AN ORDINANCE ordering the improvement of a part of the City by constructing and installing a system of 8 and 10 inch sewer lines and a sewer lift station; establishing Local Improvement District No. 259; 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 "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. 691 adopted September 8, 1970, the City Council declared its intention to order the improvement of a part of the City by constructing and installing a system of 8 and 10 inch sewer lines and a sewer lift station, and fixed October 5, 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 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. 259 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 total estimated cost and expense of the improvement is declared to be $490,000.00. The City anticipates receiving grants in the estimated amount of $178,000.00 to pay part of the cost of the improvement and anticipates that the City shall pay an additional part of the cost of the improvement from other moneys available for that purpose. The balance of the actual cost and expense of the improvement (after applying the grants and the City's payment), now estimated to be $270,000.00, shall be borne by and assessed against the property specially benefited by such improvement to be included in the Local Improvement District No. 259 established by this ordinance.
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. 259," hereinafter created and referred to as "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 no 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. 259 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 __/10__ 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 grants anticipated to be received and City
moneys available 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 19th day of
October, 1970.

Approved the 20th day of October, 1970
Published the 21st day of October, 1970

Mayor

ATTEST:

City Clerk

FORM APPROVED:

City Attorney
EXHIBIT "A"

LOCAL IMPROVEMENT DISTRICT NO. 259
HORSESHOE ACRES
BOUNDARY DESCRIPTION

CITY OF KENT

Revised: 9/3/70

Beginning at the Northwest corner of Section 30, Township 22 North, Range 5 East W.M., said corner also being the Northeast corner of Section 25, Township 22 North, Range 4 East W.M.;

Thence Southeasterly in a straight line to a point described as the intersection of the East line of the S.W. Russel Donation Claim No. 41 at the westerly extension of the South line of Block 26, KNOB HILL ADDITION TO KENT as Recorded in Vol. 5 of Plats, Page 97, Records of King Co. Washington,

Thence Southerly along said east line of said Donation Claim and said east line extended, to the centerline of the Green River;

Thence Westerly, Southerly, and Westerly along the centerline of the Green River to the line common to Section 30, Township 22 North, Range 5 East W.M., and Section 25, Township 22 North, Range 4 East W.M.;

Thence continuing Westerly along the centerline of the Green River to the East R/W line of the Northern Pacific Railroad Co.;

Thence North along the said East R/W line to its intersection with the North line of South 258th Street;

Thence Easterly along said North line to a point 165 feet West of the East line of Section 25, Township 22 North, Range 4 East W.M.;

Thence Northerly parallel with the East line of said Section 25, 132 feet;

Thence Easterly parallel with the North line of South 258th St. to the East line of said Section 25;

Thence Northerly along the East line of said Section 25 to the North- east corner thereof, said corner also being the Northwest corner of Section 30, Township 22 North, Range 5 East W.M., and the Point of Beginning.
<table>
<thead>
<tr>
<th>Size</th>
<th>On</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot; J.C.</td>
<td>S. Central Ave. at S. 258th St.</td>
<td>W. side of S. Central Ave.</td>
<td>E. side of S. Central Ave.</td>
</tr>
<tr>
<td>8&quot; J.C.</td>
<td>S. Central Ave. approx. 635' N. of S. 262nd St.</td>
<td>W. side of S. Central Ave.</td>
<td>East side of S. Central Ave.</td>
</tr>
<tr>
<td>8&quot; J.C.</td>
<td>S. Central Ave. at S. 262nd St.</td>
<td>W. side of S. Central Ave.</td>
<td>E. side of S. Central Ave.</td>
</tr>
<tr>
<td>10&quot; F.H.</td>
<td>S. 258th St.</td>
<td>Existing manhole NH 10-H, approx. 100' N. of S. 258th St.</td>
<td>S. 258th St.</td>
</tr>
<tr>
<td>10&quot; F.H.</td>
<td>S. 258th St.</td>
<td>3rd Ave. S.</td>
<td>W. side of S. Central Ave.</td>
</tr>
<tr>
<td>10&quot; F.H.</td>
<td>W. side of S. Central Ave.</td>
<td>S. 258th St.</td>
<td>Approx. 130' N. of the centerline of S. 262nd St.</td>
</tr>
<tr>
<td>10&quot; J.C.</td>
<td>S. 258th St.</td>
<td>W. side of NPR R/W</td>
<td>E. side of NPR R/W</td>
</tr>
<tr>
<td>1 L.S.</td>
<td>W. side of S. Central Ave. approx. 130' N. of centerline of S. 262nd St.</td>
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</tbody>
</table>

The City may modify the details of the foregoing improvement so long as such modification will not substantially change the purpose for which the improvement is being made.
### EXHIBIT "B"

**CITY OF KENT**  
**KING COUNTY, WASHINGTON**  
**LOCAL IMPROVEMENT DISTRICT NO. 259**  
**DESCRIPTION OF PROPOSED IMPROVEMENT**  
Revised: 9/3/70

<table>
<thead>
<tr>
<th>Size</th>
<th>On</th>
<th>From</th>
<th>To</th>
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</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>S. 258th St.</td>
<td>East side of S. Central Ave.</td>
<td>Approx. 1320' E. of the centerline of S. Central Ave.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>S. 262nd St.</td>
<td>East side of S. Central Ave.</td>
<td>85th Ave. S.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>S. 266th St.</td>
<td>Approx. 510' W. of the centerline of S. Central Ave.</td>
<td>West side of S. Central Ave.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>S. 266th St.</td>
<td>East side of S. Central Ave.</td>
<td>Approx. 550' E. of the centerline of S. Central Ave.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>W. side of S. Central Ave.</td>
<td>S. 258th St.</td>
<td>Approx. 130' N. of the centerline of S. 262nd St.</td>
</tr>
<tr>
<td>10&quot;</td>
<td>W. side of S. Central Ave.</td>
<td>Approx. 130' N. of the centerline of S. 262nd St.</td>
<td>S. 262nd St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>W. side of S. Central Ave.</td>
<td>S. 262nd St.</td>
<td>S. 266th St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>E. side of S. Central Ave.</td>
<td>Approx. 800' N. of S. 262nd St.</td>
<td>Approx. 450' N. of S. 262nd St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>E. side of S. Central Ave.</td>
<td>Approx. 275' N. of S. 262nd St.</td>
<td>S. 262nd St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>E. side of S. Central Ave.</td>
<td>Approx. 270' S. of S. 262nd St.</td>
<td>Approx. 330' N. of S. 266th St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>85th Ave. S. (Maple Lane)</td>
<td>S. 262nd St.</td>
<td>S. 266th St.</td>
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</table>