CITY OF KENT, WASHINGTON
ORDINANCE NO. 1297

AN ORDINANCE ordering the carrying out of the system or plan of additions to and betterments and extensions of the sewage collection and disposal system of the City as adopted by Ordinance No. 1295 and in accordance with Resolution No. 538 of the City Council of the City of Kent, Washington; establishing Local Improvement District No. 249; providing the method of assessment in the District; providing that payment in part for such improvement be made by special assessments upon property in the 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, the City of Kent, Washington, by Ordinance No. 1295, passed by the City Council and approved by the Mayor on the 5th day of April, 1965, specified and adopted a plan for making additions to and betterments and extensions of the existing sewage collection and disposal system of the City, consisting of the construction and installation of certain sewer pipe lines, pump station and force main, estimated the total cost of said plan to be $542,000.00, and provided that payment therefor would be made (a) from the proceeds received from the issuance and sale of "Sewer Revenue Bonds, 1965," in the amount of not to exceed $300,000.00, (b) by assessments to be levied in the amount of not to exceed $200,000.00 against the property specially benefited by the proposed improvement and included in one or more local improvement districts to be thereafter formed, and (c) from a grant anticipated to be received from the United States Government under Public Law 660 in the amount of $42,000.00; and

WHEREAS, by Resolution No. 538, adopted April 19, 1965, the City Council of the City of Kent declared its intention to order the carrying out of the plan providing for additions to and betterments and extensions of the sewage collection and disposal system of the City as adopted by Ordinance No. 1295 and fixed the 17th day of May, 1965, at 8 o'clock p.m. (PDST) in the
Council Chambers in the City Hall, Kent, Washington, as the time and place of hearing all matters relating to the proposed improvement and all objections thereto and for determining the method of payment for the improvement; and

WHEREAS, Hill & Ingman, consulting engineers to the City, and Glen W. Sherwood, City Engineer, caused an estimate to be made of the costs and expenses of such improvement and have certified the estimate to the City Council, together with all papers and information in their possession concerning such improvement, a description of the boundaries of the District, a statement of what portion of the costs and expenses 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 District and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvement, in the proposed District according to the value last placed upon it for the purpose of general taxation; and

WHEREAS, such estimate is accompanied by a diagram of the proposed improvement showing thereon the lots, tracts and parcels of land and other property which will be specially benefited by the proposed improvement and the estimated amount of the cost and expense to be borne by each lot, tract and parcel of land and other property; and

WHEREAS, due notice of the hearing on Resolution No. 538 was given in the manner provided by law and such hearing was held by the City Council on May 17, 1965, and all written protests filed with the City Council on or before said date were duly considered by it and overruled and all persons appearing at said hearing were heard; and

WHEREAS, the City Council after giving due consideration to the method of payment for such improvement determined it to be in the best interests of the City and of the owners of property within the local improvement district that part of the cost of carrying out such improvement as hereinafter set forth be specially assessed and that such improvement 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. It is hereby ordered that the system or plan for
making additions to and betterments and extensions of the existing system
of sewage of the City as adopted by Ordinance No. 1295, consisting of the
construction and installation of sewer pipe lines, pumping station and force
main, as more particularly described in Exhibit A attached to Ordinance No.
1295, which exhibit is incorporated herein and made a part hereof, be carried out.

The improvement shall be constructed and installed in accordance
with the plans and specifications therefor prepared by Hill & Ingman,
consulting engineers to the City.

Section 2. There is hereby created and established a local
improvement district to be called "Local Improvement District No. 249" of
the City of Kent, Washington, which District is more particularly described
in Exhibit A attached hereto and by this reference made a part hereof.

Section 3. Not to exceed $200,000.00 of the cost and expense
of carrying out said plan shall be borne by and assessed against the property
specially benefited by such improvement included in Local Improvement
District No. 249 herein created, embracing as near as may be all property
specially benefited by such improvement. The balance of the cost and expense
of said improvement shall be paid from the proceeds received from the issuance
and sale of "Sewer Revenue Bonds, 1965," and from the grant to be received
from the United States Government under Public Law 660.

