ORDINANCE NO. 167

An Ordinance of the City of Kent ordering the improvement of Van de Vanter Avenue and Van de Vanter Avenue extended from Chicago Street South to the Green River and on Chicago Street from Van de Vanter Avenue to Crest Avenue and on Crest Avenue from Chicago Street to Hemlock Street within the City of Kent, Washington, by the installation of trunk storm sewer lines and necessary appurtenances thereto, all in accordance with Resolution No. 532 of the City Council of the City of Kent, Washington; establishing an enlarged Local Improvement District No. 248; providing the method of assessments in said enlarged District; providing that payments be made in part by special assessments upon the property in said enlarged District, payable by the mode of "payment by bonds" and providing for the issuance and sale of Local Improvement District warrants redeemable in cash and Local Improvement District bonds.

WHEREAS, by Resolution No. 532, adopted the 8th day of September, 1964, the City Council of the City of Kent, Washington, declared its intention of improving all of the property contained within that certain real property, located in the City of Kent, County of King, State of Washington, and which is more particularly described in Section ___ of this Ordinance by the installation of trunk storm sewer lines, the size of each which is hereafter indicated, along certain public streets which are hereafter set forth in Section ___ of this Ordinance and

WHEREAS, the City's Engineers have caused an estimate to be made of the costs and expenses of said proposed improvements and have certified said estimate to the City Council together with all papers and information in their possession touching the proposed improvement, a description of the boundaries of the enlarged District, a statement of what portion of the costs and expense of the improvement should be borne by the property within the proposed District, a statement in detail of the local improvement assessments outstanding or unpaid against the property in the proposed enlarged District and a statement of the aggregate actual valuation of the real estate, including twenty-five percent

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(25%) of the actual valuation of the improvements in the proposed
enlarged District according to the valuation last placed upon it
for the purpose of general taxation; and

WHEREAS, said estimate is accompanied by a diagram of
the proposed improvements showing thereon the lots, tracts,
parcels of land and other property which will be specially bene-
fitted by the proposed improvement, and the estimated amount of
the cost and expense thereof to be borne by each lot, tract and
parcel of land or other property, and

WHEREAS, due notice of the hearing upon said Resolution
No. 532 was given in the manner provided by law, and said hearing
was held by the City Council on October 5, 1964, and all written
protests filed with the City Council on or before said date were
duly considered and all persons appearing at said hearing were
heard, and

WHEREAS, the City Council has determined it to be in the
best interests of the City that said improvement as hereinafter
described be carried out and that a Local Improvement District
be created in connection therewith, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO
ORDAIN as follows:

Section 1. That the following described real property
located in the City of Kent, County of King, State of Washington,
to-wit:

(See Pages 3 and 4 hereof)
Section 1. Continued

Beginning at the intersection of the South line of Section 19, Township 22 North, Range 5 East W.M. and the West line of Government Lot 4 of said Section 19 and the East line of S.U. Russell D.N.C. No. 42 as situated in King County, Washington;

Thence Westerly along the said South line to its intersection with a line 157.23 ft. Westerly of and parallel to the West line of said Government Lot 4;

Thence Northerly along said parallel line to the Southwest corner of Lot 10 of Clark's Valley View Addition according to plat thereof as recorded in Vol. 54, Page 11, Records of King County, Washington;

Thence Northerly along the West line of said Lot 10 to the Northwest corner thereof which is also a point on the South margin of Marion Street;

Thence Northerly across Marion Street to the Southwest corner of Lot 1, said plat of Clark's Valley View;

Thence Northerly along the West line of said Lot 1 to the Northwest corner thereof, which is a point on the Southerly margin of Carter Street;

Thence Northwesterly across Carter Street to the intersection of the Northerly margin thereof with the Southerly extension of the centerline of Block 21 of Washington Central Improvement Company's Knob Hill Addition to Kent (hereinafter referred to as Knob Hill) according to plat thereof as recorded in Vol. 5, Page 97, Records of King County, Washington;

Thence Northerly along the said Southerly extension and the centerline of said Block 21 and the centerline of Block 18 said plat of Knob Hill to its intersection with the Westerly extension of the North line of Lot 9 of said Block 18;

Thence Easterly along the said Westerly extension and the North line of said Lot 9 to the Northeast corner thereof which is a point on the Westerly margin of Van de Venter Avenue; thence East to the centerline of Van de Venter Avenue; thence North along centerline of Van de Venter Avenue to the Westerly extension of the North line of Lot 23, Block 19, said plat of Knob Hill;

Thence Easterly along said Westerly extension of North line of said Lot 23 and the North line of said Lot 23 to the Northeast corner thereof;

Thence Easterly across the alley of said Block 19 to the Northwest corner of Lot 5, said Block 19;

Thence Easterly along the north line of said Lot 6 to the Northeast corner thereof which is a point on the Westerly margin of Alexander Avenue;

Thence Easterly across Alexander Avenue to the Easterly margin of said Alexander Ave. which is also a point on the Westerly margin of Lot 7; Block 2 of Millars Northern View Addition to Kent (hereinafter referred to as Millars Northern View) according to plat thereof recorded in Vol. 64, Page 6, Records of King County, Washington;

Thence Northerly along the Westerly margin of said Lot 7 to the Northwest corner thereof;
Section 1. Continued

Thence Easterly along the North line of Lots 7, 8 and 9 Block 2 of said Millers Northern View to the Northeast corner of said Lot 8;

Thence Easterly along the South line of Lot 4 Block 2 of Millers Northern View 16 feet;

Thence Easterly along the South line of said Lot 4, Block 2 of Millers Northern View 51.10 feet to the Southeast corner of said Lot 4, which is also the Southwesterly corner of Lot 1, Block 3 of Millers Northern View 2nd Addition according to plan thereof recorded in Vol. 46, page 7 records of King County, Washington;

Thence Easterly along the South line of said Lot 1 to the Southeast corner thereof;

Thence Easterly along the West line of Lot 2, Block 2 of Millers Northern View 2nd Addition 15 feet to the Southwest corner of said Lot 2, which is also the Northeast corner of Lot 16, Block 2 of said Millers Northern View 2nd Addition;

Thence Easterly along the North line of Lots 15 and 16 inclusive of Block 2 of said Millers Northern View 2nd Addition to the Northeast corner of said Lot 14;

Thence Easterly along the North line of the South 165 feet of the Northeast 1/4 of the Southwest 1/4 of said Section 10 to its intersection with a line 264 feet Easterly of and parallel to the East line of the Southwest 1/4 of said Section 10;

Thence Easterly along said parallel line to its intersection with the extension of the Southerly margin of Hardlock Street;

Thence Easterly along said Southerly margin to the intersection with a line 131.3 feet Easterly of and parallel to the East line of the Southwest 1/4 of said Section 10;

Thence Easterly along said parallel line to its intersection with the South line of said Section 10 which is also a point on the North line of Section 36 Township 22 North, Range 3 East W.K.T.;

Thence Easterly along the said North line to the Northeast corner of the Northeast 1/4 of said Section 30;

Thence Easterly along the East line of the said Northeast 1/4 of Section 30 to its intersection with the centerline of Maple Street;

Thence Easterly along the centerline of Maple Street to its intersection with the centerline of Alexander Avenue;

Thence Easterly along the said centerline of Alexander Avenue to the intersection with the Easterly extension of the South line of Lots 3, Block 28 and Plot of Mast Hill;

Thence Easterly along the said Easterly extension of the South line of Lots 3 and 4, Block 31 and Plot of Mast Hill and the Easterly extension thereof to the intersection with the West line of Government Lot 1 of said Section 30 which is also the East line of the Russell Demarcation Claim No. 23;

Thence Easterly along the said East line of the Russell D.C. to the North line of same Section 30 and the Point of Beginning.
be improved by the installation of trunk storm sewer lines the
size of each of which is hereafter indicated along with necessary
appurtenances thereto along the following public streets within
the City of Kent, to-wit:

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<th>On</th>
<th>From</th>
<th>To</th>
<th>Size</th>
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<tbody>
<tr>
<td>Crest Avenue</td>
<td>Hemlock Street</td>
<td>Laurel Street</td>
<td>15-inch</td>
</tr>
<tr>
<td>Crest Avenue</td>
<td>Laurel Street</td>
<td>Chicago Street</td>
<td>18-inch</td>
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<tr>
<td>Chicago Street</td>
<td>Crest Avenue</td>
<td>Van de Vanter Avenue</td>
<td>21-inch</td>
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<td>Van de Vanter Avenue</td>
<td>Chicago Street</td>
<td>Walnut Street</td>
<td>24-inch</td>
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<td>Van de Vanter Avenue, Extended</td>
<td>Walnut Street</td>
<td>So. 258th St. (Titus Pit Rd.)</td>
<td>18-inch</td>
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<tr>
<td>Easement</td>
<td>So. 258th St. (Titus Pit Rd.)</td>
<td>Green River</td>
<td>24-inch</td>
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and by doing such other work as may be necessary in connection
thereto, all in accordance with the plans and specifications
as prepared by the City's Engineers and as approved by the City
Council.

Section 2. That there is hereby created and established
an enlarged Local Improvement District to be known and called
"Local Improvement District No. 248" which District shall be
composed of and shall include the property hereinabove in Section
1 of this Ordinance described, all within the City of Kent,
County of King, State of Washington.

Section 3. The nature of the improvement provided for
herein is such that the special benefits conferred upon the pro-
erty in the enlarged Local Improvement District herein created
are not fairly reflected by the use of the zone-and-termini
method of assessment therefor, and it is hereby provided and
ordered that the assessments shall be made against the property
of the enlarged District in accordance with the special benefits
it will derive from the improvement, without regard to the zone-
and-termini method provided by statute.

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Section 4. The nature of the improvement provided for herein is such that the special benefits resulting therefrom extend beyond the boundaries of all the property to be included in this District which lies between the termini of the improvement, abutting upon, adjacent, vicinal, or proximate to the streets, avenues, lanes, alleys, boulevards, park drives, parkways, public places or squares proposed to be improved to a distance of ninety (90) feet back from the marginal lines thereof or to the center line of the blocks facing or abutting thereon, whichever is greater. (In the case of unplatted property, the distance back shall be the same as in the platted property immediately adjacent thereto.) Therefore, Local Improvement District No. 248 created herein is herewith declared and ordered to be an enlarged Local Improvement District.

Section 5. The estimated total cost of the installation of said trunk storm sewer lines with necessary appurtenances thereto is $68,856.52. Of that amount, the City of Kent shall bear approximately $29,850.00, or approximately 43.35% thereof. Further, of said total amount, approximately $8,066.72, or approximately 11.72%, shall be assessed against and charged to the real property lying between the termini of the proposed improvement and extending back from the marginal lines thereof to the middle of the block (or ninety feet back) on each side. Finally, of said total amount, approximately $30,939.80, or approximately 44.93%, shall be assessed against and charged to the remainder of the real property of this enlarged Local Improvement District.

Section 6. Local Improvement District warrants shall be issued in payment of the cost and expense of the improvements herein ordered to be assessed, such warrants to be payable out of the "Local Improvement Fund of District No. 248" hereinafter created, to bear interest from the date thereof at a rate to be
hereafter fixed by Ordinance not to exceed six per cent (6%) per annum and to be redeemed in cash and/or by Local Improvement District bonds herein authorized to be issued, said interest bearing warrants to be hereinafter referred to as "Revenue Warrants." Such bonds shall bear interest at a rate to be hereafter fixed by Ordinance, not exceeding six per cent (6%) per annum, shall be payable on or before twelve (12) years from the date of issuance, the life of the improvement ordered being not less than twelve years, and shall be issued in exchange for and in redemption of any and all revenue warrants issued hereunder and not redeemed in cash within a period not to exceed sixty (60) days after the first publication by the City Treasurer of notice that the assessment roll for Local Improvement District No. 248 is in his hands for collection. The bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said District, payable in ten (10) equal annual installments, with interest at a rate to be hereafter fixed by Ordinance not exceeding six per cent (6%) per annum, under the mode of "payment by bonds," as defined by law and the Ordinances of the City of Kent. In the case of default in the payment of any assessment when the same shall become due, there shall be added interest at a rate to be hereafter fixed by Ordinance not to exceed six per cent (6%) per annum and a penalty of 6% which shall also be collected. The exact form, amount, date, interest rate and denominations of said warrants and bonds shall be hereafter fixed by Ordinance of the City Council of the City of Kent. Said warrants and bonds shall be sold in such manner as the City Council of the City of Kent shall hereafter determine.

Section 7. All the work necessary to be done in connection with the making of said improvement shall be done by and made by contract upon competitive bids, and the City shall have and reserves the right to reject any and all bids. The call for
bids for work authorized pursuant to this Ordinance shall include a statement that payment for said work will be made in cash warrants drawn upon the "Local Improvement Funds, District No. 248."

Section 8. There is hereby created and established in the office of the City Treasurer of the City of Kent, for Local Improvement District No. 248, a special fund to be known and designated as "Local Improvement Fund, District No. 248," into which fund shall be deposited the monies to be contributed to pay the costs of construction of said improvements and all costs incidental thereto, the proceeds from the sale of revenue warrants drawn against said fund which may be issued and sold by the City and collections pertaining to assessments, and against which fund shall be issued cash warrants to the contractor or contractors in payment for the work to be done by them in connection with said improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with said improvement.

Section 9. This Ordinance shall become effective five (5) days from and after its passage, approval and publication as provided by law.

[Signature]
Mayor

Attest:  [Signature]
City Clerk

Approved as to form:  [Signature]
City Attorney

Passed:  5th day of Oct., 1964
Approved:  14th day of Oct., 1964
Published:  14th day of Oct., 1964