

ORDINANCE NO. 3128

AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING A BUSINESS IMPROVEMENT AREA PURSUANT TO RCW CHAPTER 35.87A WITHIN AND ADJACENT TO THE KIRKLAND CENTRAL BUSINESS DISTRICT, PROVIDING FOR THE LEVY OF SPECIAL ASSESSMENTS UPON BUSINESSES WITHIN THE AREA, THE DEPOSIT OF REVENUES IN A SPECIAL FUND AND EXPENDITURES THEREFROM, AND PROVIDING FOR THE ADMINISTRATION THEREOF THROUGH AN IMPLEMENTING AGREEMENT.

WHEREAS, following receipt of petitions from owners of businesses within and adjacent to the Kirkland Central Business District, the Kirkland City Council adopted pursuant to RCW 35.87A.030 Resolution No. R-3472 to initiate procedures for the establishment of a business improvement area, and

WHEREAS, thereafter the Kirkland City Council pursuant to RCW 35.87A.040, by Resolution No. R-3473 declared its intention to establish such a business improvement area under the authority of RCW 35.87A, and

WHEREAS, Resolution No. R-3473 adopted by the Kirkland City Council on September 6, 1988, established the date for public hearing on the creation of said business improvement area to be held before the City Council on October 3, 1988, to hear all protests and receive evidence for or against creation of the proposed district, and

WHEREAS, the City Council conducted a public hearing for which proper notice was given pursuant to RCW Chapter 35.87A on October 3, 1988, to consider testimony regarding the proposed business improvement area and any protest thereto, and

WHEREAS, protests by owners of businesses within the proposed district represented less than 50% of the proposed assessments, and

WHEREAS, the City Council has determined it to be in the best interest of the City and of the owners and operators of businesses within the proposed business improvement area that the improvements petitioned for as hereinafter described be carried out, and that the business improvement area be created in connection therewith; Now, therefore,

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Business Improvement Area Established.

As authorized by RCW Chapter 35.87A, there is hereby established a Kirkland Business Improvement Area within and adjacent to the Kirkland Central Business District as more particularly described in Exhibit A, copy of which is attached to the original of this ordinance and incorporated herein by this reference as though fully set forth.

Section 2. Proposed uses, programs and projects, including estimated cost: The uses, programs and projects shall be those authorized by RCW 35.87A, including decoration, beautification and other similar amenities of public places and areas; maintenance and cleaning of public areas; provision of security in common public areas; advertising and promotion of the area as a place to visit, shop and conduct business, including implementation of tourism strategies and general trade promotional programs; A "METRO" approved and authorized local nonrail trolley or bus to operate within and adjacent to the several areas of the business improvement area; and to provide for professional management, planning and promotion for the area with respect to said proposed uses, programs and projects. The estimated first year annual cost not to exceed \$227,961.00.

1989 Proposed Budget:

|  |            |
|--|------------|
| a) Reimbursement to City of Kirkland<br>for Advances -                   | \$ 12,000. |
| b) Administrative overhead and reserve<br>for nonpayment of assessments- | \$ 74,359. |
| c) Amenities program for public places -                                 | \$ 6,000.  |
| d) General trade promotion activities -                                  | \$ 55,372. |
| e) Local trolley or transit program -                                    | \$ 80,230. |
| Total Budget:  | \$227,961. |

Section 3. Assessments. Annual assessments are being levied against each business within the business improvement area as follows: For the purpose of levying annual assessments against the businesses operating within the business improvement area, said area shall be subdivided into six subareas, all as described in Exhibit A to this ordinance.

Business improvement area annual assessments shall be calculated by applying the following rates against the gross floor area square footage of each business in the area: (Floor area square footage to be determined from the records of the Kirkland fire Department).

- a) All retail businesses located within Area 1 as described in Exhibit A shall pay \$.60 per square foot; provided that the minimum assessment for an Area 1 Retail Business shall be \$300. The maximum assessment for an Area 1 Retail business to be \$3,000. The owner of retail businesses occupying more than one location within Area 1 may combine the gross square footage of such businesses for the purposes of determining the maximum assessment.
- b) All nonretail businesses located within Area 1 as described in Exhibit A shall pay \$.20 per square foot. The minimum assessment for an Area 1 nonretail businesses shall be \$100. The maximum assessment for an Area 1 nonretail businesses shall be \$1,000. The owner of nonretail businesses occupying more than one location within Area 1 may combine the gross square footage of such businesses for the purposes of determining the maximum assessment.
- c) All retail businesses located within Areas 2 and 3 as described in Exhibit A shall pay \$.30 per square foot. The minimum assessment for a retail business in Areas 2 and 3 shall be \$150. The maximum assessment for a retail business in Areas 2 and 3 shall be \$1,500. The owner of retail business occupying more than one location within Areas 2 and 3 may combine the gross square footage of such businesses for the purposes of determining the maximum assessment.
- d) All nonretail businesses located within Areas 2 and 3 as described in Exhibit A shall pay \$.10 per square foot. The minimum assessment for a nonretail business in Areas 2 and 3 shall be \$50. The maximum assessment for a nonretail business in Areas 2 and 3 shall be \$500. The owner of nonretail businesses occupying more than one location within Areas 2 and 3 may combine the gross square footage of such businesses for the purposes of determining the maximum assessment.

The table below provides the assessment rates to be levied on businesses within Assessment Areas 1-3:

|           |           | <u>Rate/S.F.</u> | <u>Minimum</u> | <u>Maximum</u> |
|-----------|-----------|------------------|----------------|----------------|
| Area 1    | Retail    | \$.60            | \$300          | \$3000         |
|           | Nonretail | \$.20            | \$100          | \$1000         |
| Areas 2-3 | Retail    | \$.30            | \$150          | \$1500         |
|           | Nonretail | \$.10            | \$ 50          | \$ 500         |

- e) All businesses located in planned area land use zones (Planned Areas) which lie within the boundaries of Areas 1 through 3 as described in Exhibit A and which provide coordinated amenities and promotions within their boundaries, shall be assessed at 50 percent of the rate levied on other businesses in the assessment area in which the Planned Area is located. The minimum and maximum assessments applied to businesses located within Planned Areas will be 50 percent of those minimum and maximums applied to other businesses in the assessment area in which the Planned Area is located. The table below provides the assessment rates to be levied on businesses within Planned Areas:

|           |           | <u>Rate/S.F.</u> | <u>Minimum</u> | <u>Maximum</u> |
|-----------|-----------|------------------|----------------|----------------|
| Area 1    | Retail    | \$.30            | \$150          | \$1500         |
|           | Nonretail | \$.10            | \$ 50          | \$ 500         |
| Areas 2-3 | Retail    | \$.15            | \$ 75          | \$ 750         |
|           | Nonretail | \$.05            | \$ 25          | \$ 250         |

- f) "Retail" as used in this petition means those business establishments whose activities fall within either definition set forth in Section 5.10.790 (restaurant or tavern) or Section 5.10.795 (retail establishment), Ordinance 2740, the Zoning Code; provided that the following business establishments shall not be included in "retail": Laundry, cleaning and garment services, photographic studios, beauty shops, barber shops, shoe repair shops, computer and data processing services, reupholstery and furniture repair shops, and locksmiths.
- g) Furthermore, to augment the BID marketing and amenities programs, the City of Kirkland would levy special annual assessments for all retail and nonretail space located within Areas 1 through 6 as described in Exhibit A, for the sole purpose of the acquisition and/or operation of a

nonrail trolley or motor vehicle. Retail and nonretail space located within Areas 1 through 6 as described in Exhibit A shall pay a rate of \$.10 per square foot.

