

ORDINANCE NO. 3594

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, APPROVING AND CONFIRMING THE ASSESSMENTS AND ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO.126 FOR THE CONSTRUCTION OF STREET IMPROVEMENTS INCLUDING CURB, GUTTER, SIDEWALK, STORM DRAINAGE, AND CONVERSION TO UNDERGROUND UTILITIES, AS PROVIDED BY ORDINANCE NO 3451, AND LEVYING AND ASSESSING A PORTION 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. 126 in the City of Kirkland, Washington (the "City"), has been filed with the 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 2nd day of September, 1997, at the hour of 7:30 p.m., local time, in the Kirkland Council Chamber in the City Hall, 123 Fifth Avenue, Kirkland, Washington and further notice thereof was 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 held, all written protests received were considered and all persons appearing at the hearing who wish 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 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.126 which has been created and established for the purpose of Construction of street improvements including curb, gutter, sidewalk, storm drainage, and conversion to underground utilities provided by Ordinance No. 3451, as the same now stand shall be and the same are approved and confirmed in all things and respects in the total amount of \$248,988.01.

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 this improvement in at least the amount charged 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.

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Section 3. The assessment roll as approved and confirmed shall be filed with the Director of Finance, exofficio City Treasurer, for collection and the Director of Finance is authorized and directed to publish notice as required by law stating that the roll is in her 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. The estimated interest rate is stated to be 8.0% 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 126. 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 Finance of notice that the assessment roll is in her 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. Each delinquent installment shall be subject, at the time of delinquency, to a charge of 5.0% penalty levied on both principal and interest due upon that installment, and all delinquent installments also shall be charged interest at the rate as determined above. The collection of such delinquent installments shall be enforced in the manner provided by law.

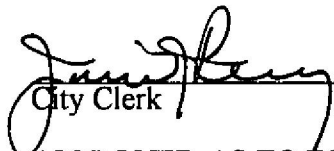
Section 4. This ordinance shall take effect and be in force from and after its passage and five (5) days following its publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Kirkland, Washington, at a regular open public meeting thereof, this 2nd day of September, 1997.



 Mayor

ATTEST:



 City Clerk

APPROVED AS TO FORM:



 City Attorney

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