AN ORDINANCE ordering the improvement of a portion of the East Valley area within the City by constructing and installing a system of water mains, all in accordance with Resolution No. 595 of the City Council; establishing Local Improvement District No. 256; providing the method of assessment in the District; providing that payment for the improvement be made in part by special assessments upon the 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, by Resolution No. 595, the City Council declared its intention to order the improvement of a portion of the East Valley area within the City by constructing and installing a system of water mains and fixed September 3, 1968, at 8:00 o'clock p.m. (PDT) in the Council Chambers of the City Hall as the time and place for hearing all matters relating to said proposed improvement and all objections thereto and for determining the method of payment for the improvement; and

WHEREAS, Hill, Ingman, Chase & Co., consulting engineers to the City, caused an estimate to be made of the cost and expenses of the proposed improvement and 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 District, a statement of what portion of the cost 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 district, and a statement of the aggregate actual valuation of the real estate, including 25% of the actual valuation of the improvements in the proposed district, according to the valuation last placed upon it for the purpose of general taxation; and
WHEREAS, that estimate is accompanied by a diagram of the proposed improvement showing thereon the lots, tracts, parcels of land, and other property which will be specially benefited 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 above hearing was given in the manner provided by law, and the hearing was held by the City Council on the date and at the time above mentioned, and all written protests filed with the City Council on or before that date were duly considered and overruled, and all persons appearing at the hearing were heard; and

WHEREAS, the City Council has determined it to be in the best interests of the City that the 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. The improvement described in Exhibit B attached hereto and by this reference made a part hereof is hereby ordered.

Section 2. There is hereby created and established a local improvement district to be called "Local Improvement District No. 256 of the City of Kent, Washington," which District is described in Exhibit A attached hereto and by this reference made a part hereof.

Section 3. The estimated cost and expense of the improvement is hereby declared to be $210,000.00. Not to exceed $100,000.00 of that cost and expense shall be borne by and assessed against the property specially benefited by that improvement included in the local improvement district herein established embracing as near as may be all property specially benefited by the improvement. The balance of the cost and expense of the improvement, estimated to be $110,000.00, shall be paid from City funds available for such purpose.
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 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.

Section 5. Local improvement district warrants shall be issued in payment of that portion of the cost and expense of the improvement herein ordered to be assessed, such warrants to be payable out of the "Local Improvement Fund, District No. 256," herein-after created and referred to as the "Local Improvement Fund," to bear interest from the date thereof at a rate to be hereafter fixed by ordinance not to exceed 8% per annum and to be redeemed in cash, and/or by local improvement district bonds, herein authorized to be issued, such interest-bearing warrants to be hereafter referred to as "revenue warrants." The City is authorized to issue local improvement district bonds for the district which shall bear interest at a rate to be hereafter fixed by ordinance not exceeding 8% per annum, shall be payable on or before 12 years from the date of issuance, the life of the improvement ordered being not less than the term of the bonds, 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. 256 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 the district, payable in equal annual installments, with interest at a rate to be hereafter fixed by ordinance not exceeding 8% per annum, under the mode of "payment by bonds," as defined by law and the ordinances of the City. 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 8% per annum and a penalty of 6% which shall also be collected. The exact form, amount, date, interest rate and denominations of the revenue warrants and local improvement district bonds shall be hereafter fixed by ordinance of the City Council. The 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 the 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 the work will be made in cash warrants drawn upon the Local Improvement Fund.

Section 7. There is hereby created and established in the office of the City Treasurer of the City of Kent, for the district, a special fund heretofore designated and referred to as the Local Improvement Fund, into which fund shall be deposited the City funds to be used for this project and the proceeds from the sale of revenue warrants drawn against the 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 the improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with the improvement.
PASSED by the City Council and APPROVED by the Mayor of the City of Kent, Washington, at a regular meeting thereof, this 3rd day of September, 1968.

7th day of October,
PUBLISHED THE 13TH DAY OF OCT 1968

FORM APPROVED:

City Attorney

ATTEST:

City Clerk

Mayor

- 5 -
BOUNDARY DESCRIPTION

LID No. 256

Beginning at the Southeast corner of Section 36, Township 23 North, Range 4 East, W.M., thence Westerly along the South line of said Section 36, 1100.35 feet; thence North 01°47'46" East 186.32 feet; thence South 88°09'48" East 214.68 feet to the West line of the S 1/2 of the SE 1/4 of the SE 1/4 of said Section 36; thence North along said West line of the S 1/2 of the SE 1/4 of the SE 1/4 to the North line thereof; thence East along said North line of the S 1/2 of the SE 1/4 of the SE 1/4 to its intersection with the centerline of 80th Place South; thence Northerly along said centerline of 80th Place South to the Westerly extension of the South margin of South 180th Street (Carr Road); thence Easterly along said South margin of South 180th Street to the East line of said Section 36-23-4 which is also the West line of Section 31-23-5; thence continuing Easterly along the South margin of said South 180th Street to its intersection with the Westerly margin of the East Valley Highway; thence Southerly along said Westerly margin of the East Valley Highway to its intersection with the Westerly extension of the South margin of South 192nd Street; thence Easterly along said South margin of South 192nd Street to its intersection with the South line of said Section 31-23-5; thence Westerly along said South line of Section 31 to the South-west corner thereof, which is also the Southeast corner of Section 36-23-4 and the point of beginning, all within the City of Kent, Washington.
DESCRIPTION OF IMPROVEMENT

LID No. 256

The improvement shall consist of constructing and installing the following described water mains at the following locations:

<table>
<thead>
<tr>
<th>Size</th>
<th>On</th>
<th>From</th>
<th>To</th>
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<tbody>
<tr>
<td>16&quot;</td>
<td>84th Ave. So. (East Valley Highway)</td>
<td>South line Sec. 31-23-5</td>
<td>E-W Centerline Section 31</td>
</tr>
<tr>
<td>10&quot;</td>
<td>East Valley Highway</td>
<td>E-W Centerline Sec. 31</td>
<td>South 180th Street</td>
</tr>
<tr>
<td>10&quot;</td>
<td>So. 180th Street</td>
<td>East Valley Highway</td>
<td>88th Ave. So.</td>
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Easements

<table>
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<tr>
<th>Size</th>
<th>On</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>12&quot;</td>
<td>E-W Centerline Sec. 31-23-5 and 36-23-4</td>
<td>East line SW 1/4 Sec. 31-23-5</td>
<td>80th Ave. So.</td>
</tr>
</tbody>
</table>

The above described mains shall be installed together with valves, fittings, fire hydrants and appurtenances.

All of the foregoing shall be in accordance with the plans and specifications therefor prepared by Hill, Ingman, Chase & Co., consulting engineers of the City.