All business located in Planned Areas which lie within the boundaries of Areas 1 through 6, as described in Exhibit A, and provide coordinated, METRO-approved transportation programs for employees within their boundaries, will be allowed a credit for dollars spent on their approved programs to the extent that the programs duplicate that of the B.I.D., up to 50 percent of the total levy to be assessed to the businesses in the area for the trolley or motor vehicles.

- h) All organizations which the Internal Revenue Service has determined as charitable organizations and are qualified for charitable contributions under the United States Internal Revenue Code (26 USC 170 (c)) shall be exempt from paying BID assessments.
- i) The total annual special assessment is estimated to be \$227,961.
- j) Assessments shall be billed by the Kirkland Department of Administration and Finance on an annual basis at least 30 days prior to the assessment due date, and may at the option of the assessed business be paid in four equal quarterly installments with the first installment due on or before January 10, the second installment due on or before April 10, the third installment due on or before July 10, and the fourth installment due on or before October 10, in each year, provided that if any quarterly installment is not timely paid, then the entire amount of the annual assessment shall become immediately past due and delinquent. Past due and delinquent assessments shall be subject to interest at the rate of 12% per annum (1% per month) beginning with the month in which the assessment or quarterly assessment installment was originally due. Interest on delinquent assessments shall be compounded annually.
- k) A business which, after January 1, 1989, first commences operation within the business improvement area shall for the calendar year during which it commences business be assessed at

50% of the then current assessment rate, with such reduced assessment due and payable within 60 days of the date of assessment billing by the Department of Administration and Finance. In all subsequent years such business shall be assessed at 100% of the then current assessment rate.

- 1) Disputes. Any assessment payer aggrieved by the amount of an assessment or a delinquency charge may on request obtain a meeting with the Director of Administration and Finance, and if not satisfied the assessment payer may appeal the matter to the City Manager, who shall review the information submitted on appeal by both the assessment payer and the Director of Administration and Finance. Any decision of the City Manager shall be in writing and given to both the assessment payer and the Director of Administration and Finance. The decision of the City Manager shall be final.
  
- m) Notices. Notices of assessment installment payment or delinquency, and all other notices contemplated by this ordinance shall be sent by ordinary mail to the address appearing in the current business license records for the City, or if no address appears therein, the notice may be mailed to the address for such business appearing on the records of the Kirkland Fire Department. Failure of the owner of an assessed business to receive any mailed notice shall not release such owner from the duty to pay the assessment or from payment on the due date and any delinquency charge or interest.

Section 4. Authority to contract: Pursuant to RCW 35.87A.110, the City shall be authorized to contract with the Kirkland Downtown Association or a similar suitable management entity to administer the operation of the business improvement area, including its proposed uses, programs and projects, and any funds derived from the special assessments as may be hereafter authorized by the City Council. Provided that such administration and the contract administrator shall comply with all applicable provisions of law, including RCW 35.87A, with all City resolutions and ordinances, and with all regulations lawfully imposed by the State Auditor or other state agencies.

Section 5. B.I.A. Assessment Payers Advisory Group:  
Creation and establishment of the business improvement

area includes creation of a Business Improvement Area Assessment Payers Advisory Group to consult with and advise any contract administrator authorized pursuant to the foregoing section, the City of Kirkland, its City Council, and with respect to the conduct of the business improvement area uses, programs and projects, and the expenditure of assessment proceeds.

Said group shall be composed of representatives from each of the subassessment areas described in Exhibit A, and may include three geographically representative subcommittees for amenities, promotions and public relations and transportation, provided that representatives from any one subarea may be entitled to vote only upon issues relating to activities for which that area is assessed.

With advice and consultation from the Kirkland Chamber of Commerce, the City Manager, or the Director of the Department of Planning and Community Development as his delegate, shall appoint an interim Assessment Payers Advisory Group comprised of assessment payers from within the business improvement area. The interim Assessment Payers Advisory Group will recommend, and the Department of Planning and Community Development will implement, procedures to nominate and elect volunteer members to the permanent Assessment Payers Advisory Group to take effect no later than January 30, 1989. Procedures shall be designed to insure inclusion of members representative of the classifications and subassessment areas, subject to assessment, and formal liaison with the Kirkland Downtown Association or other contract administrator. The interim Assessment Payers Advisory Group shall also develop and adopt bylaws or rules to guide the operation of the Assessment Payers Advisory Group. Both the interim Assessment Payers Advisory Group and the permanent Assessment Payers Advisory Group including subcommittees shall be subject to and shall carry on all business in accordance with RCW Chapter 42.30, the Open Meetings Law.

Section 6. There is hereby established a separate fund designated the "Business Improvement Area Fund", into which fund shall be deposited the proceeds from assessments, together with any other funds received by the City from public events financed with special assessments, gifts and donations specially earmarked for the fund, and interest and all other income from the investment of the fund cash balances. If the City contracts with the Kirkland Downtown Association or a similar, suitable management entity to administer the operation of the area and its programs pursuant to Section 4 of this Ordinance,

then expenditures from the fund shall be made in quarterly installments to said contractor for the uses and projects set forth in Section 2 above.

Section 7. The business improvement area shall remain in effect until disestablished by the City in accordance with the disestablishment provisions contained in RCW 35.87A.180 and RCW 35.87A.190.

Section 8. The method of assessment and annual assessment rates established and levied by Section 3 of this ordinance shall continue from year to year until adjusted by the City Council, provided that no adjustment to the rate of assessments shall occur until the City Council has held a hearing and adopted such change or adjustment by ordinance, all as provided in RCW 35.87A.140. Any proposed adjustment shall be subject to protest as provided in RCW 35.87A.140.

Section 9. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code, in the summary form attached to the original of this ordinance and by this reference approved by the City Council, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 3rd day of October, 1988.

Signed in authentication thereof this 3rd day of October, 1988.

  
 Mayor

ATTEST:

  
 City clerk

APPROVED AS TO FORM:

  
 City Attorney



## Exhibit "A"

To: Resolution No. \_\_\_\_\_  
Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_

## Business Improvement Area Legal Description

The following are legal descriptions for the boundary of the entire Business Improvement District, Pages 2, 3, and 4 attached, and for the six subareas, Pages 5 through 11 attached.

