

RESOLUTION NO. 3932

A RESOLUTION OF THE CITY COUNCIL OF KIRKLAND, WASHINGTON, DECLARING THE INTENTION OF THE COUNCIL TO ORDER THE FORMATION OF A LOCAL IMPROVEMENT DISTRICT FOR THE CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS WITHIN THE BOUNDARIES OF SAID PROPOSED LOCAL IMPROVEMENT DISTRICT; SETTING FORTH THE NATURE AND TERRITORIAL EXTENT OF SUCH PROPOSED IMPROVEMENTS; DESCRIBING THE BOUNDARIES THEREOF; AND FIXING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE INFORMATION OF THE PROPOSED LOCAL DISTRICT.

WHEREAS, the City Council of the City of Kirkland, Washington (herein referred to as the "City"), has received a petition from a majority of the property owners, has additionally conducted a survey in which 79.12% of the property owners have indicated that they are in favor of this project, and has determined that it is necessary to provide for additions and betterments of a portion of the system of streets and utilities for the City in the N.E. 62nd Street area of the City; and

WHEREAS, the City now desires to proceed with the carrying out of said improvements and to establish a local improvement district in connection therewith;

NOW, THEREFOR, BE IT RESOLVED by the City Council of the City of Kirkland, Washington, as follows:

Section 1. It is the intention of the Council to order the improvement of the area shown on Exhibit A attached hereto and incorporated herein by this reference, by the acquisition, design, construction, and installation of the following improvements:

This project includes approximately 700 lineal feet of street and utility improvements on N.E. 62nd Street, between Lakeside Drive and the Burlington Northern Railroad right-of-way. The street improvement will include widening and repaving the street to a total width of 28 feet between curbs, installation of curb and gutter on both sides of the street, sidewalk on the north side of the street, street lights on the south side of the street, filling of existing ditches, and installation of rock retaining walls, as necessary. Utility improvements include installation of catch basins and storm drain pipe, sanitary side sewer stubs, and undergrounding of existing telephone, power and cable TV utilities, within the public rights-of-way.

Section 2. The City shall acquire by gift, purchase, franchise, lease or condemnation all property, both real and personal, or any interest therein and all right-of-way, franchise, permits and easements which may be found necessary to acquire, construct, and install the above-described improvements.

Section 3. It is hereby further provided that the herein-before authorized plan of improvements shall be subject to such changes as to details of said plan, not affecting the service to be provided by the plan of improvements, as shall be authorized by the Council either prior to or during the actual course of construction.

**Section 4.** The cost of improvements described in Section 1 and costs of interim notes and bonds shall be assessed against the property specifically benefited by such improvements, on the basis of the amount of the special benefits to such property. The assessments shall be for the sole purpose of payment into such local improvement district bond fund as may be specified by the City Council for the payment of local improvement district bonds to be issued in part to defray the costs of such improvements.

**Section 5.** All persons who may desire to object to such improvements and the formation of a local improvement district are hereby notified to appear and present such objections at the meeting of the City Council to be held in the Council Chambers of the City Hall at 123 Fifth Avenue, Kirkland, Washington, at 7:30 p.m. on May 16, 1995, which time and place are hereby fixed for hearing all matters relating to said proposed improvements and all objections thereto and for determining the method of payment of said improvements. The City Clerk is hereby directed to give notice of said hearing by publication of this resolution in at least two consecutive issues of a newspaper of general circulation within the proposed improvement district, with the date of the first publication to be at least 15 days prior to the date of said hearing, and to mail a notice of such hearing setting forth the nature of the proposed improvements, the total estimated cost, the estimated benefits of improvements to the particular lot, tract or parcel of land, the time and date of said hearing, at least 15 days before the date thereof, to each owner or reputed owner of any lot, tract, parcel of land, or other property specially benefitted by said improvements, at the address shown on the tax rolls of the County Assessor.

ADOPTED at a regular meeting of the City Council of Kirkland, Washington, held on the 18th day of April, 1995.

By *Dave Russell*  
Mayor

ATTEST:

*Jennifer King*  
City Clerk

RESOLUT/RS:rk

EXHIBIT "A"

(G&amp;O #94714)

LEGAL DESCRIPTION OF BOUNDARY  
(N.E. 62ND STREET L.I.D. NO. 126)

Beginning at a point on the northwest corner of "Lakeview Villa" Plat, as filed in Volume 24 of plats, on pages 6 and 7, Records of King County, Washington; said point being the true point of beginning;

Thence S 88° 36' 31" E for a distance of 100 feet to the northeast corner of said "Lakeview Villa" Plat; thence S 01° 35' 10" W for a distance of 106.6 feet to the southeast corner of said "Lakeview Villa" Plat; thence N 88° 36' 31" W for a distance of 100 feet to the southwest corner of said "Lakeview Villa" Plat;

Thence S 01° 12' 44" W for a distance of 8 feet, to the southwest corner of vacant alley; thence N 89° 24' 50" E for a distance of 606.75 feet along the southerly border of said vacant alley, to the westerly boundary of the Burlington Northern Railroad right-of-way.

