence running to a point on the south margin line of said King County ferry slip, said point being south $48^{\circ}25'15''$ west a distance of 108.05 feet from the intersection of the south margin line of King County ferry slip and the west margin line of Lake Street in the City of Kirkland. Thence south $19^{\circ}19'36''$ west 139 feet. Thence north $70^{\circ}40'24''$ east 100.01 feet to a point on the west margin line of Lake Street. Thence running to a point on the east margin line of Lake Street, said point being south $18^{\circ}28'11''$ east of the northwest corner of Lot 1, Allen's Post Office tracts unrecorded. Thence north $88^{\circ}20'30''$ east 79.5 feet. Thence north $1^{\circ}39'30''$ west 79.08 feet. Thence north $89^{\circ}30'$ east to the southwest corner of Lot 1, Burke & Farrar's Kirkland Business Center Addition Division No. 25. Thence to the northwest corner of said Lot. Thence northeasterly to a point on the west marginal line of Kirkland Avenue which is the south boundary of Lot 51, Block 106, Burke & Farrar's Kirkland Division No. 26 unrecorded, said point being 11 feet easterly of the southwest corner of said Lot 51. Thence north $0^{\circ}21'$ west to a point on the north boundary of Lot 98, Block 107, Burke & Farrar's Kirkland Division No. 26 unrecorded, said point being 117.81 feet north $70^{\circ}4'15''$ east of the northwest corner of said Block 107. Thence to the intersection of the centerlines of Second Place and Central Way within the City of Kirkland. Thence running northerly along the centerline of said Second Place to its intersection with the centerline of Third Avenue. Thence along the centerline of Third Avenue to its intersection with the centerline of Second Street. Thence southwesterly to the northeast corner of Lot 1, Block 214, Kirkland Addition to the City of Seattle, thence along the northern boundary of said Block 214, 88 feet more or less. Thence southerly parallel to the westerly boundary of said Lot 1 a distance of 84 feet. Thence south $88^{\circ}36'$ west 73 feet. Thence south $1^{\circ}24''$ east 26 feet to the centerline of the vacated alley in Block 214, Kirkland Addition. Thence south $88^{\circ}36'$ west 197.03 feet to the centerline of the alley between Block 214 and Block 215 of said subdivision. Thence southerly to a point on the east boundary of Lot 6, Block 215, Kirkland Addition to the City of Seattle, said point being 5 feet south of the northeast corner of said Lot 6. Thence running westerly to a point on the east margin of First Street, said point being 10 feet south of the northwest corner of said Lot 6, Block 215, Kirkland Addition

to the City of Seattle. Thence southwesterly to the northeast corner of Lot 8, Block 216, Kirkland Addition to the City of Seattle. Thence along the northern boundary of said lot to the northwest corner thereof. Thence along the easterly margin of the alley in said block to the southwest corner of Lot 10, thereof. Thence to a point on the south marginal line of Central Way located 111.31 feet south 89°18'45" east of the intersection of the south margin of Central Way and the west margin of Market Street, and the true point of beginning.