AN ORDINANCE of the City of Kent, Washington, specifying and adopting a system or plan of additions to and betterments and extensions of the sewage collection and disposal system of the City; declaring the estimated cost thereof, as nearly as may be; providing for the issuance and sale of not to exceed \( \frac{1}{2} \) par value of sewer revenue bonds in one or more series to obtain funds with which to pay the cost of said system or plan; creating a special fund to provide for the payment of said bonds; authorizing and directing the City officials to proceed with the improvement; and declaring an emergency.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DO
ORDAIN AS FOLLOWS:

Section 1. It is hereby found and declared that the public health is being endangered by the inadequacy of the present sanitary sewage collection and disposal system of the City (hereinafter called system of sewerage), and the danger to the public health caused by such inadequate system of sewerage should now be abated by the acquisition, construction, installation and operation of the additions to and betterments and extensions of the system as herein specifically set forth.

Section 2. The gross revenues and benefits to be derived from the operation and maintenance of the system of sewerage and the additions, extensions and betterments thereto herein provided for, at the rates to be charged for sanitary sewage disposal service on the entire system, will in the judgment of the City Council be more than sufficient to meet all expenses of operation and maintenance thereof and to permit the setting aside into a special
fund out of the gross revenues of the system of sewerage of sufficient amounts to pay the interest on the bonds herein authorized to be issued and on the presently outstanding "Sewer Revenue Bonds, 1954" dated April 1, 1954 and the "Sewer Revenue Bonds, 1956" dated October 1, 1956, as such interest becomes due and payable and to pay and redeem all of said bonds at maturity.

Section 3. The City of Kent, Washington, hereby specifies and adopts a system or plan for making additions to and betterments and extensions of the existing system of sewerage of the City which shall consist of the following:

(1) There shall be constructed and installed the following sanitary sewer lines, in the following locations:

<table>
<thead>
<tr>
<th>Approximate Pipe Size</th>
<th>Along</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>24&quot;</td>
<td>Basement in NE 1/4 of Sec. 23, T 22 N, Range 4 E, W.M.</td>
<td>Kent Treatment Plant</td>
<td>SSH 5-A</td>
</tr>
<tr>
<td>24&quot;</td>
<td>SSH 5-A</td>
<td>Basement in NE 1/4, Sec. 23, J.L. Reith Rd., T 22 N, Range 4 E., W.M.</td>
<td>43rd Ave. S.</td>
</tr>
<tr>
<td>15&quot;</td>
<td>J. L. Reith Road</td>
<td>SSH 5-A</td>
<td>43rd Ave. S.</td>
</tr>
<tr>
<td>36&quot;</td>
<td>Existing Easement</td>
<td>Treatment Plant Russell Rd.</td>
<td>Existing Easement River</td>
</tr>
</tbody>
</table>

(2) There shall be constructed and installed a pump station in the northeast quarter (NE 1/4) of the northwest quarter (NW 1/4) of section 23, township 22 north, range 4 E. W. M.

(3) Manholes shall be constructed and installed on said sewer lines at a maximum of five hundred feet (500') apart.

(4) There shall be constructed and installed a sewer line crossing on the Green River bridge.

(5) There shall be constructed and installed a By-pass into the Green River.
(6) A crossing of the Overflow Channel shall be constructed and installed on piling.

(7) Additional land for sewer facilities shall be acquired in the northeast quarter (NE 1/4) of section 23, and/or in the northwest quarter (NW 1/4) of section 23, township 22 North, Range 4, E.W.M.

The above-described additions to and extensions of the sewerage system of the City shall be connected to the existing sanitary sewage collection and disposal system of the City, whenever necessary, with the installation of all necessary appurtenances therefor.

There shall be included in the foregoing the acquisition and installation of all necessary valves, fittings, couplings, connections, equipment and appurtenances and the acquisition of any easements, rights-of-way, water rights, and land that may be required; and there shall be included the performance of such work as may be incidental and necessary to the foregoing construction and installation.

The City Council may modify the details of the foregoing system or plan where in its judgment it appears advisable, provided, such modifications do not substantially alter the purposes hereinbefore set forth.

Section 4. The life of the foregoing additions, betterments and extensions is hereby declared to be at least thirty years.

Section 5. The estimated cost of the acquisition, construction and installation of the above-described additions and betterments to the system of sewerage of the City is hereby fixed, as nearly as may be, at the sum of $1,800,000.00.

