AN ORDINANCE of the City of Kent, Washington, ordering the improvement of a portion of the City by the improving and widening of 104th Avenue SE from SE 235th Street to SE 242nd Street and the improving and widening of SE 240th Street from 104th Avenue SE to 108th Avenue SE by the construction of 58 foot and 47 foot wide streets with asphalt pavement, channelization, concrete curbs and gutters, concrete sidewalks, storm drainage, underground power, street lighting and traffic signal revision, all in accordance with Resolution 867 of the City Council; establishing Local Improvement District No. 292, providing that payment for the costs of the improvement be made by special assessments upon the property in the District; payable by the mode of "payment by bonds"; or "note in lieu of bonds"; and providing for the issuance and sale of Local Improvement District warrants redeemable in cash and Local Improvement District Bonds or Note in Lieu of Bonds.

WHEREAS by Resolution 867, adopted May 7, 1979, the City Council declared its intention toward the improvement of a portion of the City by the improvement and widening of 104th Avenue SE from SE 235th Street to SE 242nd Street and the improving and widening of SE 240th Street from 104th Avenue SE to 108th Avenue SE by the construction of 58 foot and 47 foot wide streets with asphalt pavement, channelization, concrete curbs and gutters, concrete sidewalks, storm drainage, underground power, street lighting and traffic signal revision, and fixed June 4, 1979 at 8 o'clock p.m. in the Council Chambers in the City Hall as the time and place for hearing of 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 that estimate to the City Council, together with all papers and information in his possession touching the proposed improvement, and 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 assessment outstanding or unpaid against the property in the pro-
posed District, according to the valuation last placed upon it for
the purpose of general taxation; and

WHEREAS that estimate is accompanied by the diagram of
the proposed improvement showing thereon the lots, tracts, par-
cels 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 June 4, 1979, and all persons having been heard, and
no protests having been received; and

WHEREAS the City Council has determined it to be in
the best interest 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 portion of the City
by the improving and widening of 104th Avenue SE and SE 240th
Streets as more fully described in Exhibit "B" attached hereto and
by this reference made a part hereof.

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

The City reserves the right to make changes in such
improvement as long as such changes do not materially affect the
purpose of the improvement.

Section 2. There is hereby created and established a
local improvement district to be called "Local Improvement Dis-
trict No. 292 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 One Million, One Hundred
Eleven Thousand Dollars ($1,111,000), One Hundred Fifty-Six Thou-

- 2 -
sand, Nine Hundred Forty-Seven and 46/100 Dollars ($156,947.46) of which shall be borne by and assessed against the properties specially benefited by the improvement to be included in the Local Improvement District hereby established embracing as near as may be all property specially benefited by the improvement.

Section 4. In accordance with the provisions of RCW 35.44.047, the City may use any method or combination of methods to compute assessment which may be deemed to fairly reflect the special benefits to the properties being assessed.

Section 5. Local improvement district warrants shall be issued in payment of the cost and expense of the improvements herein ordered to be assessed, such warrants to be payable out of the "Local Improvement Funds, District No. 292", 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, or note in lieu of 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 or note in lieu of bonds for the District which shall bear interest at a rate to be hereafter fixed by ordinance, shall be payable on or before twelve (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 sixty (60) days after the first publication by the Supervisor of Treasury Accounting of notice that the assessment roll for Local Improvement District No. 292 is in her hand for collection. The bonds or note in lieu of bonds shall be redeemed by the collection of special assessment to be levied and assessed against the property within the District, payable in ten (10) equal installments, with interest at a rate to be hereafter fixed by ordinance, not exceeding 8 1/2% per annum, under the mode of "payment of bonds", or "note in lieu of bonds", as defined by law and the ordinances of the City. In the case of default in 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 1/2% 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 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 Supervisor of Treasury Accounting of the City of Kent, for the District, a special fund heretofore designated and referred to as the Local Improvement Fund, District No. 292, 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.

ATTEST:

MARIE JENSEN, CITY CLERK
APPROVED AS TO FORM:

DONALD E. MIRK, CITY ATTORNEY

ISABEL HOGAN, MAYOR
PASSED the 18 day of June, 1979.
APPROVED the 19 day of June, 1979.
PUBLISHED the 22 day of June, 1979.

