ORDINANCE No. 1090

An Ordinance of the City of Kent, Washington providing for the improvement of certain streets and avenues and easements in the City by the construction and installation of a 15 inch sanitary sewer trunk line, with manholes and appurtenances, and doing all other work necessary in connection therewith and incidental thereto, pursuant to Resolution No. 441 of the City; creating an enlarged local improvement district therefore, and providing that payment of said improvements be made by special assessment upon the property in said district, payable by the mode of "payment by bonds".

WHEREAS, on December 19, 1960, pursuant to petitions filed by property owners within the Local Improvement District sought to be established, the Council of the City of Kent, Washington, adopted its Resolution No. 441, declaring its intention to order the improvement of certain streets, avenues and easements within the City by the construction and installation of a 15 inch sanitary sewer trunk line, together with manholes and other necessary appurtenances, and by doing all other work in connection therewith and incidental thereto, which resolution fixed the time, date and place of hearing thereon at 8:00 p.m. on the 16th day of January, 1961, at the City Hall, Kent, Washington; and

WHEREAS, such resolution was duly published in the manner required by law and notice of said hearing was also duly given to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefitted by the proposed improvement, as required by law; and

WHEREAS, SAID HEARING was held on said date and at said time and place, as provided in said resolution and notices, and the Council has found, by unanimous vote, that the installation of said trunk sewer is necessary for the public health; and

WHEREAS, the Council then, by unanimous vote, ordered the improvements described in said Resolution No. 441 to be constructed and installed; and

WHEREAS, the Council has also determined that the entire cost and expense of the improvements ordered shall be borne by and
assessed against the property included in the enlarged Local
Improvement District;
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
KENT, WASHINGTON, as follows:
Section 1. That the following described property in the City
of Kent, to-wit:

Beginning at a point 686.26 ft. West and 145.80 ft. South of the
NE corner of Sec. 27, T22N, R4E, WM, and run thence South 20°08'1
West, 150.81 ft.; thence South 8°28' West, 302.6 ft.; thence South
56°31' West; 126.15 ft.; thence South 73°06' West, 293.16 ft.; thence North 37°44' West,
237.63 ft.; thence North 35°55' West, 232.48 ft.; thence North
41°12' West, 259 ft.; thence North 80°52' West, 293 ft.; thence
South 21°42' West, 176 ft. more or less to its point of intersection with a
line drawn parallel to and 440 ft. North of said SE corner of the
SW1 of the NE1 of said Sec. 27; thence easterly along said parallel
line to the East line of said SW1 of the NE1 of Sec. 27; thence
southerly along said East line of the SW1 of the NE1 and the East
line of the NW1 of the SE1 of said Sec. 27 to the SE corner of the
NW1 of the SE1; thence westerly along the South line of said NW1
of the SE1 and the South line of the NE1 of the SW1 and the NW1 of
the SW1 of said Sec. 27, to its intersection with the center line
of the New Military Road; thence northerly along the center line
of the New Military Road to its point of intersection with the
North line of the South ½ of the SE1 of the SW1 of Sec. 22, T22N,
R4E, WM; thence easterly along said North line of the South ½ of
the SE1 of the SW1 to the East line of said SE1 of the SW1; thence
northerly along said East line to the South ½ corner of said Sec. 22;
thence easterly along the South line of the SE1 of said Sec. 22
to the East line of the J.L. Reith Road, as now established; thence
northeasterly along said East line of Reith Road to its intersection
with a line drawn parallel to and 440 ft. North of said South line
of the SE1 of Sec. 22; thence easterly parallel to said South line
of the SE1 to its intersection with a line drawn parallel to and
135 ft. southernerly at right angles to the South line of the J.L.
Reith Road; thence southeasterly and northeasterly along said parallel
line to its intersection with the West line of the Lake Fenwick Road, No. 2 also known as the Benson Road; thence northeasterly
at right angles, 60 ft. to the East line of said Lake Fenwick Road
No. 2; thence northerly along said East line of the Lake Fenwick Road
to its intersection with a line drawn parallel to and 450 ft. South
of the North line of the SE1 of the SE1 of Sec. 22; thence East
along said North line of the SE1 to a point in a line drawn parallel to and 200 ft. easterly at right angles to the East line of the Lake Fenwick Road; thence southerly parallel to said East line of the Lake Fenwick Road to the South line of
the North 200 ft. of the NE1 of Sec. 27; thence westerly parallel to
the North line of the NE1 to the East line of Lake Fenwick Road;
thence northerly along said easterly line to a point 145.80 ft.
South of the NE corner of said Sec. 27; thence West to the point
of beginning.

2.
be improved by the construction and laying of a 15 inch sanitary
sewer trunk line, with manholes and other necessary appurtenances,
and by doing such other work as may be necessary in connection
derewith, all in accordance with maps, plans and specifications
prepared by the City Engineer of the City of Kent and now on file
with the City Clerk, which maps, plans and specifications are
hereby adopted as those necessary and required for these improve-
ments.