## BOUNDARY OF B.I.D.

PORTIONS OF THE SOUTHWEST 1/4 OF SECTION 5, THE NORTHWEST 1/4 OF SECTION 8, THE SOUTHWEST 1/4 OF SECTION 8, THE NORTHWEST 1/4 OF SECTION 17 AND THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 28 NORTH, RANGE 3 EAST, W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

**B**EGINNING AT THE INTERSECTION OF THE CENTERLINE OF 8TH AVENUE WITH THE CENTERLINE OF 6TH STREET;

THENCE SOUTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 2ND AVENUE SOUTH PROJECTED EASTERLY;

THENCE WESTERLY ALONG SAID PROJECTED LINE AND SAID CENTERLINE OF 2ND STREET TO AN INTERSECTION WITH THE CENTERLINE OF LAKE STREET SOUTH;

THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE NORTH LINE OF LOT 4, BLOCK 4, LAKESHORE ADDITION PROJECTED WESTERLY;

THENCE ALONG SAID PROJECTED LINE AND SAID NORTH LINE TO THE WEST LINE OF SUNSET-EAST, A CONDOMINIUM;

THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID CONDOMINIUM;

THENCE EASTERLY TO THE EAST LINE OF SAID LOT 4;

THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 1-4, BLOCK 4 AND 1-4, BLOCK 1, SAID PLAT OF LAKESHORE ADDITION;

THENCE EASTERLY ALONG SAID BLOCK 1 TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 2ND STREET;

THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE NORTH LINE OF BLOCK 2, SEATTLE ADDITION;

THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF LOT 24, SAID BLOCK 2;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 24 AND LOTS 23, 22, AND 21 TO THE NORTH RIGHT OF WAY LINE OF 5TH AVENUE;

THENCE EASTERLY TO THE SOUTHEAST CORNER OF LOT 18, SAID BLOCK 2;

THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF HARBOUR POINTE, A CONDOMINIUM;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PLAT OF SEATTLE ADDITION TO THE NORTHEAST CORNER OF SHORT PLAT NO. 78-2-23J & RH;

THENCE SOUTHERLY TO THE NORTHEAST CORNER OF LOT B, SAID SHORT PLAT;

THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT B;

THENCE ALONG THE BOUNDARY OF SAID LOT B TO THE MOST WESTERLY CORNER OF SAID LOT;

THENCE SOUTHEASTERLY ALONG SAID LOT TO THE NORTH LINE OF BLOCK 1, PLAT OF COMMERCIAL ADDITION;

THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 1;

THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 1 AND 2 TO THE SOUTHEAST CORNER OF LOT 2;

THENCE EASTERLY ALONG THE SOUTH LINE OF BLOCK 1 TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 1ST STREET SOUTH PROJECTED NORTHERLY;

THENCE ALONG SAID PROJECTED LINE AND SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF LOT 1, BLOCK 5, PLAT OF COMMERCIAL ADDITION;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF LOTS 1 THROUGH 3, SAID BLOCK 8 TO THE NORTH LINE OF LAKEVIEW MANOR, A CONDOMINIUM;

THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID CONDOMINIUM;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID CONDOMINIUM TO THE NORTH LINE OF LOT A, PLAT OF KIRKLAND HEIGHTS;

THENCE EASTERLY ALONG THE SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT A;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT A TO THE NORTH LINE OF THE PLAT OF ALPHA REACH;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT A TO THE EAST LINE OF ALPHA REACH, A CONDOMINIUM;

THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID CONDOMINIUM TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM;

THENCE WESTERLY TO A POINT WHICH IS 75.00 FEET EAST FROM THE EAST RIGHT OF WAY LINE OF LAKE WASHINGTON BOULEVARD;

THENCE SOUTHERLY PARALLEL WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD TO THE NORTH LINE OF TAX LOT 209;

THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID TAX LOT;

THENCE SOUTHERLY PARALLEL WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF 10TH AVENUE SOUTH;

THENCE SOUTHEASTERLY TO THE NORTHEAST CORNER OF LOT 1, BLOCK 4, PLAT OF HARRY WHITE COMPANY'S COMMERCIAL ADDITION;

THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1-4, SAID BLOCK 4;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PLAT TO THE NORTHWEST CORNER OF PARKBAY, A CONDOMINIUM;

THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID CONDOMINIUM AND A PROJECTION OF SAID LINE TO THE NORTH LINE OF PLEASANT BAY, A CONDOMINIUM;  
 THENCE EASTERLY, NORTHERLY AND EASTERLY ALONG THE SAID NORTH LINE TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF N.E. 68TH STREET;  
 THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF SAID PLEASANT BAY CONDOMINIUM;  
 THENCE WESTERLY, SOUTHERLY AND WESTERLY TO THE NORTHEAST CORNER OF TOPSIDE, A CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF SAID CONDOMINIUM TO THE NORTH LINE OF WESTVIEW PARK, A CONDOMINIUM;  
 THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE SOUTHWEST CORNER OF SAID CONDOMINIUM;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF SAID CONDOMINIUM TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;  
 THENCE ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF TAX LOT 29;  
 THENCE ALONG THE SOUTH LINE OF SAID TAX LOT TO THE NORTHEAST CORNER OF HARBOUR CLUB A CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF SAID CONDOMINIUM AND TAX LOT 124 TO THE NORTH LINE OF TAX LOT 94;  
 THENCE EASTERLY ALONG SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;  
 THENCE SOUTHERLY ALONG SAID RIGHT OF WAY TO THE NORTHEAST CORNER OF BLOCK 1, PLAT OF FRENCHS HOMESTEAD VILLA;  
 THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF LAKEVIEW, A CONDOMINIUM;  
 THENCE SOUTHERLY, EASTERLY AND SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE NORTH RIGHT OF WAY LINE OF N.E. 64TH STREET;  
 THENCE SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 3, BLOCK 2, PLAT OF FRENCHS HOMESTEAD VILLA;  
 THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTH LINE OF SAID BLOCK 2;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF SAID BLOCK 2 TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;  
 THENCE SOUTHERLY ALONG SAID LINE TO AN INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF NORTHEAST 63RD STREET;  
 THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF NORTHEAST 63RD STREET TO THE INTERSECTION OF THE WEST LINE OF LOT 6, FRENCHS HOMESTEAD VILLA, DIV. NO. 1, PRODUCED NORTHERLY;  
 THENCE SOUTHERLY ALONG SAID PRODUCED LINE TO AND THE WEST LINE OF LOT 6 TO THE SOUTHWEST CORNER OF LOT 6;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF LOT 6 TO THE NORTHWEST CORNER OF HOUGHTON COURT, A CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE NORTH RIGHT OF WAY LINE OF NORTHEAST 62ND STREET;  
 THENCE SOUTHWESTERLY TO A POINT ON THE NORTH LINE OF LOT 1, PLAT OF BURKE AND FARRARS KIRKLAND ADDITION, DIVISION NO. 30, SAID POINT BEING WEST 127.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1;  
 THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SAID LOT 1, TO A POINT ON THE SOUTH LINE OF LOT 2, SAID PLAT;  
 THENCE SOUTHERLY ALONG SAID CENTERLINE TO THE NORTH LINE OF TAX LOT 200;  
 THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF TAX LOT 200;  
 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TAX LOT TO AN INTERSECTION WITH THE EAST LINE OF LOT 14, BLOCK 2, PLAT OF HOUGHTON PROJECTED WESTERLY;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 10-14 SAID BLOCK 2;  
 THENCE SOUTHERLY TO THE CENTERLINE OF AN ALLEY AS SHOWN IN BLOCK 2, PLAT OF FAIRVIEW ADDITION TO HOUGHTON;  
 THENCE ALONG THE NORTH LINE OF SAID BLOCK TO THE NORTHEAST CORNER OF SAID BLOCK;  
 THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF SAID BLOCK;  
 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID BLOCK TO THE CENTERLINE OF SAID ALLEY;  
 THENCE SOUTHEASTERLY TO A POINT ON THE NORTH LINE OF LOT 8, BLOCK 5 OF SAID PLAT, SAID POINT BEING 3 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 8;  
 THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF SAID LOT 8 TO THE NORTH LINE OF TAX LOT 24;  
 THENCE EASTERLY ALONG SAID LINE TO THE NORTHEAST CORNER OF SAID TAX LOT;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF SAID TAX LOT TO THE SOUTH LINE OF SAID TAX LOT NO. 24;  
 THENCE WESTERLY ALONG SAID LINE TO THE EAST RIGHT OF WAY LINE OF LAKE WASHINGTON BOULEVARD;  
 THENCE WESTERLY TO THE SOUTHEAST CORNER OF THE PARKSIDE APARTMENT, A CONDOMINIUM;

## SUBAREA 1

PORTION OF SOUTHWESTERLY 1/4 OF THE SOUTHWESTERLY 1/4 OF SECTION 5, TOWNSHIP 25, RANGE 5 EAST, W.M., NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 25, RANGE 5 EAST, W.M., SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 25, RANGE 5 EAST, W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTRAL WAY AND 3RD STREET AS SHOWN ON THE PLAT OF THE KIRKLAND TERRACE;  
 THENCE NORTHEASTERLY TO THE INTERSECTION OF SAID CENTERLINE OF CENTRAL WAY WITH THE EAST RIGHT OF WAY LINE OF 3RD STREET AS SHOWN ON THE PLAT OF BURKE AND FARRARS KIRKLAND ADDITION, DIVISION NO. 26, UNRECORDED;  
 THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE CENTERLINE OF KIRKLAND AVE.;  
 THENCE WESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH STATE STREET;  
 THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF STATE STREET TO AN INTERSECTION WITH THE CENTERLINE OF 1ST AVENUE SOUTH;  
 THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF 1ST AVENUE SOUTH TO AN INTERSECTION WITH THE CENTERLINE OF 1ST STREET SOUTH;  
 THENCE SOUTHERLY ALONG SAID CENTERLINE OF 1ST STREET SOUTH TO AN INTERSECTION WITH THE CENTERLINE OF 2ND AVENUE;  
 THENCE WESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD;  
 THENCE SOUTHEASTERLY ALONG THE SAID CENTERLINE TO AN INTERSECTION WITH THE NORTH LINE PROJECTED NORTHEASTERLY OF KENSINGTON HOUSE, A CONDOMINIUM;  
 THENCE ALONG SAID NORTH LINE PROJECTED AND THE SAID NORTH LINE OF SAID CONDOMINIUM TO THE HIGHWATER LINE OF LAKE WASHINGTON;  
 THENCE NORTHWESTERLY ALONG THE HIGHWATER LINE TO THE SOUTHERLY MARGIN OF 2ND AVENUE SOUTH;  
 THENCE NORTHERLY TO THE SOUTHWEST CORNER OF TAX LOT 154;  
 THENCE NORTHWESTERLY ALONG THE WEST LINE AND WEST LINE PROJECTED NORTHERLY TO THE CENTERLINE OF KIRKLAND AVENUE;  
 THENCE SOUTHWESTERLY ALONG SAID CENTERLINE TO THE WESTERLY LINE OF TAX LOT 213 PRODUCED SOUTHEASTERLY;  
 THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF TAX LOT 213;  
 THENCE NORTHEASTERLY ALONG THE NORTH LINE OF TAX LOT 213 TO A LINE 100.00 FEET WESTERLY OF LAKE STREET;  
 THENCE NORTHWESTERLY ALONG A LINE 100.00 FEET WESTERLY OF AND PARALLEL TO LAKE STREET TO A LINE 101.00 FEET SOUTHERLY OF CENTRAL WAY;  
 THENCE WESTERLY ALONG SAID LINE THAT IS 101.00 FEET SOUTHERLY OF AND PARALLEL TO CENTRAL WAY TO THE CENTERLINE OF MARKET STREET;  
 THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF CENTRAL WAY;  
 THENCE EASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF AN ALLEY AS SHOWN IN BLOCK 216, SAID PLAT OF THE TOWN OF KIRKLAND;  
 THENCE ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 3RD AVENUE PROJECTED WESTERLY;  
 THENCE EASTERLY ALONG SAID PROJECTED LINE AND SAID CENTERLINE OF 3RD AVENUE TO THE CENTERLINE OF 2ND STREET;  
 THENCE NORTHERLY ALONG THE SAID CENTERLINE TO AN INTERSECTION WITH 3RD AVENUE LYING BETWEEN BLOCKS 92, 93 AND 94, SAID PLAT OF KIRKLAND TERRACE;  
 THENCE ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 3RD STREET;  
 THENCE ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

## SUBAREA 2

PORTION OF SECTION 6, TOWNSHIP 25, RANGE 5 EAST, W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF MARKET STREET AND CENTRAL WAY;  
 THENCE ALONG THE CENTERLINE OF MARKET STREET TO AN INTERSECTION WITH THE CENTERLINE OF WAVERLY WAY;  
 THENCE ALONG SAID CENTERLINE TO AN INTERSECTION WITH PROJECTION OF THE LINE BETWEEN LOTS 29 AND 30, BLOCK 7, PLAT OF THE TOWN OF KIRKLAND;  
 THENCE NORTHEASTERLY ALONG SAID PROJECTED LINE AND THE LINE BETWEEN LOTS 29 AND 30 TO AN INTERSECTION WITH THE CENTERLINE OF 5TH AVENUE WEST;  
 THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH AN ALLEY AS SHOWN IN BLOCK 8, SAID PLAT OF THE TOWN OF KIRKLAND;  
 THENCE NORTHERLY AND NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH A PROJECTION OF THE LINE BETWEEN LOTS 13 AND 14, SAID BLOCK 8;  
 THENCE NORTHEASTERLY ALONG SAID PROJECTED LINE AND THE LINE BETWEEN LOTS 13 AND 14 TO AN INTERSECTION WITH THE CENTERLINE OF 7TH AVENUE WEST;  
 THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 2ND STREET WEST;  
 THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF MARKET STREET;  
 THENCE SOUTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 8TH AVENUE;  
 THENCE EASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH A LINE PROJECTED NORTHERLY FROM THE CENTERLINE OF AN ALLEY AS SHOWN IN BLOCK 178, SAID PLAT OF THE TOWN OF KIRKLAND;  
 THENCE SOUTHERLY ALONG SAID PROJECTED LINE AND THE CENTERLINE OF THE ALLEYS AS SHOWN IN BLOCK 178, 193, 194, 207, 208 AND 216 PROJECTED SOUTHERLY TO AN INTERSECTION WITH THE CENTERLINE OF CENTRAL WAY;  
 THENCE WESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF MARKET STREET