Thence N 15° 53' 50" E for a distance of 438.88 feet, along the westerly boundary of the Burlington Northern Railroad right-of-way, to the northeast corner of Lot 10 of the Plat of "Spiritview Estates", as filed in Volume 109 of plats, on page 67 and 68, Records of King County, Washington;

Thence N 74° 06' 10" W for a distance of 30 feet along the northerly boundary of Lot 10 of said Plat of "Spiritview Estates"; thence N 15° 53' 50" E for a distance of 130 feet; thence S 74° 06' 10" E for a distance of 30 feet; thence N 15° 53' 50" E for a distance of 73.26 feet to the northeast corner of said Plat of Spiritview Estates;

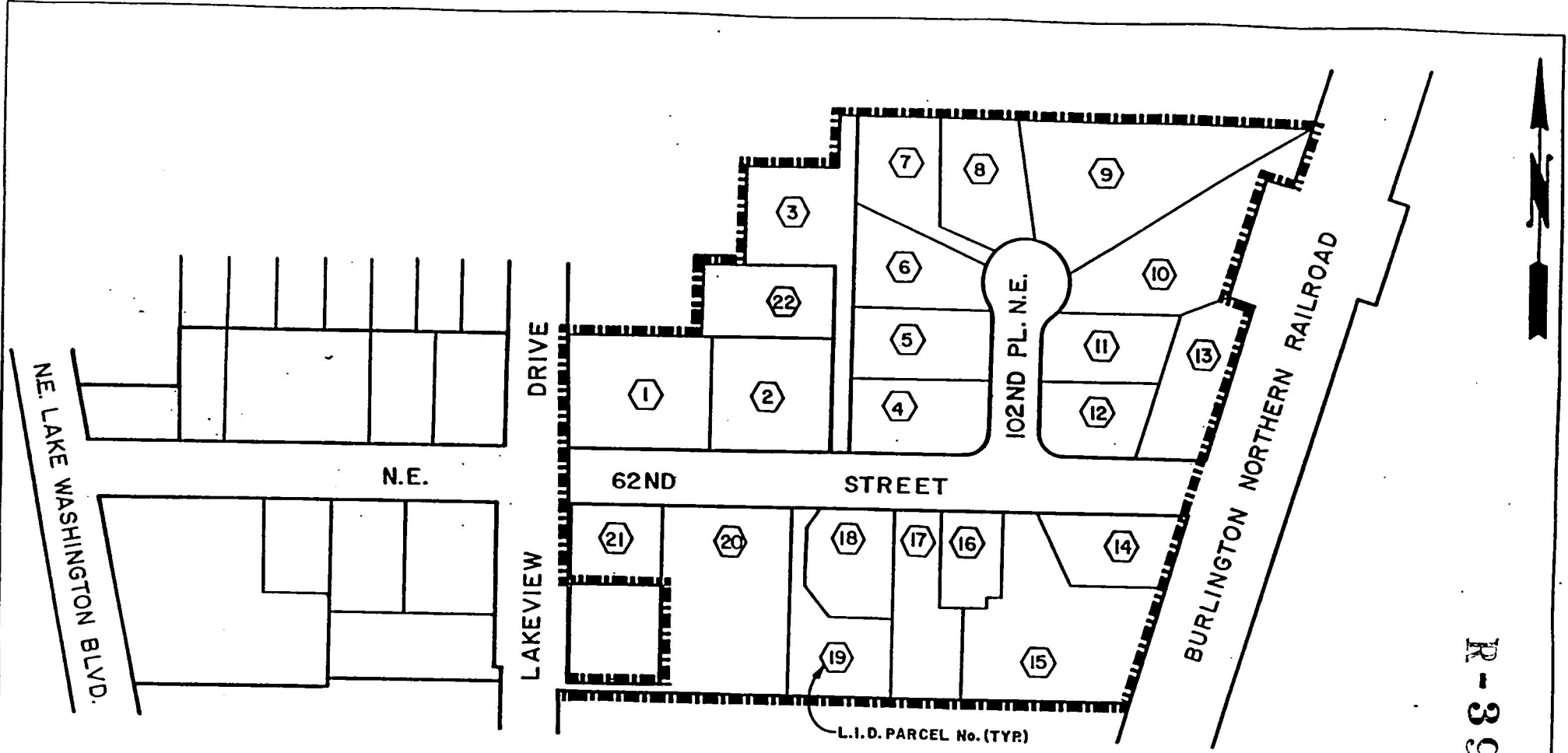
Thence N 89° 45' 10" E for a distance of 477.21 feet along the northerly border of said Plat of "Spiritview Estates", to the northwest corner of said Plat;