Section 4. The nature of the improvement provided for herein
is such that the special benefits conferred upon the property in the 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
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 5. Local improvement district warrants shall be issued in payment of the portion of the cost and expense of the improvement herein ordered to be specially assessed, such warrants to be payable out of the "Local Improvement Fund, District No. 249," hereinafter created, to bear interest from the date thereof at a rate to be hereafter fixed by ordinance not to exceed 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 hereafter referred to as "revenue warrants." Such bonds shall bear interest at a rate to be hereafter fixed by ordinance not exceeding 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 of not to exceed 60 days after the first publication by the City Treasurer of notice that the assessment roll for Local Improvement District No. 249 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 6% per annum, under the mode of "payment by bonds," as defined by law and the ordinances of the City of Kent, Washington. 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 6% per annum and a penalty of 5% 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. Said warrants and bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 6. 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 such work shall be
made in cash warrants drawn upon either the "Local Improvement Fund, District No. 249," or the "Sewer Construction Fund" of the City.

Section 7. There is hereby created in the office of the City Treasurer of the City of Kent for Local Improvement District No. 249 a special fund to be known and designated as "Local Improvement Fund, District No. 249" into which fund shall be deposited the proceeds from the sale of revenue warrants drawn against such 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 such improvement up to the total amount to be assessed in Local Improvement District No. 249. The balance of the costs and expense in connection with such improvement shall be paid out of the "Sewer Construction Fund" into which shall be deposited the proceeds from the sale of the "Sewer Revenue Bonds, 1965," and any moneys received as a grant from the United States Government under Public Law 660.

PASSED by the City Council and APPROVED by the Mayor of the City of Kent, Washington, at a regular meeting thereof, this 17th day of May, 1965.

Mayor

ATTEST:

City Clerk

FORM APPROVED:

City Attorney

Published the 26th day of May, 1965.
EXHIBIT "A"

LEGAL DESCRIPTION FOR LID 249

Portion of Sec. 24, T22N, R4E, Sec. 25, T22N, R4E, Sec. 19, T22N, R5E, & Sec. 30, T22N, R5E, W.M.

Beginning at the intersection of the South margin of Crow St. and the East margin of CMStP&P RR R/W; thence southerly along said East margin to South margin of Watermans Acre Tracts; thence easterly along said South margin 244.08 ft; thence S 1° 58' 00" E to North margin S 258th St; thence easterly along said North margin to the intersection with East margin NP RR R/W; thence northerly along said East margin 135.74 ft; thence N 89° 20' E 227.3 ft; thence S 5° 53' E 136.3 ft. to North margin S 258th St; thence easterly along said North margin to a point 165 ft. West of East line Sec. 25, T22N, R4E, W.M.; thence northerly parallel with East line of said Sec. 25 132 ft; thence easterly parallel with North margin S 258th St. 165 ft. to East line of Sec. 25, T22N, R4E, W.M.; thence northerly along East line Sec. 24, T22N, R4E, W.M. 173.8 ft; thence S 87° 55' W 301.50 ft; thence northerly parallel with East margin State Road #5, (S. Central) to southerly margin of Kent Add'n; thence easterly to East margin Sec. 24, T22N, R4E, W.M. and West margin Sec. 19, T22N, R5E, W.M.; thence southerly along said East margin Sec. 24 and West margin Sec. 19 185 ft; thence easterly along the North line projected westerly of Marion St. to a point 140 ft. West of the West line of Clarks Valley View Add'n; thence southerly parallel to said West line to the South line of said Clarks Valley View Add'n projected westerly; thence East along said projected South line and the South line of said Add'n to the East margin of the S.W. Russell D.C.; thence southerly along said East margin to South line projected West of Lots 28 and 3 in Blk 26, WCICo's Knob Hill Add'n to Kent; thence easterly along said South line to East margin of Alexander Ave; thence southerly along said East margin 44.25 ft. to C/L of Blk 17; thence easterly along C/L of Blk 27 WCICo's Knob Hill Add'n to C/L Garfield Ave; thence northerly along said C/L to C/L Walnut St; thence westerly along said C/L to West margin of Stonecrest Add'n #1; thence northerly along said West margin to southerly margin of Stonecrest #2; thence westerly along said southerly margin to westerly margin of Stonecrest #2; thence southerly along...
said West line projected 30 ft; thence westerly parallel with C/L Walnut St.
163 ft; thence northerly parallel with East line of S.W. Russell D.C. 38 ft;
thence westerly parallel with C/L Walnut St. 103 ft; to East margin S.W.
Russell D.C.; thence northerly along said East margin to C/L Carter St;
thence westerly along said C/L to West margin Clarks Valley View Add'n;
thence southerly along said West margin 95 ft; thence westerly parallel with
C/L Carter St. projected 125 ft; thence northerly parallel with West margin
Clarks Valley View Add'n 95 ft. to C/L Carter St. extended; thence easterly
along said C/L to extended C/L vacated Kirkwood Ave. projected; thence
northerly along said projected C/L to North line Lot 14, Blk 23, WCICO's Knob
Hill Add'n; thence westerly along said North line to C/L vacated alley of said
Blk 23; thence northerly along said C/L vacated alley to South margin Lot 2,
Blk 23, WCICO's Knob Hill Add'n; thence easterly to C/L vacated alley in Blk
22 of said Add'n; thence southerly 15 ft. along said C/L; thence easterly to
C/L vacated Kensington Ave; thence northerly along said C/L to C/L Chicago
St; thence easterly along said C/L 148 ft; thence northerly along C/L vacated
alley and alley in Blk 18 WCICO's Knob Hill Add'n to C/L Seattle St; thence
easterly along C/L Seattle St. 33 ft to C/L Blk 11, WCICO's Knob Hill Add'n
projected South; thence northerly along said C/L to North margin Lot 21, said
Blk 11; thence westerly along said North margin to West margin Kensington Ave;
thence southerly along said West margin to North margin Seattle St; thence
westerly along said North margin 264 ft; thence northerly parallel with West
margin Kensington Ave. 70 ft; thence westerly parallel with North margin
Seattle St. 131 ft; thence northerly parallel with West margin Kensington Ave.
30 ft; thence westerly parallel with North margin Seattle St. 75 ft; thence
southerly parallel with West margin Kensington Ave. to South margin Seattle
St; thence westerly along said South margin projected to West line Sec. 19,
T22N, R5E, W.M; thence southerly along said West line to South line View Point Add'n; thence westerly along said South line and South line
projected to West margin Burke Ave; thence South along said West margin
to North margin Lot 14, Blk 8, Kent Add'n; thence westerly along said North
margin to C/L of alley in Blk 8 Kent Add'n; thence North along said C/L to
North margin S. W. Russell D.C.; thence westerly along said North margin to C/L S Bridges Ave; thence South along said C/L to C/L Morton St; thence westerly along said C/L and C/L extended to West margin S First Ave; thence North along said West margin to North line TR 34, Watermans Acre Tracts; thence westerly along said North line to West margin S. Second Ave; thence northerly along said West margin to North line TR 26, Watermans Acre Tracts; thence westerly along said North line to West margin Third Ave; thence North along said West margin to point 90 ft. North of South line TR 21, Watermans Acre Tracts; thence westerly parallel with said South line to East line TR 10, Watermans Acre Tracts; thence South to South line said TR 10; thence westerly along said South line 169 ft; thence northerly parallel with West margin S. Fifth Ave. to C/L Willis St; thence westerly along said C/L to West line Lot 12 Blk A Crows First Add'n to Kent; thence southerly along said West line to South margin of Crow St; thence westerly along said South margin to beginning. LESS NP RR R/W, Less portion TR 5, Watermans Acre Tracts described as follows: South 52.85 ft. less East 175 ft. and Less portion TR 6 Watermans Acre Tracts described as follows; North 127.70 ft. less East 175 ft.