POINT OF BEGINNING

## SUBAREA 3

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 5, AND THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 25 NORTH, RANGE 5 EAST, N.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTRAL WAY AND 3RD STREET;  
 THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID 3RD STREET TO AN INTERSECTION WITH A LINE PROJECTED FROM THE CENTERLINE OF THE ALLEY AS SHOWN IN BLOCK 95, PLAT OF KIRKLAND TERRACE;  
 THENCE NORTHEASTERLY ALONG SAID PROJECTED LINE AND THE CENTERLINE OF THE ALLEY AS SHOWN ON BLOCKS 95, 96 AND 97, SAID PLAT OF KIRKLAND TERRACE TO THE CENTERLINE OF 6TH STREET;  
 THENCE SOUTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 2ND AVENUE SOUTH PROJECTED EASTERLY;  
 THENCE ALONG SAID PROJECTED LINE AND SAID CENTERLINE OF 2ND STREET TO AN INTERSECTION WITH THE CENTERLINE OF 1ST STREET SOUTH;  
 THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF FIRST AVENUE SOUTH;  
 THENCE EASTERLY AND NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF STATE STREET;  
 THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF KIRKLAND AVENUE;  
 THENCE EASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF 3RD STREET AS SHOWN ON THE PLAT OF BURKE AND FARRARS KIRKLAND ADDITION, DIVISION NO. 26, UNRECORDED;  
 THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE CENTERLINE OF CENTRAL WAY;  
 THENCE SOUTHWESTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

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SUBAREA 4

A PORTION OF THE SOUTHWESTERLY 1/4 OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CENTRAL WAY WITH THE WEST RIGHT OF WAY LINE OF 6TH STREET;  
 THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE OF 6TH STREET TO THE NORTHEAST CORNER OF LOT 18, PLAT OF BURKE AND FARRARS ADDITION, DIVISION NO. 39;  
 THENCE WESTERLY ALONG THE NORTH LINE OF LOT 18, 19, 20 AND 21, SAID PLAT;  
 THENCE SOUTHERLY ALONG THE MOST WESTERLY LINE OF SAID LOT 21 TO AN INTERSECTION WITH A LINE BETWEEN LOTS 21 AND 22 OF SAID PLAT;  
 THENCE SOUTHEASTERLY ALONG SAID LINE TO AN INTERSECTION WITH THE CENTERLINE OF 2ND AVENUE;  
 THENCE SOUTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE CENTERLINE OF 5TH PLACE;  
 THENCE SOUTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF KIRKLAND WAY;  
 THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO THE EAST LINE OF TAX LOT NO. 17;  
 THENCE NORTHERLY ALONG SAID LINE TO THE NORTHEAST CORNER OF SAID TAX LOT 17;  
 THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT;  
 THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF TAX LOT 34; THENCE WESTERLY ALONG THE SOUTH LINE OF TAX LOT 34 AND 32 TO THE EAST LINE OF PETER KIRK MEMORIAL PARK;  
 THENCE NORTHERLY ALONG SAID LINE TO AN INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF CENTRAL WAY;  
 THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 6TH STREET AND THE POINT OF BEGINNING.

## SUBAREA 5

A PORTION OF THE WEST 1/2 OF SECTION 8 AND THE WEST 1/2 OF SECTION 7, ALL IN TOWNSHIP 25 NORTH, RANGE 5 EAST, N.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERN CORNER OF KENSINGTON HOUSE, A CONDOMINIUM;  
 THENCE NORTHEASTERLY ALONG A PROJECTION OF THE NORTH LINE OF SAID CONDOMINIUM TO AN INTERSECTION WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD;  
 THENCE NORTHWESTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE NORTH LINE OF LOT 4, BLOCK 4, LAKESHORE ADDITION PROJECTED WESTERLY;  
 THENCE ALONG SAID PROJECTED LINE AND SAID NORTH LINE TO THE WEST LINE OF SUNSET-EAST, A CONDOMINIUM;  
 THENCE SOUTHERLY TO THE SOUTHWEST CORNER OF SAID CONDOMINIUM;  
 THENCE EASTERLY TO THE EAST LINE OF SAID LOT 4;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 1-4, BLOCK 4 AND 1-4, BLOCK 1, SAID PLAT OF LAKESHORE ADDITION;  
 THENCE EASTERLY ALONG SAID BLOCK 1 TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 2ND STREET;  
 THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE NORTH LINE OF BLOCK 2, SEATTLE ADDITION;  
 THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF LOT 24, SAID BLOCK 2;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 24 AND LOTS 23, 22, AND 21 TO THE NORTH RIGHT OF WAY LINE OF 5TH AVENUE;  
 THENCE EASTERLY TO THE SOUTHEAST CORNER OF LOT 19, SAID BLOCK 2;  
 THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF HARBOUR POINTE, A CONDOMINIUM;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PLAT OF SEATTLE ADDITION TO THE NORTHEAST CORNER OF SHORT PLAT NO. 78-2-23J & AH;  
 THENCE SOUTHERLY TO THE NORTHEAST CORNER OF LOT B, SAID SHORT PLAT;  
 THENCE WESTERLY TO THE NORTHWEST CORNER OF SAID LOT B;  
 THENCE ALONG THE BOUNDARY OF SAID LOT B TO THE MOST WESTERLY CORNER OF SAID LOT;  
 THENCE SOUTHEASTERLY ALONG SAID LOT TO THE NORTH LINE OF BLOCK 1, PLAT OF COMMERCIAL ADDITION;  
 THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF LOT 1, SAID BLOCK 1;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 1 AND 2 TO THE SOUTHEAST CORNER OF LOT 2;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF BLOCK 1 TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF 1ST STREET SOUTH PROJECTED NORTHERLY;  
 THENCE ALONG SAID PROJECTED LINE AND SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF LOT 1, BLOCK 5, PLAT OF COMMERCIAL ADDITION;  
 THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT TO THE NORTHWEST CORNER OF SAID LOT 1;  
 THENCE SOUTHWESTERLY ALONG THE WESTERLY LINE OF LOTS 1 THROUGH 3, SAID BLOCK 5 TO THE NORTH LINE OF LAKEVIEN MANOR, A CONDOMINIUM;  
 THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID CONDOMINIUM TO THE NORTH LINE OF LOT A, PLAT OF KIRKLAND HEIGHTS;  
 THENCE EASTERLY ALONG THE SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT A;  
 THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT A TO THE NORTH LINE OF THE PLAT OF ALPHA REACH;  
 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT A TO THE EAST LINE OF ALPHA REACH, A CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID CONDOMINIUM TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM;  
 THENCE WESTERLY TO A POINT WHICH IS 75.00 FEET EAST FROM THE EAST RIGHT OF WAY LINE OF LAKE WASHINGTON BOULEVARD;  
 THENCE SOUTHERLY PARALLEL WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD TO THE NORTH LINE OF TAX LOT 209;  
 THENCE EASTERLY TO THE NORTHEAST CORNER OF SAID TAX LOT;  
 THENCE SOUTHERLY PARALLEL WITH THE CENTERLINE OF LAKE WASHINGTON BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF 10TH AVENUE SOUTH;  
 THENCE SOUTHEASTERLY TO THE NORTHEAST CORNER OF LOT 1, BLOCK 4, PLAT OF HARRY WHITE COMPANY'S COMMERCIAL ADDITION;  
 THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 1-4, SAID BLOCK 4;  
 THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PLAT TO THE NORTHWEST CORNER OF PARKBAY, A CONDOMINIUM;  
 THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID CONDOMINIUM AND A PROJECTION OF SAID LINE TO THE NORTH LINE OF PLEASANT BAY, A CONDOMINIUM;



