CITY OF KENT, WASHINGTON
ORDINANCE NO. 598

AN ORDINANCE fixing the amount, form, date, interest rate, maturity and denominations of Local Improvement District No. 253 Bonds and directing the issuance and sale thereof to McLean & Company, Inc., Tacoma, Washington.

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

Section 1. The total amount of the assessment roll in Local Improvement District No. 253 in the City of Kent, Washington, created under Ordinance No. 1443, was $187,338.90. The thirty-day period for making cash payments of assessments without interest in the District expired on September 20, 1968, and the total amount of assessments paid in cash was $64,031.01, leaving a balance of assessments unpaid on the assessment roll in the sum of $123,307.89. Of the balance of unpaid assessments, $19,260.55 is presently subject to appeal in the Supreme Court of the State of Washington. To the extent that any of the assessments subject to such appeal are reduced or cancelled, the City shall, from funds of the City referred to in Section 7 of Ordinance No. 1443, deposit into the "Local Improvement Fund, District No. 253," created by Ordinance No. 1443, moneys equal to the amount of such reduced or cancelled assessments.

Local improvement district bonds of Local Improvement District No. 253 shall, therefore, be issued in the total principal sum of $123,307.89. Bond No. 1 shall be in the denomination of $1,307.89, and the remaining bonds numbered 2 to 123, inclusive, shall be in the denomination of $1,000.00 each. The bonds shall all be dated February 1, 1969, and shall be payable on February 1, 1981, with the right reserved to the City to redeem the bonds prior to maturity on any interest payment date, in numerical order, lowest numbers first, whenever there shall be sufficient money in the "Local Improvement Fund, District No.
to pay the bonds so called and all earlier numbered bonds over and above the amount required for the payment of the interest on all unpaid bonds, by publishing notice of such call once in the official newspaper of the City not less than ten nor more than twenty days prior to the call date, and upon such date the interest on bonds so called shall cease and each and every coupon representing interest not accrued on such date shall be void. The bonds shall bear interest at the rate of 6% per annum, payable annually, beginning February 1, 1970, to be represented by interest coupons to maturity attached to each bond.

Section 2. Each of the bonds and interest coupons attached thereto shall be in substantially the following form:

No. _____  $1,000.00  
($1,307.89 on Bond No. 1)

UNITED STATES OF AMERICA
STATE OF WASHINGTON
LOCAL IMPROVEMENT BOND
OF
CITY OF KENT
LOCAL IMPROVEMENT DISTRICT NO. 253

6%

N.B. The laws of the State of Washington, under which this bond is issued, contain the following section (RCW 35.45.070):

"Neither the holder nor owner of any bond, interest coupon, or warrant issued against a local improvement fund shall have any claim therefor against the city or town by which it is issued, except for payment from the special assessments made for the improvement for which the bond or warrant was issued and except also for payment from the local improvement guaranty fund of the city or town as to bonds issued after the creation of a local improvement guaranty fund of that city or town. The city or town shall not be liable to the holder or owner of any bond, interest coupon, or warrant for any loss to the local improvement guaranty fund occurring in the lawful operation thereof. A copy of the foregoing part of this section shall be plainly written, printed or engraved on each bond."

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THE CITY OF KENT, WASHINGTON, a municipal
corporation of the State of Washington, hereby
promises to pay to McLean & Company, Inc.,
Tacoma, Washington, or bearer, the sum of

ONE THOUSAND DOLLARS
($1,307.89 on Bond No. 1)

in lawful money of the United States of America,
with interest thereon at the rate of SIX PERCENT
(6%) per annum, payable annually out of the fund
established by Ordinance No. 1443 of the City and
known as "Local Improvement Fund, District No.
253," and not otherwise, except from the guaranty
fund, as herein provided. Both principal of and
interest on this bond are payable at the office of
the Treasurer of the City.

Coupons are hereto attached for each installment
of interest to accrue hereon, and interest shall be
paid only on presentation and surrender of such
coupons to the City Treasurer.