Section 2. That the place of commencement and ending of the
improvements and the route along which the improvements are to be
constructed are as follows, to-wit:

Beginning at the Existing Manhole at the intersection of the J. L.
Reith Rd. and Lake Fenwick Rd. No. 2, also known as the Benson Rd., said
Manhole being known as "Manhole #20 of the West Hill Outfall Sewer
to the City of Kent", said Manhole being 1026.14 ft. North and 885.09
feet West of the NE corner of Sec. 27, T22N, R4E, WM; and run thence
southerly along the Lake Fenwick Rd. to a point 686.26 ft. West
and 145.80 ft. South of the NE corner of said Sec. 27; thence South
20°08' West, 150.81 ft.; thence South 80°28' West, 302.60 ft.; thence
South 56°31' West, 126.15 ft.; thence South 00°28' East, 228.69 ft.;
thence South 73°06' West, 293.16 ft.; thence North 37°44' West,
237.63 ft.; thence North 35°55' West, 323.48 ft.; thence North
41°12' West, 259 ft.; thence North 80°52' West, 293 ft.; thence
South 22°40' West, 214 ft.; thence South 26°52' East, 103.86 ft.;
thence South 16°31' East, 230.85 ft.; thence South 40°54' East
129.47 ft.; thence South 14°40' East, 104.05 ft.; thence South
23°32' East, 232.49 ft.; thence South 35°50' East, 179.38 ft.; thence
South 21°12' East, 80.97 ft.; thence South 42°14' East, 141.06 ft.;
thence South 34°13' West, 34.94 ft.; thence North 61°41' West,
90.15 ft.; thence South 82°56' West, 218.46 ft.; thence South
45°06' West, 250.78 ft.; to a point being 1825.70 ft. South and
1959.09 ft. West of the Northeast corner of aforementioned Sec. 27.

Section 3. That the City Council of the City of Kent has
found and does hereby find that the construction of the improvements
is necessary for public health, and has and does hereby, by
unanimous vote, order the construction of said improvements.
Section 4. That there be and there is hereby established an enlarged Local Improvement District of the City of Kent, to be known as "Enlarged Local Improvement District No. 239".

That the City Council finds that the nature of the improvement is such that the special benefits conferred on the property are not fairly reflected by the termini and zone method and the assessment shall be made against the property of the district in accordance with the special benefits it will derive from the improvement, without regard to the zone and termini method, and the cost and expense of said improvement, including all incidental expenses, shall be borne by and assessed against the said property included in the Local Improvement District hereinafter created, according to law and in proportion to the square footage contained in the different lots and parcels of land improved.

The City of Kent shall not be liable in any manner for any portion of the cost and expense of said improvement except as may be herein provided.

Section 5. That the installation of the trunk sanitary sewer line described in Sections 1 and 2 hereof will be of special benefit to all of the properties in the sewage drainage area of such trunk sewer. Assessments to pay the cost of such trunk sewer and of doing all necessary work in connection therewith and incidental thereto shall be levied against all of the properties within the area first in this ordinance above described.

Section 6. That the estimated cost of the installation of said trunk sanitary sewer with its appurtenances and work necessary in connection therewith is estimated to be in the sum of $75,000.00.

Section 7. That the Enlarged Local Improvement District No. 239, hereinafore created, shall be composed of and shall include the property hereinafore, in Section 1 of this ordinance, described, all within the City of Kent, County of King, State of Washington.

Section 8. Bonds of said Enlarged Local Improvement District
bearing interest at a rate of not to exceed 6% per annum and
payable on or before 10 years from date of issue shall be
issued in payment of the cost and expense of the improvements
provided for herein, which bonds shall be redeemed by the collection
of special assessments to be levied and assessed upon the property
within the district, as above provided, such assessments to be
payable in 8 equal installments and with interest at a rate of
not to exceed 6% per annum under the mode of "payment by bonds",
as defined by law and the ordinances of the City of Kent.

Any assessment or installment thereof when delinquent and the
interest due thereon shall bear a penalty of 5% of the total amount
thereof from the date of such delinquency.

That there be and is hereby created a fund of the City to be
known as "Enlarged Local Improvement District No. 239 Fund!
Warrants bearing interest at the rate of not to exceed 6% per
annum shall be drawn on said fund, based on estimates of the City's
Engineers, in payment of the cost of construction of said improve-
ment and all costs incidental thereto.
The money received from the sale of said warrants shall be
placed in the Enlarged Local Improvement District No. 239 Con-
struction Fund of the City which is hereby created, and shall be
used to pay all of said costs.
The rate of interest to be borne by said warrants, bonds and
installments of said installments of said assessments shall be as
hereafter fixed by the City Council. The bonds of this district
to be issued shall be delivered to the owner or owners of said
Enlarged Local Improvement District No. 239 warrants in redemption
of the same.

Section 9. This ordinance shall become effective five days
from and after its passage, approval and publication as required

5.
by law.

PASSED by the unanimous vote of the Council of the City of Kent, Washington, and approved by its Mayor at a regular meeting of said Council this 20th Day of February, 1961.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Date of Passage: February 20, 1961
Date of Approval: February 21, 1961
Date of Publication: February 22, 1961.