THENCE EASTERLY, NORTHERLY AND EASTERLY ALONG THE SAID NORTH LINE TO AN INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF N.E. 68TH STREET;

THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF SAID PLEASANT BAY CONDOMINIUM;

THENCE WESTERLY, SOUTHERLY AND WESTERLY TO THE NORTHEAST CORNER OF TOPSIDE, A CONDOMINIUM;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID CONDOMINIUM TO THE NORTH LINE OF WESTVIEW PARK, A CONDOMINIUM;

THENCE WESTERLY ALONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID CONDOMINIUM;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE SOUTHWEST CORNER OF SAID CONDOMINIUM;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID CONDOMINIUM TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;

THENCE ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF TAX LOT 29;

THENCE ALONG THE SOUTH LINE OF SAID TAX LOT TO THE NORTHEAST CORNER OF HARBOUR CLUB A CONDOMINIUM;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID CONDOMINIUM AND TAX LOT 124 TO THE NORTH LINE OF TAX LOT 94;

THENCE EASTERLY ALONG SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;

THENCE SOUTHERLY ALONG SAID RIGHT OF WAY TO THE NORTHEAST CORNER OF BLOCK 1, PLAT OF FRENCHS HOMESTEAD VILLA;

THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF LAKEVIEW, A CONDOMINIUM;

THENCE SOUTHERLY, EASTERLY AND SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE NORTH RIGHT OF WAY LINE OF N.E. 64TH STREET;

THENCE SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 3, BLOCK 2, PLAT OF FRENCHS HOMESTEAD VILLA;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTH LINE OF SAID BLOCK 2;

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID BLOCK 2 TO THE WEST RIGHT OF WAY LINE OF LAKEVIEW DRIVE;

THENCE SOUTHERLY ALONG SAID LINE TO AN INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF NORTHEAST 63RD STREET;

THENCE WESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF NORTHEAST 63RD STREET TO THE INTERSECTION WITH THE WEST LINE OF LOT 6, FRENCHS HOMESTEAD VILLA, DIV. NO. 1, PRODUCED NORTHERLY;

THENCE SOUTHERLY ALONG SAID PRODUCED LINE TO AND THE WEST LINE OF LOT 6 TO THE SOUTHWEST CORNER OF LOT 6;

THENCE EASTERLY ALONG THE SOUTH LINE OF LOT 6 TO THE NORTHWEST CORNER OF HOUGHTON COURT, A CONDOMINIUM;

THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CONDOMINIUM TO THE NORTH RIGHT OF WAY LINE OF NORTHEAST 62ND STREET;

THENCE SOUTHWESTERLY TO A POINT ON THE NORTH LINE OF LOT 1, PLAT OF BURKE AND FARRARS KIRKLAND ADDITION, DIVISION NO. 30, SAID POINT BEING WEST 127.00 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1;

THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF SAID LOT 1, TO A POINT ON THE SOUTH LINE OF LOT 2, SAID PLAT;

THENCE SOUTHERLY ALONG SAID CENTERLINE TO THE NORTH LINE OF TAX LOT 200;

THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF TAX LOT 200;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TAX LOT TO AN INTERSECTION WITH THE EAST LINE OF LOT 14, BLOCK 2, PLAT OF HOUGHTON PROJECTED WESTERLY;

THENCE SOUTHERLY ALONG THE EAST LINE OF LOTS 10-14 SAID BLOCK 2;

THENCE SOUTHERLY TO THE CENTERLINE OF AN ALLEY AS SHOWN IN BLOCK 2 SAID PLAT OF FAIRVIEW ADDITION TO HOUGHTON;

THENCE ALONG THE NORTH LINE OF SAID BLOCK TO THE NORTHEAST CORNER OF SAID BLOCK;

THENCE SOUTHERLY TO THE SOUTHEAST CORNER OF SAID BLOCK;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID BLOCK TO THE CENTERLINE OF SAID ALLEY;

THENCE SOUTHEASTERLY TO A POINT ON THE NORTH LINE OF LOT 8, BLOCK 5 OF SAID PLAT, SAID POINT BEING 3 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 8;

THENCE SOUTHERLY PARALLEL WITH THE WEST LINE OF SAID LOT 8 TO THE NORTH LINE OF TAX LOT 24;

THENCE EASTERLY ALONG SAID LINE TO THE NORTHEAST CORNER OF SAID TAX LOT;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID TAX LOT TO THE SOUTH LINE OF SAID TAX LOT NO. 24;

THENCE WESTERLY ALONG SAID LINE TO THE EAST RIGHT OF WAY LINE OF LAKE WASHINGTON BOULEVARD;

THENCE WESTERLY TO THE SOUTHEAST CORNER OF THE PARKSIDE APARTMENT, A CONDOMINIUM;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID CONDOMINIUM TO THE HIGHWATER LINE OF LAKE WASHINGTON;

THENCE NORTHERLY ALONG SAID HIGHWATER LINE TO THE NORTH LINE OF KENSINGTON HOUSE, A CONDOMINIUM;

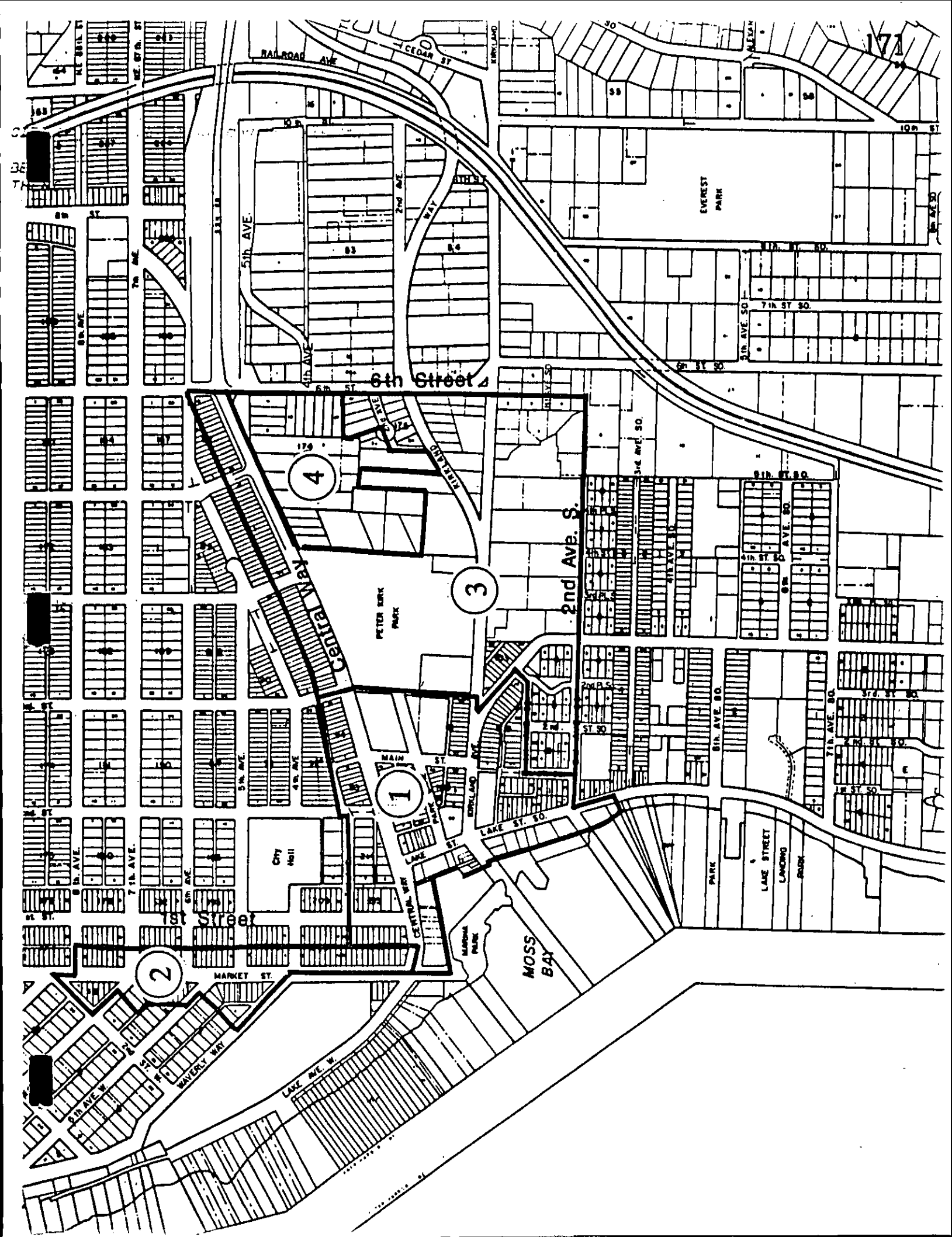
THENCE ALONG SAID LOT TO THE NORTHEAST CORNER OF SAID CONDOMINIUM AND THE POINT OF BEGINNING.

