

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2579

AN ORDINANCE of the City of Kirkland, Washington, approving and confirming the assessments and assessment roll of Local Improvement District No. 117 for the improvement of Commercial Avenue from its intersection with Lake Street to its intersection with Main Street, including adjacent alleys, by constructing and installing storm drainage facilities, regrading, ballasting and resurfacing such street, replacing and constructing curbs, sidewalks and gutters, and installing new street lighting, landscaping, benches, signing and other street furniture, together with all necessary work in connection therewith, and levying and assessing the cost and expense thereof against the several lots, tracts, parcels of land and other property as shown on the assessment roll.

WHEREAS, the assessment roll levying the special assessments against the property located in Local Improvement District No. 117 in the City of Kirkland, Washington (the "City"), has been filed with the Clerk of the City as provided by law; and

WHEREAS, notice of the time and place of hearing thereon and making objections and protests to the roll was duly published at and for the time and in the manner provided by law fixing the time and place of hearing thereon for the 19th day of January, 1981, at the hour of 8:00 p.m. local time in the Council Chambers in the City Hall, Kirkland, Washington, and further notice thereof was duly mailed by the City Clerk to each property owner shown on the roll; and

WHEREAS, at the time and place fixed and designated in the notice the hearing was duly held and no written protests were received and the only person appearing at the hearing was

heard, and the City Council, sitting and acting as a Board of Equalization, considered the roll and the special benefits to be received by each lot, parcel and tract of land shown upon such roll, including the increase and enhancement of the fair market value of each such parcel of land by reason of the improvement:  
NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KIRKLAND. WASHINGTON,  
DO ORDAIN, as follows:

Section 1. The assessments and assessment roll of Local Improvement District No. 117 which has been created and established for the purpose of improving Commercial Avenue from its intersection with Lake Street to its intersection with Main Street, including adjacent alleys, by constructing and installing storm drainage facilities, regrading, ballasting and resurfacing such street, replacing and constructing curbs, sidewalks and gutters, and installing new street lighting, landscaping, benches, signing and other street furniture, together with all necessary work in connection therewith, as provided by Ordinance No. 2418, as the same now stand be and the same are hereby in all things and respects approved and confirmed in the total amount of \$166,643.43.

Section 2. Each of the lots, tracts, parcels of land and other property shown upon the assessment roll is hereby determined and declared to be specially benefited by this improvement in at least the amount charged against the same, and the assessment appearing against the same is in proportion to the several assessments appearing upon the roll. There is hereby levied and assessed

against each lot, tract or parcel of land and other property appearing upon the roll the amount finally charged against the same thereon.

Section 3. The assessment roll as approved and confirmed shall be filed with the Director of Administration and Finance of the City for collection and the Director of Administration and Finance is hereby authorized and directed to publish notice as required by law stating that the roll is in his hands for collection and that payment of any assessment thereon or any portion of such assessment can be made at any time within thirty days from date of first publication of such notice without penalty, interest or cost, and that thereafter the sum remaining unpaid may be paid in ten equal annual installments with interest thereon hereby fixed at the rate of 12% per annum, provided, however, that if the net effective interest rate fixed on the local improvement bonds hereafter issued for Local Improvement District No. 117 is other than 11-1/2% per annum, the interest rate on the unpaid assessments shall be revised to a rate of 1/2 of 1% in excess of the net effective interest rate on such bonds. The first installment of assessments on the assessment roll shall become due and payable during the thirty-day period succeeding the date one year after the date of first publication by the Director of Administration and Finance of notice that the assessment roll is in his hands for collection and annually thereafter each succeeding installment shall become due and payable in like manner. If the whole or any portion of the assessment remains unpaid after the first thirty-day period, interest upon the whole

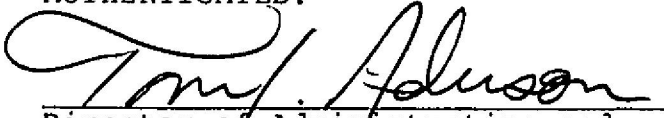
unpaid sum shall be charged at the rate as determined above, and each year thereafter one of the installments, together with interest due on the unpaid balance, shall be collected. Any installment not paid prior to expiration of the thirty-day period during which such installment is due and payable shall thereupon become delinquent. All delinquent installments shall be subject to a charge for interest at the rate as determined above and for an additional charge of 5% penalty levied upon both principal and interest due upon such installment or installments. The collection of such delinquent installments shall be enforced in the manner provided by law.

Section 4. This ordinance shall take effect from and after its passage and five (5) days following its publication as required by law.

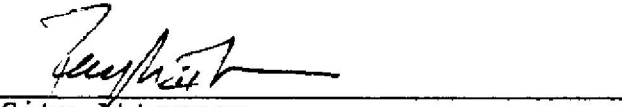
PASSED by the City Council of the City of Kirkland, Washington, at a regular open public meeting thereof, this 2nd day of February, 1981.

  
Mayor

AUTHENTICATED:

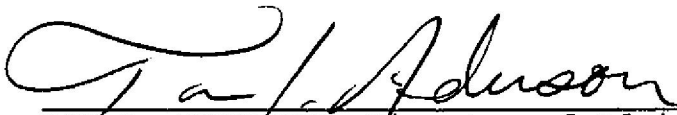
  
Director of Administration and  
Finance and Ex-Officio City Clerk

APPROVED AS TO FORM:

  
City Attorney

I, TOM J. ANDERSON, Director of Administration and Finance and ex-officio City Clerk of the City of Kirkland, Washington, hereby certify that the attached copy of Ordinance No. 2579 is a true and correct copy of the original ordinance passed on the 2nd day of February, 1981, as that ordinance appears on the Minute Book of the City.

DATED this 17 day of February, 1981.

  
TOM J. ANDERSON, Director of Administration and Finance and Ex-Officio City Clerk