AN ORDINANCE ordering the improvement of part of the City by installing an 8 inch sewer line on 98th Avenue South from 180 feet north of the intersection of 98th Avenue South and South 240th Street to a point 590 feet north of the intersection of 98th Avenue South and South 240th Street, all in accordance with Resolution No. 694 of the City Council; establishing Local Improvement District No. 269; providing for 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 "note in lieu of bonds"; providing for the issuance and sale of local improvement district warrants redeemable in cash; and providing for the execution of a promissory note in favor of a designated fund of the City of Kent.

WHEREAS, by Resolution No. 694, adopted May 17, 1971, the City Council declared its intention to order the improvement of a part of the City installing an 8 inch sewer line on 98th Avenue South from 180 feet north of the intersection of 98th Avenue South and South 240th Street to a point 590 feet north of the intersection of 98th Avenue South and South 240th Street, and fixed June 21, 1971 at 7:00 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 expense 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, 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 no written protests were filed with the City Council on or before that date, and all persons appearing at the hearing were heard; and

WHEREAS, the City Council has determined it 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 of a part of the City by installing an 8 inch sewer line on 98th Avenue South from 180 feet north of the intersection of 98th Avenue South and South 240th Street to a point 590 north of the intersection of 98th Avenue South and South 240th Street.

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. 269 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 that improvement is hereby declared to be $4,300.00. The entire cost and expense of such improvement shall be borne 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 property specially benefited by such improvement. There shall be included in the cost and expense of that improvement all cost items specified in RCW 35.44.020.

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 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. 269", 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 a note in lieu of local improvement district bonds, herein authorized to be executed, such interest-bearing warrants to be hereafter referred to as "revenue warrants". The City is authorized to execute a note in lieu of local improvement district bonds for the District which shall bear interest at a rate not to exceed 6% per annum, 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 note, 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. 269 is in her hands for collection. The note 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 6% per annum, under the mode of "payment by note in lieu of 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 6% per annum and a penalty of 6% which shall also be collected. The exact form, amount, date, interest rate and denominations of the warrants and note in lieu of bonds shall be hereafter fixed by ordinance of the City Council. The warrant and note in lieu of bond 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. 269, 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.
Section 8. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ISABEL HOGAN, MAYOR

ATTEST:

MARIE JENSEN, City Clerk

APPROVED AS TO FORM:

DONALD E. MIRK, City Attorney

Passed the 6th day of July, 1971.
Approved the 7th day of July, 1971.
Published the 11th day of July, 1971.

I hereby certify that this is a true copy of Ordinance No. 785, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, City Clerk

(SEAL)
EXHIBIT A

LEGAL DESCRIPTION FOR PROPOSED L.I.D. AT 240TH & 96TH

Lots 5, 6, and 7, Blk 1, Reeves Addn. to Kent as described in Volume 63 of Platrs, Page 34, records of King County, Washington; ALSO the south 83 feet of the west 165 feet of the N 1/2 of the SE 1/4 of the SE 1/4 of the SE 1/4 in Section 10, T22N, R 59E., W.I.M., in King County, Washington; AND ALSO the north 75 feet of the west 165 feet of the S 1/2 of the SE 1/4 of the SE 1/4 of Section 10, T22N, R 59E., W.I.M., King County, Washington. Except the west 30 feet of the above described subdivisions.