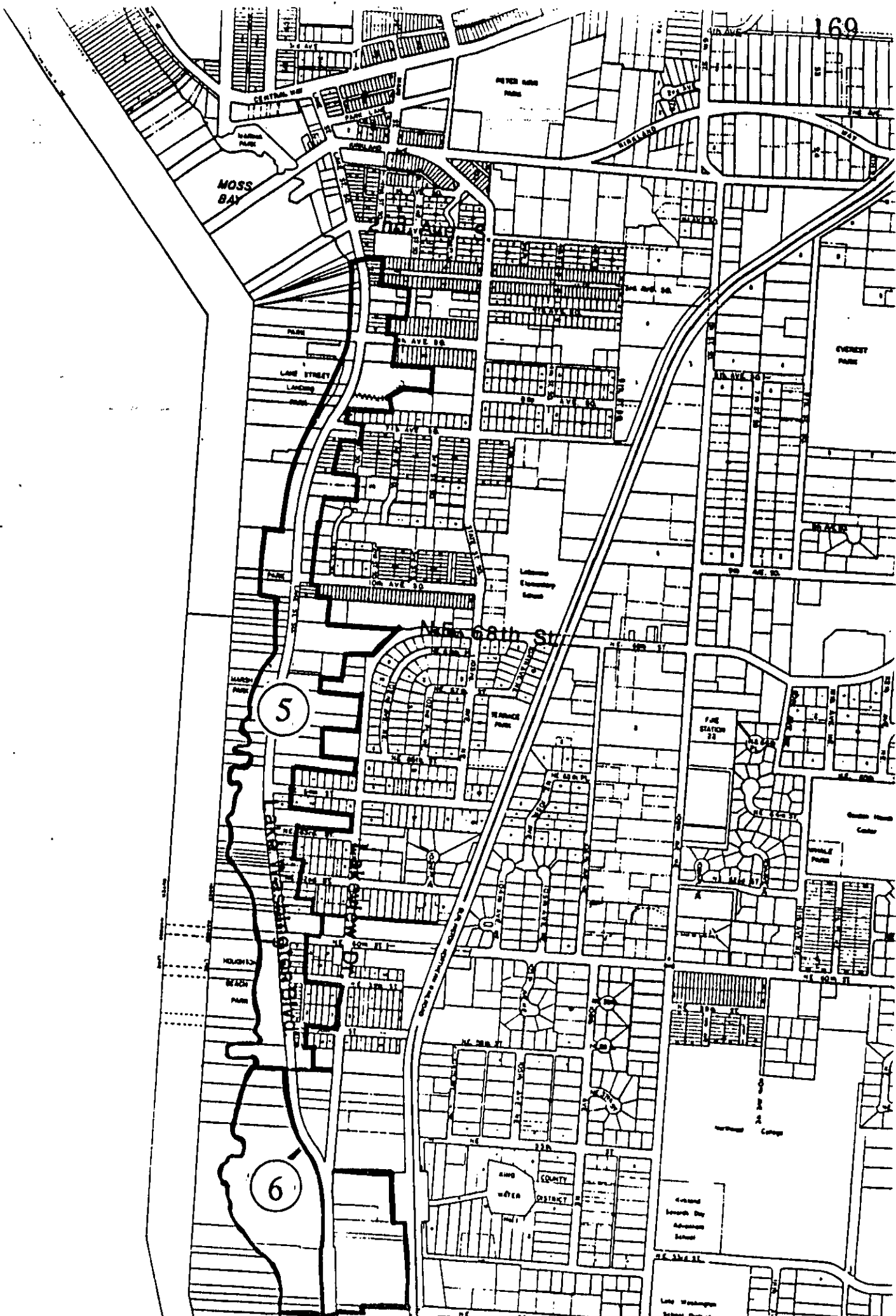
SUBAREA 6

A PORTION OF GOVERNMENT LOTS 1, 2 AND 3, SECTION 17, TOWNSHIP 25 NORTH, RANGE 5 EAST, N. M.,  
COUNTY OF KIRKLAND, KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE PARKSIDE APARTMENTS, A CONDOMINIUM;  
THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF LAKE WASHINGTON BOULEVARD TO AN  
INTERSECTION WITH THE NORTH LINE OF TAX LOT 30 PROJECTED WESTERLY;  
THENCE ALONG SAID PROJECTED LINE AND SAID NORTH LINE TO AN INTERSECTION WITH THE WESTERLY RIGHT  
OF WAY LINE OF THE B. N. R. R.;  
THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF YARRON HILL VILLAS, A  
CONDOMINIUM;  
THENCE LONG SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID CONDOMINIUM;  
THENCE WESTERLY TO THE SOUTHEAST CORNER OF TAX LOT 120;  
THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT TO THE HIGH WATER LINE OF LAKE WASHINGTON;  
THENCE NORTHERLY ALONG SAID HIGH WATER LINE TO AN INTERSECTION WITH THE SOUTH LINE OF SAID  
PARKSIDE APARTMENTS, A CONDOMINIUM;  
THENCE EASTERLY ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM AND THE POINT  
OF BEGINNING.

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SUMMARY OF ORDINANCE NO. 3128

AN ORDINANCE OF THE CITY OF KIRKLAND ESTABLISHING A BUSINESS IMPROVEMENT AREA PURSUANT TO RCW CHAPTER 35.87A WITHIN AND ADJACENT TO THE KIRKLAND CENTRAL BUSINESS DISTRICT, PROVIDING FOR THE LEVY OF SPECIAL ASSESSMENTS UPON BUSINESSES WITHIN THE AREA, THE DEPOSIT OF REVENUES IN A SPECIAL FUND AND EXPENDITURES THEREFROM, AND PROVIDING FOR THE ADMINISTRATION THEREOF THROUGH AN IMPLEMENTING AGREEMENT.

