

RESOLUTION NO. 3020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF KIRKLAND AS AN AFFECTED PROPERTY OWNER, A PETITION NOW CIRCULATING AMONG OWNERS OF PROPERTY WITHIN PLANNED AREA 5 REQUESTING FORMATION OF A LOCAL IMPROVEMENT DISTRICT FOR STREET, SIDEWALK AND STORM DRAINAGE IMPROVEMENTS.

Whereas, certain of the properties within the proposed local improvement district are owned by the City of Kirkland; and

Whereas, the City Council of the City of Kirkland believes that the property owned by the City may receive benefit as a result of construction of the proposed street, sidewalk and storm drainage improvements; now, therefore

Be it resolved by the City Council of the City of Kirkland as follows:


Section 1. The City Manager is hereby authorized and directed to sign on behalf of the City of Kirkland as an owner of property within the described boundaries of a proposed local improvement district, that certain petition, a copy of which is attached to the original of this resolution and identified as "Petition to Create Local Improvement District Improvements and Betterments Within a Portion of Planned Area 5 in the City of Kirkland."

Passed by majority vote of the Kirkland City Council in regular, open meeting this 16th day of May, 1983.

Signed in authentication thereof this 16th day of May, 1983.


MAYOR

ATTEST:


Director of Administration & Finance
(ex officio City Clerk)

PETITION TO CREATE LOCAL IMPROVEMENT DISTRICT
IMPROVEMENTS AND BETTERMENTS WITHIN THE
VICINITY OF THE WESTERN PORTION OF PLANNED AREA 5

TO: The City Council for the City of Kirkland, Kirkland,
Washington

Petition, pursuant to RCW Chapter 35.43, is hereby made for the formation of a local improvement district within the area specifically described in Exhibit A to this petition, and by this reference incorporation herein, to provide for street, sidewalk and storm drainage, all as specifically described in Exhibit B to this petition, which by this reference is incorporated herein.

This petition has been signed by and is submitted to the City of Kirkland by the owners of real property within the proposed district aggregating a majority of the area within the proposed district.

I. IMPROVEMENTS

Improvements and benefits to streets, sidewalk and storm drainage facilities within the western portion of Planned Area 5, all as specifically set forth and described in Exhibit B, together with all work necessary in connection therewith.

II. COSTS TO BE INCLUDED

There shall be included in the cost and expense of the local improvement district for assessment against the property in the district to pay for the same or in part thereof:

1. All studies, planning, design environmental assessments or environmental impact statements, done or performed, which will directly benefit or would have otherwise been required to be accomplished in the course of the completion of the improvements proposed for this petition, except such cost or expense thereof incurred by the City of Kirkland prior to February 15, 1983.
2. All costs and expenditures incurred or required to meet the requirements of the State Environmental Policy Act and Ordinance No. 2473, as amended, of the City of Kirkland.

3. All costs of construction or improvements authorized for the district, including all costs and expenses incurred, if any, for the acquisition of rights of way.
4. The estimated cost and expense of all engineering and surveying necessary for the improvements done under the supervision of the City engineer.
5. The estimated cost and expense of ascertaining the ownership of lots or parcels of land included in the assessment district.
6. The estimated cost and expense of advertising, mailing and publishing of all necessary notices.
7. The estimated cost and expense of accounting, clerical labor and of books and blanks extended or used on the part of the City of Kirkland and the City of Kirkland Treasurer in connection with the improvements, the assessment roll and the collection of said assessment roll.
8. All costs of the acquisition of rights-of-way, property easements, or other facilities or right-of-way, whether by eminent domain, purchase, gift, or in any other manner.
9. All costs for legal, financial and appraisal services, and any other expenses incurred by the City for the district or in the formation thereof, or by the City in connection with the construction or improvement, and in the financing thereof, including the issuance of warrants and/or bonds.

III. METHOD OF DETERMINING ASSESSMENTS

The entire cost and expense shall be borne by an assessment against the properties specially benefited by such improvements to be included within the local improvement district for which this petition requests establishment. The method of assessment may be any method or combination of methods which will fairly reflect the special benefits to the properties being assessed.

The following exhibits are attached to this petition and incorporated herein:

Exhibit A - Legal description of the proposed local improvement district.

Exhibit B - Detailed description of the improvements set forth in paragraph 1.

Exhibit C - Legal description of individual parcel numbers, that is each individual ownership parcel of land identifying it by a parcel number.

