ORDINANCE NO. 1683

AN ORDINANCE ordering the improvement of a certain area of the City located generally along the East Valley Highway by constructing and installing a system of 8, 10 and 12 inch sewer lines, all in accordance with Resolution No. 678 of the City Council; establishing Local Improvement District No. 264; providing the method of assessment in the District; providing that payment for the improvement be made 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. 678, adopted August 4, 1970, the City Council declared its intention to order the improvement of a certain area of the City located generally along the East Valley Highway by constructing and installing a system of 8, 10 and 12 inch sewer lines, and fixed September 8, 1970, at 7:00 o'clock p.m. (PDST) in the Council Chambers of the City Hall as the time and place for hearing all matters relating to the proposed improvement and all objections thereto and for determining the method of payment for the improvement; and

WHEREAS, the City Engineer of the City of Kent 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 his 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, with the exception of one protest which was allowed, 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 City Council of the City of Kent, Wash­ington, hereby orders the improvement by the construction and instal­lation of the following described sewer lines at the following locations:

<table>
<thead>
<tr>
<th>SIZE</th>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>12&quot;</td>
<td>East Valley Highway</td>
<td>S. 208th Street</td>
<td>A point 1110' N. of S. 208th St.</td>
</tr>
<tr>
<td>12&quot;</td>
<td>South 208th Street</td>
<td>East Valley Highway</td>
<td>A point 200' East of East Valley Highway</td>
</tr>
<tr>
<td>10&quot;</td>
<td>South 208th Street</td>
<td>A point 200' E. of East Valley Highway</td>
<td>A point 924' East of East Valley Highway on S. 208th St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>South 208th Street</td>
<td>A point 924' East</td>
<td>A point 1324' East of East Valley Hwy. of East Valley Hwy.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>An easement located approximately 200' East of East Valley Highway and approx. parallel thereto</td>
<td>A point 200' East of A point 400' South of East Valley Hwy. on S. 208th Street</td>
<td></td>
</tr>
<tr>
<td>10&quot;</td>
<td>On an easement located approx. 200' East of East Valley Highway and approx. parallel thereto</td>
<td>A point 400' South</td>
<td>A point 1186' South of South 208th St. of South 208th St.</td>
</tr>
</tbody>
</table>
On the right of way & easement approx. 924' East of East Valley Highway and parallel thereto.

On an easement beginning at a point near the S. edge of S. 208th St. & extending S. E. therefrom.

A point 924' East of East Valley Highway described for the pipe immediately above.

A point 70' S. of the point 924' East Southeasterly therefrom.

All of the foregoing shall be in accordance with the plans and specifications therefor prepared by the City Engineer.

Section 2. There is hereby created and established a local improvement district to be called "Local Improvement District No. 264 of the City of Kent, Washington", which district is described as follows:

Government Lot 7 in Section 6, Township 22 North, Range 5 East, W.M.; and

That portion of the SE 1/4 of the SW 1/4 in Section 6, Township 22 North, Range 5 E., W.M., in King County, Washington, lying West of the following described line. Beginning at a point on the North line of South 208th Street which lies 40 feet West of P.S. Highway #5 being the True Point of Beginning of line herein described; thence North parallel with the West margin of said Highway 480 feet; thence West parallel with South line of said subdivision to the west­ ery line of King County Drainage District #1; thence in a Northerly Direction along the West line of said Drainage District #1 to the North line of said subdivision being the terminus of line herein described. Except any portion lying within said Drainage District.

Government Lot 1, in Section 7, Township 22 North, Range 5 East, W. M.; and

That portion of the Northeast quarter of the Northwest quarter of Section 7, Township 22 North, Range 5 East, W. M., lying Westerly of the Valley Freeway; all in King County, Washington.

Section 3. The total estimated cost and expense of that improvement is hereby declared to be $195,000.00. Not to exceed $195,000.00 of the cost and expense of that improvement shall be borne by and assessed against the property specially...
benefited by such improvement included in the local improvement
district herein established embracing as near as may be all pro-
erty specially benefited by the improvement.

Section 4. The nature of the improvement provided for
herein is such that the special benefits conferred upon the pro-
erty 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 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. 264," hereinafter 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 improve-
ment district bonds for the district which shall bear interest at
a rate to be hereafter fixed by ordinance, shall be payable on or
before twelve 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 sixty days after the first publication
by the City Treasurer of notice that the assessment roll for Local
Improvement District No. 264 is in his hands for collection. The
bonds shall be redeemed by the collection of special assessments
to be levied and assessed against the property within the district,
payable in ten equal annual installments, with interest at a rate
to be hereafter fixed by ordinance, not exceeding 8 1/2% 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, District No. 264, into which fund shall be deposited 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 5th day of October, 1970.

ISABEL HOGAN, MAYOR

ATTEST:

MARI JENSEN, City Clerk

APPROVED AS TO FORM:

DONALD E. MIRK, City Attorney
Passed the 6th day of October, 1970.
Approved the 6th day of October, 1970.
Published the 9th day of October, 1970.

I hereby certify that this is a true copy of Ordinance No. 1683, passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
MARIE JENSEN, City Clerk