Section 1 - Establishes pursuant to RCW Chapter 35.87A a Business Improvement Area (BID) within and adjacent to the Kirkland Central Business District, including legal description and map of the BID and its six subassessment areas. See map attached to this summary.

Section 2 - Authorizes the purposes and programs to be carried on by the BID, including an amenities program for public places, a general trade promotion and advertising program, and a local transit program. Requires the transit program to be approved by METRO. Establishes and approves the 1989 operating budget for the BID as follows:

- a) Reimbursement to City of Kirkland for Advances - \$ 12,000.
  - b) Administrative overhead and reserve for nonpayment of assessments - \$ 74,359.
  - c) Amenities program for public places -\$ 6,000.
  - d) General trade promotion activities - \$ 55,372.
  - e) Local trolley or transit program - \$ 80,230.
- Total 1989 Budget: \$ 227,961.

Section 3 - Establishes the method of assessing businesses operating within the BID and its six subassessment areas, levies assessments against each such business, provides for limited credits against assessments for some businesses located within planned areas which provide at their own expense coordinated trade promotion and/or transportation management programs. Provides a dispute resolution or appeal process as to the amount of assessment levied against any particular business. Provides for billing, payment and collection of assessments. Assessment rates levied on businesses are as follows:

|           |           | <u>Rate/S.F.</u> | <u>Minimum</u> | <u>Maximum</u> |
|-----------|-----------|------------------|----------------|----------------|
| Area 1    | Retail    | \$.60            | \$300          | \$3000         |
|           | Nonretail | \$.20            | \$100          | \$1000         |
| Areas 2-3 | Retail    | \$.30            | \$150          | \$1500         |
|           | Nonretail | \$.10            | \$ 50          | \$ 500         |

In addition, all businesses within Areas 1 through 6, inclusive, shall pay \$.10 per square foot, which shall be used solely for the transit/trolley program.

Section 4 - Authorizes the City of Kirkland to contract with the Kirkland Downtown Association, a nonprofit Washington corporation, to administer and carry out the programs and activities of the BID, subject to the requirements of RCW Chapter 35.87A, and all regulations lawfully imposed by the State Auditor or other state agencies and the City of Kirkland.

Section 5 - Creates an Assessment Payers Advisory Group composed of representatives of businesses subject to assessment from every subassessment area to serve in an advisory capacity to the Kirkland Downtown Association and to the City.

Section 6 - Establishes in the treasury of the City of Kirkland a Business Improvement Area Fund into which shall be deposited the BID assessments as received by the City. Said funds to be paid over to the Kirkland Downtown Association for payment of budgeted expenditures.

Section 7 - Provides that the BID shall continue in existence until disestablished by the City in accordance with the disestablishment provisions contained in RCW Chapter 35.87A.

Section 8 - Provides that assessments established in Section 3 shall continue from year to year until adjusted in the manner required by RCW 35.87A.140, which requires a public hearing by the City Council.

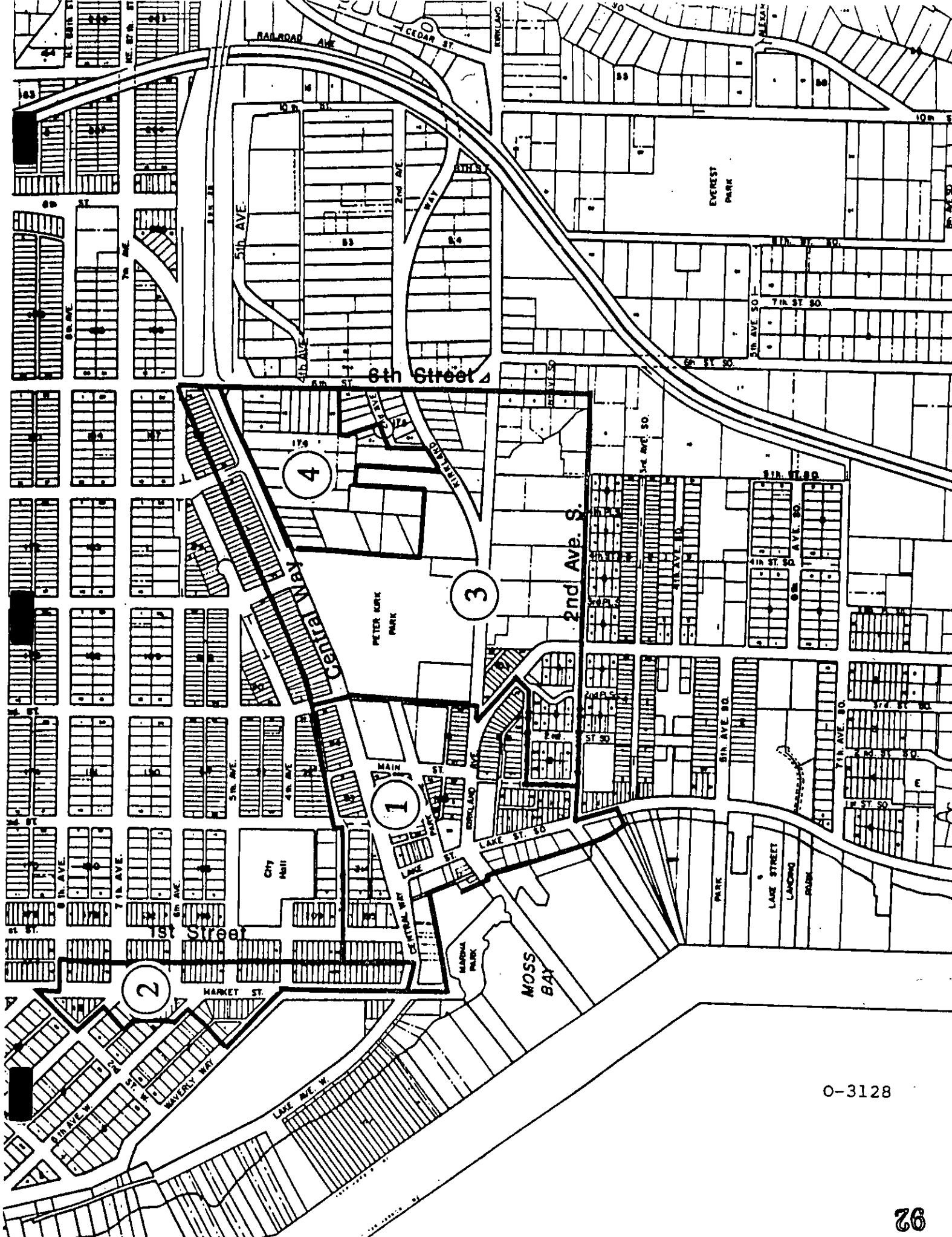
Section 9 - Authorizes publication of the ordinance by summary, which ordinance is approved by the City Council pursuant to Section 1.08.17, Kirkland Municipal Code, and establishes the effective date as five days after publication of this summary.

The full text of this ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland.

Ordinance No. 3128 was passed by the Kirkland City Council at its regular meeting on the 3rd day of October, 1988.

I certify that the foregoing is a summary of Ordinance No. 3128 approved by the Kirkland City Council for summary publication.

  
Janice Perry, City Clerk



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