Exhibit D - Signature page for petition, including identification of property owner, address or property owner, parcel number as described in Exhibit C owned by said property owner, and the signature of said property owner.

Exhibit A

Legal Description PA-5 Preliminary LID

Beginning at the northeast corner of Lot 1, Block 16, Burke and Farrar's Kirkland Addition Division #8; Thence running westerly along the north boundary of said Lot 1 a distance of 207.89 feet to the northwest corner of said Lot 1; Thence deflecting right 90° and running a distance of 60 feet to the south boundary of Block 219 Supplementary Plat to Kirkland; Thence deflecting left and running along the south boundary of Block 219 and Block 218 extended of the Supplementary Plat to Kirkland to its intersection with the centerline of 6th Street; Thence deflecting left and running south along the centerline of 6th Street to a point due west of the southwest corner of Lot 32A, Block 53, Burke and Farrar's Kirkland Gardens Division #15 unrecorded; Thence deflecting left and running to the southwest corner of said Lot 32A; Thence continuing along the south boundary of Lot 32A and Lot 32, Block 53, Burke and Farrar's Gardens Division #15 unrecorded; to the southeast corner of said Lot 32; Thence deflecting left and running a distance of 227.2 feet along the easterly boundary of said Lot 32; Thence deflecting right and running a distance of 168.02 feet along the east-west centerline of Lots 31 and 30, to the west boundary of Lot 29, Block 53, Burke and Farrar's Kirkland Gardens Division #15 unrecorded; Thence deflecting right and running along the west boundary of Lot 29, a distance of 31.63 feet; Thence deflecting left and running a distance of

84.01 feet along a line parallel to and 258.51 feet south of the north boundary of said Lot 29 to a point on the east boundary of said Lot 29; Thence deflecting left and running along the east boundary of said Lot 29 a distance of 258.51 feet to the northeast corner of said Lot 29 Block 53, Burke and Farrar's Kirkland Gardens Division #15; Thence deflecting right and running easterly along the north boundary of Block 53, Burke and Farrar's Kirkland Gardens Division #15 a distance of 984.3 feet to the northeast corner of said Block 53, Burke and Farrar's Kirkland Gardens Division #15; Thence deflecting left and running to the southwest corner of Lot 1, Block 16, Burke and Farrar's Kirkland Addition Division #8; Thence running east along the south boundary of said Lot 1 a distance of 185.90 feet to the southeast corner of said Lot 1 said point also being on the westerly right-of-way line of the Northern Pacific Railroad Company; Thence deflecting left and running along the easterly boundary of said Lot 1 and westerly right-of-way line of the Northern Pacific Railroad Company along a curve to the left with a radius of 1587.28 feet a distance of 300 feet to the northeast corner of Lot 1, Block 16, Burke and Farrar's Kirkland Addition Division #8, SAID POINT BEING THE POINT OF BEGINNING.

Less any property dedicated or transferred to the City of Kirkland as right-of-way for the improvements,

Less that portion of Lot 3, Marshall's Addition lying southeast of a line drawn from the Southwest corner of said Lot 3 to a point on the east boundary of said Lot 3, said point being 124.58 feet north of the southeast corner of said Lot 3, Less Lot 4 Marshall's Addition except the North 144 feet thereof, and Lots 5, 6, and 7 Marshall's Addition.

Less a parcel located in Section 5, Township 25, Range 5 EWM, being King County Assessor's Tax Lot 9023 and more particularly described as the South 289.83 feet of the North 330 feet of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 5 except the West 627 feet and except the East 533.80 feet and except State Highway and NE 84th Street rights-of-way.

3215B/pj

EXHIBIT B

Description of Improvements

A 36 foot street along the east side of 6th Street from Central Way to Kirkland Avenue, including curbs, gutters and sidewalk, bus turnout and necessary storm drainage. A 36 foot wide street along 4th Avenue easterly from 6th Street, then deflecting left and running northeast to the 5th Avenue right-of-way; then running along the 5th Avenue right-of-way to its intersection with 10th Street; then running along 10th Street a distance of approximately 250 feet. Improvements are to include curb and gutter and necessary storm drainage with sidewalk installations from 6th Street eastward to the point whereby the street deflects left and runs to 5th Avenue. The alley right-of-way extended east from 4th Avenue will be paved 12' in width a distance of approximately 170 feet.