I hereby certify that this is a true copy of Ordinance No. 2167, 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
Those portions of the Southwest quarter 17-22-5 and those portions of the Northwest quarter 20-22-5 described as follows:

Beginning at the Southwest corner of Tract 4 R. O. Smiths Orchard Tracts to Kent as recorded in Volume 12 of plats, page 22 King County being the TRUE POINT OF BEGINNING of property herein described; thence northerly along the West line and said lines northerly production to a point in the North margin of S.E. 240th Street; thence North 00' 02'00" East a distance of 261.91 feet; thence South 88' 44'17" East a distance of 30.00 feet; thence North 00' 00'55" West to a point in the South line of the Northwest quarter of the Southwest quarter of said Section 17; thence westerly along said South line to the Southwest corner of East half of the South half of the Northwest quarter of Southwest quarter; thence northerly along the West line of said East half of South half to the Northwest corner of the South half of South half of East half of Northwest quarter of Southwest quarter; thence easterly along the North line thereof and the easterly production of the North line thereof to a point in the East margin of 104th Avenue S.E.; thence southerly along said East margin to a point on the South margin of S.E. 236th Place; thence easterly along said South margin to a point on the West line of the East 428.00 feet of the Northwest quarter of the Southeast quarter of the Southwest quarter of said Section 17; thence southerly along the East line thereof to a point of the North line of the Southwest quarter of the Southeast quarter of the Southwest quarter of said Section 17; thence easterly along the North line thereof to the Northwest corner of Lot 8 Benson Crest #3 as recorded in Volume 83 of plats, page 93 King County; thence southerly along the West line of said Lot 8 to the Southwest corner thereof; thence South 89' 42' 53" East along the South line of said Benson Crest #3 to the Southeast corner of Lot 9 in said Benson Crest #3; thence southerly to the Northwest corner of Lot 2 Hurlow Short Plat recorded under King County and File #78122000838; thence easterly along the North line of Lot 2 and Lot 1 in said short plat to a point on the West margin of 108th Avenue S.E.; thence southerly along the West margin thereof to a point on the northerly margin of S.E. 240th Street; thence westerly along the northerly margin thereof to a point of intersection with the northerly extension of the easterly line of the Kent Shopping Center Short Plat as recorded under and File #7612100665; thence southerly along said easterly extended line to the Southeast corner of said Shopping Center Short Plat; thence westerly along the South line of said Shopping Center Short Plat and said South line thereof extended westerly to the TRUE POINT OF BEGINNING.

EXCEPT any portions thereof lying within public right-of-way.
L.I.D. #292
104th Avenue Street Improvement
235th Street - 242nd Block

LEGAL DESCRIPTION
See Exhibit "A" attached and made parts thereof

STREET IMPROVEMENTS
Description: Widening and/or reconstructing street to 58 feet wide with asphalt pavement, channelization, concrete curb and gutter, concrete sidewalks, storm drainage, underground power, street lighting and traffic signal rebuild at intersection of 240th Street and 104th Avenue.

<table>
<thead>
<tr>
<th>ON</th>
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<th>TO</th>
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<tbody>
<tr>
<td>104th Avenue SE</td>
<td>235th Street</td>
<td>242nd Block</td>
</tr>
<tr>
<td>SE 240th Street</td>
<td>104th Avenue SE</td>
<td>900 feet east of 104th Avenue</td>
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Description: Widening and or reconstructing street 47 feet wide with asphalt pavement, channelization, concrete curb and gutter (north side only), concrete sidewalk (north side only), storm drainage, underground power and street lighting.

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<tr>
<th>ON</th>
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<tbody>
<tr>
<td>SE 240th Street</td>
<td>900 feet east of 104th Avenue</td>
<td>108th Avenue SE</td>
</tr>
</tbody>
</table>

Total Project Cost: $1,111,000.00
LID Share: $156,947.46

Hearing Date on Preliminary Assessment Role: June 4, 1979