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 18 inch sanitary sewer trunk line, with manholes, siphons and other necessary appurtenances, and doing all other work necessary in connection therewith and incidental thereto, pursuant to Resolution No. 455 of the City; creating an enlarged local improvement district therefor, 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", and repealing Ordinance No. 1090 of said City.

WHEREAS, on the 26th day of June, 1961, the City Council of the City of Kent, Washington, adopted its Resolution No. 455, declaring its intention to order the improvement of certain streets, avenues and easements within the City by the construction and installation of an 18 inch sanitary sewer trunk line, together with manholes, a siphon, 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 o'clock P.M. on the 17th day of July, 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 benefited 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 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, County of King, State of Washington, to wit:

Beginning at a point in the North line of Sec. 27, T22N, R4E, W.M., said point being 12.24 ft. North and 710.52 ft. West of the NE corner of said Sec. 27; thence S 59°24'40" W. 212.12 ft.; thence S 39°01'13" W. 140.72 ft.; thence S 49°31'07" W. 160 ft.; thence S 27°41'42" W. 182.82 ft.; thence S 12°47'30" E. 360 ft.; thence S 34°59'31" W. 286.03 ft.; thence N 85°00'11" W. parallel to the North line of the NE 1/4 of said Sec. 27, 109.14 ft.; thence N 33°27'13" W. 274.66 ft. to a point in the South line of the North 1/4 of the NW 1/4 of the NE 1/4 of said Sec. 27, said point being 310 ft. West of the SE corner thereof; thence N 65°02'53" W. along said South line 353.03 ft. to the SW corner said NE 1/4 of the NW 1/4 of the NE 1/4; thence North along the West line of said NE 1/4 to a point 230 ft. South of the NW corner thereof; thence N 85°00'17" W. parallel to the North line of the NE 1/4, said Sec. 27, 218 ft.; thence South parallel to said West line of the NE 1/4 or the NW 1/4 of the NE 1/4 to a point 400 ft. South of the said North line of the NE 1/4 of Section 27; thence S 35°43'10" E. 353.70 ft. to the SW corner of the NE 1/4 or the NW 1/4 of the NE 1/4 of said Sec. 27; thence S 16°29'24" E. 991.00 ft. to a point on the S. line of the SE 1/4 of the NW 1/4 of the NE 1/4 said point being 230 ft. East of the SW corner thereof; thence S 31°53'25" E. 304.64 ft.; thence N 67°25'10" W. 190 ft.; thence S 44°31'36" W. 214.02 ft.; thence S 65°25'08" W. 270 ft.; thence S 100°02'22" W. parallel to the E. line of the SW 1/4 of said Sec. 27, a distance of 123.01 ft.; thence S 65°14'19" E. parallel to the East-West center line of said Sec. 27, 254.81 ft. to a point in the E. line of the SW 1/4 of the NE 1/4 of said Sec. 27, said point being 332.45 ft. S. of the NE corner said SW 1/4 of the NW 1/4; thence southerly along said East line of the SW 1/4 of the NE 1/4 and the East line of the SW 1/4 of said Sec. 27, to the SE corner of the SW 1/4 of the SE 1/4; thence westerly along the South line of said NW 1/4 of the SE 1/4 and the South line of the NE 1/4 of the SW 1/4 and the NE 1/4 of said Sec. 27, to its intersection with the center line of the New Military Rd.; thence northerly along the center line of the New Military Rd. to its point of intersection with the North line of the SW 1/4 of the SW 1/4 of Sec. 22, T22N, R4E, W.M.; thence easterly along said North line of the South 1/2 of the SW 1/4 to the East line of said SW 1/4; thence southerly along said East line to the South corner of said Sec. 22; thence easterly along the South line of the SE 1/4 of Sec. 22, to the East line of the J.L. Keith Rd. as now established; thence northeasterly along said E. line of the J.L. Keith Rd. to its point of intersection with a line drawn parallel to and 440 ft. North of said South line of the SE 1/4 of Sec. 22; thence easterly parallel to said So. line of the SE 1/4 to its intersection with a line drawn parallel to and 135 ft. southerly at right angles to the So. line of the J.L. Keith Rd., as now established; thence southeasterly and northeasterly along said parallel line to its intersection with the W. line of the Lake Fenwick Rd. #2, also known as the Benson Rd.; thence northeasterly at right angles 60 ft. to the E. line of said Lake Fenwick Rd. #2; thence northerly along said E. line of the Lake Fenwick Rd. to its intersection with a line drawn parallel to and 450 ft. North of the So. line of the SE 1/4 of said Sec. 22; thence parallel to said North line of the SE 1/4 of the SE 1/4 to a point in a line drawn parallel to and 200 ft. easterly at right angles to the East line of the Lake Fenwick Rd.; thence southerly parallel to said East line of the Lake Fenwick Rd. to the South line of the SE 1/4 of said Sec. 22, also being the North line of the NE 1/4 of aforesaid Sec. 27; thence westerly along the said North line of the NE 1/4 of said Sec. 27 to the point of beginning, be improved by the construction and laying of an 18 inch sanitary sewer trunk line, with manholes, a siphon and other necessary appurtenances and by doing such other work as may be necessary in connection there-
with, 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 improvements.