The City Council of the City, as agent of such
Local Improvement District No. 253, established by
Ordinance No. 1443, has caused this bond to be
issued in the name of the City as the bond of such
local improvement district, the bonds or the pro­
cceeds thereof to be used to pay so much of the cost
and expense of the improvement of South 212th Street
from West Valley Highway to East Valley Highway, as
provided by Ordinance No. 1443, as is levied and
assessed against the property included in the local
improvement district and benefited by that improve­
ment and the "Local Improvement Fund, District No.
253," has been established by ordinance for that
purpose. The holder or holders of this bond shall
look only to that fund and to the Local Improvement
Guaranty Fund of the City for the payment of either
the principal of or the interest on this bond.

This bond is one of an issue of 123 bonds aggregat­
ing in all the principal sum of $123,307.89, issued
for Local Improvement District No. 253, all of which
bonds are subject to the same terms and conditions
as herein expressed.

This bond is payable on February 1, 1981, but is
subject to call by the City Treasurer for prior re­
demption whenever there shall be sufficient money in
the "Local Improvement Fund, District No. 253," to
pay the same and all unpaid bonds of the issue of
which this bond is one, which are prior to this bond,
in numerical order, over and above amounts sufficient
for the payment of the interest on all unpaid bonds
of this issue. The call for payment of this bond,
or any bond of this issue of which this is one, shall
be made by the City Treasurer by publishing the same
once in the official newspaper of the City not less
than ten nor more than twenty days prior to the call
date, and when such call is made for the payment of
this bond, it will be paid on the day the next interest coupon thereon shall become due after that call and upon that day interest upon this bond shall cease and any remaining coupons shall be void.

IT IS HEREBY CERTIFIED, Recited and Declared that all acts, conditions and things required to be done precedent to and in the levying of such special taxes or assessments and the issuing of these bonds have been properly done, have happened and have been performed in regular and due form, as required by law; and that these bonds have not been issued in an amount in excess of the cost of the improvement.

IN WITNESS WHEREOF, the City of Kent, Washington, has caused this bond to be signed by the facsimile signature of the Mayor and attested by the manual signature of the City Clerk and its corporate seal to be hereto affixed, and the interest coupons attached to be signed with the facsimile signatures of those officials this 1st day of February, 1969.

CITY OF KENT, WASHINGTON

By (facsimile signature) Mayor

ATTEST:

_____ City Clerk

COUPON FORM

Coupon No. __

$60.00 ($78.47 on Bond No. 1)

On the FIRST DAY OF FEBRUARY, 19 __, the CITY OF KENT, WASHINGTON, promises to pay to bearer at the office of the City Treasurer the sum shown hereon, this sum being twelve months' interest due that day on Bond No. ____ of the bonds of Local Improvement District No. 253 and not otherwise, provided that this coupon is subject to all terms and conditions contained in the bond to which it is annexed and, if that bond shall be called for payment before maturity hereof, this coupon shall be void.

CITY OF KENT, WASHINGTON

By (facsimile signature) Mayor

ATTEST:

(facsimile signature) City Clerk

Section 3. The bonds shall be printed on lithographed forms, shall be signed by the facsimile signature of the Mayor
and attested by the manual signature of the City Clerk and shall have the seal of the City of Kent affixed thereto, and the coupons shall bear the facsimile signatures of the Mayor and the City Clerk.

Section 4. McLean & Company, Inc., Tacoma, Washington, has offered to purchase all of the local improvement bonds of Local Improvement District No. 253 at a price of par, plus accrued interest from the date of issuance to the date of delivery of the bonds to the purchaser, the City to furnish the printed bonds and the approving legal opinion of Roberts, Shefelman, Lawrence, Gay & Moch, municipal bond counsel of Seattle, Washington, at the City's expense. The City Council deems it to be in the best interests of the City that such offer be accepted and hereby accepts the same. The bonds shall, therefore, immediately upon their execution, be delivered to McLean & Company, Inc., Tacoma, Washington, upon payment therefor in accordance with said offer.

PASSED by the City Council of the City of Kent, Washington, and APPROVED by the Mayor at a regular meeting thereof this 5th day of May, 1969.

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

FORM APPROVED:

[Signature]
City Attorney