

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2645

AN ORDINANCE of the City of Kirkland, Washington, approving and confirming the assessments and assessment roll of Local Improvement District No. 119 for the acquisition of real property located on Lake Street between Commercial Avenue and Central Way for construction of an off-street parking facility and installation of improvements, together with all work necessary in connection therewith, all in accordance with Resolution No. R-2746 and Ordinance No. 2549; levying and assessing the amounts therefor against the several lots, tracts, parcels of land and other property as shown on the assessment roll as confirmed by the City Council; and providing for the payment of such assessments into the Local Improvement Fund, District No. 119, of the City of Kirkland, Washington, as created by Ordinance No. 2549.

WHEREAS, the assessment roll levying the special assessments against the property located in Local Improvement District No. 119, has been filed with the Director of Administration and Finance of the City and ex officio City Clerk of the City, by the Director of Public Works as provided by law; and

WHEREAS, due notice of the time and place of hearing thereon and making objections and protests to such 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 December 7, 1981, at the hour of 8:00 p.m., in the City Council Chambers, City Hall, 210 Main Street, Kirkland, Washington, and due notice thereof was timely published and mailed to each property owner shown on such

roll as provided by law and as further specified in RCW 35.44.090, and;

WHEREAS, the following protests and/or objections were received by the Director of Administration and Finance of the City and ex officio City Clerk of the City, prior to, at and during such public hearing on December 7, 1981, to wit:

<u>Parcel No.</u>	<u>Property Owner</u>	<u>Assessment</u>
3	Exxon Corporation	\$18,433.61
16	Lyle or Velma Muir	7,938.67
21	Henry Shain	22,140.98
38	Elizabeth F. Leeds (estate of)	22,823.70

and

WHEREAS, the City Council, having duly considered such assessment roll together with the written protests and objections filed in connection therewith as aforesaid, and the City Council sitting and acting as a Board of Equalization for the purpose of considering the roll, benefits to be received by each lot, tract and parcel 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 such improvement, having determined to overrule the aforementioned and all other written protests and objections; 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. 119 which has been created and established

for the purpose of paying the cost of acquiring necessary real property located on Lake Street between Commercial Avenue and Central Way for constructing an off-street parking facility and installing improvements, together with all work necessary in connection therewith, all in accordance with Resolution No. R-2746, and Ordinance No. 2549, be and the same are hereby in all things approved and confirmed so that the total amount of the assessments and assessment roll of such Local Improvement District is in the sum of \$462,559.84.

Section 2. Each of the lots, tracts, parcels of land and other property shown upon such assessment roll is hereby determined and declared to be specially benefited by such improvement in at least the amount charged against the same, and the assessments appearing against the same are in proportion to the several assessments appearing upon such roll. There is hereby levied and assessed against each lot, tract or parcel of land, or other property appearing upon such 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 for collection and the Director of Administration and Finance is hereby authorized and directed to publish notice as required by law stating that such 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

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of such notice without penalty, interest or cost, and that there-  
after the sum remaining unpaid may be paid in ten equal annual  
installments with interest thereon hereby fixed at the rate of  
14-1/2% per annum, provided, however, that if the net effective  
interest rate fixed on the local improvement bonds hereafter issued  
for Local Improvement District No. 119 is other than 14% 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 assessment on such 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 there-  
after 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 hereinabove set forth and  
each year thereafter one of such installments, together with in-  
terest due on the whole of the unpaid balance, shall be collected.  
Any installment not paid prior to expiration of the thirty-day  
period during which the installment is due and payable shall there-  
upon become delinquent. All delinquent installments shall be  
subject to a charge of interest at the rate hereinabove set forth  
and for an additional charge of 5% penalty levied upon both princi-  
pal and interest due upon such installment or installments. The


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collection of such delinquent installments shall be enforced in the manner provided by law.


Section 4. All of such assessments or installments thereof and interest and penalty, if any thereon, when collected by the Director of Administration and Finance shall be paid into the Local Improvement Fund, District No. 119, of the City of Kirkland as created by Ordinance No. 2549 and shall be used solely for the purpose of paying the principal and interest on the warrants and bonds drawn upon or issued against such fund.

Section 5. This ordinance shall be effective upon its passage, approval and five days after its posting or publication, unless otherwise provided hereinabove.


PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at a regular open public meeting thereof, this 21st day of December, 1981.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and  
Finance, ex officio City Clerk


FORM APPROVED:

  
\_\_\_\_\_  
City Attorney

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I, TOM ANDERSON, Director of Administration and Finance, ex officio City Clerk of the City of Kirkland, Washington, hereby certify that the attached copy of Ordinance No. 2645 is a true and correct copy of the original ordinance adopted by the City Council on December 21, 1981, as that ordinance appears on the Minute Book of the City.

Dated this 21st day of December, 1981.

  
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Director of Administration and  
Finance, ex officio City Clerk