3152B/pj

Exhibit C

Preliminary LID PA-5

Parcel No.	Assessor No.	Owner	Legal Description
1	123510-0005-08	Leroy C. Lowe 10655 NE 4th 500 Seattle Tr. Bldg Bellevue, WA 98004	Lot 1, Blk. 16, Burke-Farrars Kirkland Div. #8
2	123890-0065-05	Charles L. McEvers P.O. Box 147 Taholah, WA 98587 (Bradner)	Lot 29, Blk. 53 Burke-Farrars Kirkland Gardens #15, N 258.51 feet
3	123890-0075-03	Frank J. Perron 624 4th Ave. Kirkland, WA 98033	Lot 30, Blk. 53, Burke Farrars Kirkland Gardens #15, N $\frac{1}{2}$
4	123890-0085-01	Frank J. Perron 624 4th Ave. Kirkland, WA 98033	Lot 31, Blk. 53 Burke- Farrars Kirkland Gardens #15, N $\frac{1}{2}$
5	123890-0090-04	Helen Spitz Box 88 Kirkland, WA 98033	Lot 32 & 32A, Blk 53, Burke-Farrars Kirkland Gardens #15, S $\frac{1}{2}$ of S $\frac{1}{2}$
6	123890-0100-02	Helen Spitz Box 88 Kirkland, WA 98033	Lot 32 & 32A, Blk. 53, Burke-Farrars Kirkland Gardens #15, N $\frac{1}{2}$ of S $\frac{1}{2}$
7	123890-0110-00	Brian Lurie 815 6th St. S. Kirkland, WA 98033	Lot 32 & 32A, Blk. 53 Burke-Farrars Kirkland Gardens #15, N $\frac{1}{2}$ less S 100 feet
8	123890-0115-05	James A. Hart 220 6th Street Kirkland, WA 98033	Lot 32 & 32A, Blk. 53 Burke-Farrars Kirkland Gardens, #15, S 100 ft. of N $\frac{1}{2}$
9	517270-0005-01	Chen Chang-Jung 112th NE The Tally Bldg. #200 Bellevue, WA 98004	Lot 1, Marshall's Addition. N 178.5 ft M/L of Por. N. of N. Line of Creek Less S 78 ft. Thereof Less State Hwy.
10	517270-0006-00	Mrs. John McCrory P.O. Box 526 Kirkland, WA 98033	Lot 1, Marshall's Addition. Less N 178.5 ft M/L N of N Line of Creek
11	517270-0007-09	Chen Chang-Jung 112th NE The Tally Bldg. #200 Bellevue, WA 98004	Lot 1, Marshall's Addition. S 78 ft. of N 178.5 ft.

Parcel No.	Assessor No.	Owner	Legal Description
12	517270-0010-04 Bellevue, WA 98004	Linda Nordstrom Mowat 11400 112th Ave. SE #100	Lot 2, Marshall's Addition.
13	517270-0016-08	Linda Nordstrom Mowat 11400 112th Ave. SE #100 Bellevue, WA 98004	Lot 3 & 4 Marshall's Addition N 144 feet
14	052505-9054-07	Leroy C. Lowe 10655 NE 4th 500 Seattle Tr. Bldg Bellevue, WA 98004 (City of Kirkland)	S-T-R 05-25-05 Tax Lot 9054 E 207.90 ft. of portion of N 330 ft. of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Lying S of NE 85th Str. less State Hwy.
15	052505-9064-05	James Takisaki 1915 21st Ave. S. Seattle, WA 98144	S-T-R 05-25-05 Tax Lot 9064 Wly 325.90 ft of Ely 533.80 ft of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Lying N of Ln Plw & 999 ft. N of S line meased. along W line Sd Subdivision less St. Hwy. less NE 84th Str.

3218B/pj
3/09/83

EXHIBIT D

TO PETITION TO CREATE LOCAL IMPROVEMENT DISTRICT FOR THE STREET, SIDEWALK AND STORM DRAINAGE IMPROVEMENTS WITHIN THE WESTERN PORTION OF PLANNED AREA 5.

The undersigned, as owner of the parcel or parcels of real property described and designated below, joins in the petition of the City of Kirkland identified above (the provisions of which said petition are by this reference incorporated herein) submitted pursuant to RCW Chapter 35.43 requesting formation of a local improvement district as therein set forth for the improvement of streets and storm drainage within the western portion of Planned Area 5.

A.

Property Owner

C.

Parcel No. **

D.

Signature of
Property Owner*

B.

Address

* Signature is required for each individual parcel listed by parcel number.

**Legal description for each parcel number is set forth individually in Exhibit C attached to this petition.