Thence N 89° 39' 40" W for a distance of 20 feet; thence S 00° 20' 20" W for a distance of 60 feet; thence N 89° 39' 40" W for a distance of 100 feet, to the easterly boundary of the Plat of "The Brookside Villa" as filed in Volume 74 of plats, on pages 95 through 100, Records of King County, Washington; thence S 00° 20' 20" E for a distance of 105.13 feet along the easterly boundary of said Plat of "The Brookside Villa", to the southeast corner of said Plat;

Thence S 89° 57' 29" E for a distance of 100 feet; thence S 00° 20' 20" W for a distance of 75 feet; thence S 89° 24' 50" W for a distance of 290.4 feet, to the easterly boundary of Lakeview Drive (102nd Avenue NE);

Thence southerly for a distance of 120 feet, along the easterly boundary of Lakeview Drive (102nd Avenue NE) to the southwest corner of lot 188 of Government lot 4, in Section 8, Township 25 north, Range 5 east; thence southerly for a distance of 60 feet across NE 62nd Street right-of-way to the northwest corner of the Lakeview Villa Plat and the true point of beginning.

All as situated in the County of King, State of Washington.



R-3932

EXHIBIT "A"

CITY OF KIRKLAND			
PROPOSED N.E. 62ND STREET			
L.I.D. BOUNDARY			
DATE: 4/1988	SCALE: 1"=100'	SHEET 1 OF 1	
DRAWN: E.S.T.			JOB NO. 92728
CHECK: T.L.S.	CONSULTING ENGINEERS SEATTLE & TACOMA WASHINGTON		
APPROV: T.J.O.			

CLERK'S CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Clerk of Kirkland, Washington (the "City"), and keeper of the records of the City Council (the "Council") DO HEREBY CERTIFY:

1. That the attached is a true and correct copy of Resolution No. \_\_\_\_ (the "Resolution") of the Council as finally adopted at a meeting of the Council held on the 18th day of April, 1995, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
City Clerk

[CITY SEAL]

CERTIFICATE

The undersigned, City Clerk of the City of Kirkland, Washington, DO  
HEREBY CERTIFY that the attached is a true and correct copy of a map of the area  
within Local Improvement District No. \_\_\_\_ showing the improvements to be  
constructed therein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

CITY OF KIRKLAND, WASHINGTON

\_\_\_\_\_  
Janice J. Perry, City Clerk

## EXHIBIT B

NOTICE OR ADOPTION OF RESOLUTION OF INTENTION TO CREATE AND  
NOTICE OF HEARING ON CREATION OF LOCAL IMPROVEMENT DISTRICT

YOU ARE NOTIFIED that on April 18, 1995, the City Council of Kirkland, Washington (the "District"), adopted Resolution No. \_\_\_ declaring its intention to create a local improvement district ("LID") and to order the construction of certain improvements within said LID. The boundaries of the proposed LID are as set forth in that resolution.

The proposed improvements consist of the following:

This project includes approximately 700 lineal feet of street and utility improvements on NE 62nd Street, between Lakeview Drive and Burlington Northern Railroad right-of-way. The street improvement will include widening and repaving the street to a width of 28' from curb to curb, installation of curb and gutter on both sides of the street, installation of sidewalk on the north side of the street, installation of street lights on the south side of the street, filling of existing ditches, and installation of rock retaining walls, as necessary. Utility improvements include installation of catch basins and storm drain pipe, side sewer pipe, and undergrounding of existing telephone, power and cable TV utilities, within the public rights-of-way.

The estimated cost of these improvements, and other expenses in connection with the improvements, is \$369,370, of which 67.4% shall be paid by special assessments levied against the property within the proposed LID specifically benefitted by the proposed improvements. Actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

You are notified that a meeting of the City Council will be held at City Hall, City Council Chambers, 123 Fifth Avenue, Kirkland, Washington, at 7:30 p.m., on May 16, 1995, which time and place are fixed for hearing all matters relating to such information and improvements and for determining the method of payment thereof. Persons desiring to object to the improvements and the formation of the proposed LID may appear at the hearing to state their views.

The estimated amount of the cost and expense of such improvements to be borne by and assessed against the described lot, tract or parcel of land located in Kirkland, Washington, of which you are the owner or reputed owner as shown on the tax rolls of the King County Assessor, is as stated below.

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Janice J. Perry, City Clerk

Name of Owner:

Legal Description of Property:

Estimated Amount of Assessment  
Against the Foregoing Property: