

CITY OF KIRKLAND, WASHINGTON

ORDINANCE NO. 2853

AN ORDINANCE of the City of Kirkland, Washington, approving and confirming the assessments and assessment roll of Local Improvement District No. 121 for the improvement of certain property within the City, as provided by Ordinance No. 2772 as amended by Ordinance No. 2837, and levying and assessing a part of 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. 121 in the City of Kirkland, Washington (the "City"), has been filed with the City Director of Administration and Finance, ex officio City Clerk, as provided by law; and

WHEREAS, notice of the time and place of hearing thereon and making objections and protests to the roll was published at and for the time and in the manner provided by law fixing the time and place of hearing thereon for the 17th day of December, 1984, 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 mailed by the City Director of Administration and Finance, ex officio 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 held, all written protests received were considered and all property owners who submitted such protests

or their representatives appearing at the hearing who wished to be heard were heard, and the City Council, sitting and acting as a board of equalization for the purpose of considering 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, overruled all such protests; 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. 121 which has been created and established for the purpose of improving certain property within the City by the construction and installation of street, sidewalk and storm drainage improvements, as provided by Ordinance No. 2772 as amended by Ordinance No. 2837, are in all things and respects approved and confirmed in the total amount of \$285,406.72.

Section 2. Each of the lots, tracts, parcels of land and other property shown upon the assessment roll is determined and declared to be specially benefited by the improvements 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 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 City Director of Administration and Finance for collection and the City Director of Administration and Finance is 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 may 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 10 equal annual installments. The estimated interest rate is stated to be 12 % per annum, with the exact interest rate to be fixed in the ordinance authorizing the issuance and sale of the local improvement bonds for Local Improvement District No. 121. 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 City 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.

PASSED by the City Council of the City of Kirkland, Washington, at a regular open public meeting thereof, on the 4th day of February, 1985, and signed in authentication of its passage this 4th day of February, 1985.

*Loris Cooper*  
 \_\_\_\_\_  
 MAYOR

AUTHENTICATED:

*Janice Perry* <sup>DEPUTY CLERK</sup> *for*  
 \_\_\_\_\_  
 Director of Administration  
 and Finance, ex officio City  
 Clerk

APPROVED AS TO FORM:

*Ralph [Signature]*  
 \_\_\_\_\_  
 City Attorney

CERTIFICATION OF POSTING:

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 4th day of February, 1985 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

*Janice Perry*  
 \_\_\_\_\_  
 Deputy City Clerk

1498k