Section 2. That the place of commencement and ending of the improvements, and the route along which the improvements are to be constructed, are along the following described center line and within the following public streets and easements within the City of Kent, to-wit:

Beginning at the existing manhole at the intersection of the J.L. Reith Rd. and the Lake Fenwich Rd. #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 also being 1028.14 ft. North, and 885.09 ft. West of the NE corner of Sec. 27, T22N., R4E, W.M., the center of said manhole bearing S 00°23'20" W from the center of the next downstream manhole of said existing sewer and run thence S 66°05'40" E, 33.10 ft.; thence S 00°41'30" E, 189.00 ft.; thence S 00°40'54" E, 315 ft.; thence S 66°06'00" E, 447 ft.; thence S 00°26'40" W, 274.47 ft.; thence S 36°01'37" W, 140.79 ft.; thence S 40°03'07" W, 160 ft.; thence S 27°41'42" W, 182.65 ft.; thence S 12°47'38" E, 180 ft.; thence S 34°05'31" W, 206.03 ft.; thence S 48°34'58" W, 701.24 ft.; thence N 67°25'10" W, 190 ft.; thence S 44°31'36" W, 214.62 ft.; thence S 05°25'08" W, 270 ft. to a point 1777.22 ft. South and 2213.00 ft. West of the NE corner of said 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. 243".

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 zone and termini method, and the assessments shall be made against the property of the district in a manner which will fairly reflect the special benefits derived from such improvements without regard to zone and termini method.
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 a 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 and described herein. 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 property within the area first in this ordinance above described.

Section 6. That the estimated cost of the installation of said trunk sanitary sewer, with manholes, siphon and appurtenances, and work necessary in connection therewith and incidental thereto, is estimated to be in the sum of $59,642.51.

Section 7. That the Enlarged Local Improvement District No. 243, hereinabove created shall be composed of and shall include the property hereinabove in Section 1 of this ordinance described.

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 ten (10) years from date of issue, shall be issued in payment of the cost and expense of the improvement 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 eight (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. 243 Fund". Warrants bearing interest at the rate of not to exceed 6% per
cent 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 improvement and all costs incidental thereto.

The money received from the sale of said warrants shall be placed in the Enlarged Local Improvement District No. 243 Construction 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 assessments shall be as hereafter fixed by the Council. The bonds of this district to be issued shall be delivered to the owner or owners of said Enlarged Local Improvement District No. 243 warrants in redemption of the same.

Section 9. That Ordinance No. 1090, entitled "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 therefor, 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", passed by the Council and approved by the Mayor the 20th and 21st day of March, 1961, respectively, be and the same is hereby repealed.

Section 10. This Ordinance shall become effective five (5) days from and after its passage, approval and publication as required 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 16 day of , 1961.

Attest:

City Clerk

Approved as to form: City Attorney

Date of Passage: 1961

Date of Approval: 1961

Date of Publication: 1961
I, CHAS. BRIDGES, duly elected, qualified and acting Clerk of the City of Kent, Washington, do hereby certify that the foregoing ordinance is a true and correct copy of Ordinance No. _____ of said City, duly adopted by its Council and approved by its Mayor at a regular meeting of said Council held on the _____ day of __________, 1901.

City Clerk