Section 6. The cost of acquiring, constructing and making the foregoing additions to and betterments and extensions of said
system of sewerage shall be paid from the proceeds received from the issuance and sale of sewer revenue bonds in an amount of not to exceed $100,000.00 par value. It is the intention of the City to acquire and construct and complete such portions of the foregoing system or plan of additions to and betterments and extensions of the system of sewerage of the City as from time to time the City Council shall deem advisable. The bonds shall be issued in one or more series at such times as the City Council shall deem advisable. The bonds shall be entitled "Sewer Revenue Bonds, 1959," with series designations following, if issued in series. The bonds shall bear interest at a rate or rates not to exceed 6% per annum, payable semiannually, and shall be numbered from "one" upward, consecutively, within each series as issued. The bonds shall be issued in such series; shall be in such denominations and form; shall bear such date or dates and interest rate or rates; shall be payable at such place or places; shall mature serially in accordance with such schedule, beginning not earlier than one year after date of issuance and ending not later than thirty years thereafter or shall be term bonds; shall have such option of payment prior to maturity; shall guarantee such coverage and collection of rates; shall provide for such additional funds and accounts; and shall contain and be subject to such provision or covenants as shall be hereafter provided by ordinance.

Section 7. The bonds shall be payable solely out of the special fund herein created and shall be a valid claim of the holder thereof only as against such special fund, and the amount of the revenues of the system of sewerage pledged to such special fund, and shall not be a general obligation of the City of Kent, Washington.
Section 8. There shall be and hereby is created and es­
tablished in the office of the Treasurer of the City of Kent a
special fund to be known as "Sewer Revenue Bond Fund, 1959,"
which fund is to be drawn upon for the sole purpose of paying
the principal of and interest on the bonds. From and after
the date thereof and so long thereafter as bonds are outstanding
against such fund the City Treasurer shall set aside and pay into
said fund out of the gross revenues of the system of sewerage now
belonging to or which may hereafter belong to the City, including
all additions, extensions and betterments thereof at any time made,
a fixed amount without regard to any fixed proportion, namely, an
amount sufficient to pay the principal of and interest on all
bonds payable out of said special fund as they respectively be­
come due and to create such surplus and reserve, if any, that may
hereafter be prescribed by ordinance. The gross revenues from the
said system of sewerage are hereby pledged to such payment and the
bonds herein authorized shall constitute a charge or lien upon such
revenues prior and superior to any other charges whatsoever, exclud­
ing charges for maintenance and operation, Provided, however, that
if the conditions required to be met as set forth in Section 8 of
Ordinance No. 871 passed February 1, 1954 shall be met at the time
of the issuance of the bonds herein authorized the charge or lien
upon such gross revenues for the bonds herein authorized shall be
on a parity with the charge or lien upon such gross revenues for
the outstanding "Sewer Revenue Bonds, 1954", dated April 1, 1954,
and the outstanding "Sewer Revenue Bonds, 1956", dated October 1,
1956, issued on a parity therewith. Otherwise, the charge or
lien upon such gross revenues for the bonds herein authorized
shall be subordinate and inferior to the prior charge or lien upon such gross revenues for the presently outstanding "Sewer Revenue Bonds, 1954, dated April 1, 1954, and the outstanding "Sewer Revenue Bonds, 1956" dated October 1, 1956.

Section 9. The City Council and corporate authorities of the City of Kent hereby declare that in creating the said special fund and in fixing the amounts to be paid into it as set forth herein they have exercised due regard to the cost of operation and maintenance of the system of sewerage of the City and the debt service requirements of the outstanding "Sewer Revenue Bonds, 1954" dated April 1, 1954, and the outstanding "Sewer Revenue Bonds, 1956", dated October 1, 1956, and the City of Kent has not bound and obligated itself and will not bind and obligate itself to set aside and pay into such special fund a greater amount or proportion of the revenues of the system of sewerage than in the judgment of the City Council will be available over and above such costs of maintenance and operation and debt service requirements of the outstanding "Sewer Revenue Bonds, 1954", dated April 1, 1954, and the outstanding "Sewer Revenue Bonds, 1956", dated October 1, 1956, and that no portion of the revenues of the system of sewerage has been previously pledged for any indebtedness other than the said outstanding "Sewer Revenue Bonds, 1954", dated April 1, 1954, and the outstanding "Sewer Revenue Bonds, 1956", dated October 1, 1956.

Section 10. The proceeds of the sale of the foregoing bonds shall be used for the sole purpose of making additions to and betterments and extensions of the system of sewerage as herein authorized and of paying the cost and expenses connected therewith, and the City of Kent, through its proper officers and agents, shall proceed
with the making of said improvements and the calling of bids there­
for in the manner provided by law.

Section 11. This ordinance is declared to be one necessary
for the immediate preservation of the public peace, property, health
and safety of the people of the City of Kent, Washington. An emer­
gency is hereby declared to exist, and this ordinance is hereby
declared to be in full force and effect from and after its passage,
approval and publication as provided by law.

PASSED by the City Council of the City of Kent, Washington,
and approved by its Mayor at a regular meeting held on the 20th day
of April, 1959.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY