ORDINANCE NO. 2214

AN ORDINANCE of the City of Kent, Washington, ordering the improvement of a portion of the City of Kent by the widening and/or reconstruction of Kent-Kangley Road (SR 516) from the intersection of SE 256th to the intersection of 116th Avenue SE, with asphalt pavement, channelization, concrete curb and gutter, concrete sidewalks, storm drainage, underground power, street lighting and fire signal rebuild at the intersection of 114th Avenue SE and Kent Kangley Road; together with the rebuilding of the existing sanitary sewer between 110th Avenue SE and 114th Avenue SE on Kent-Kangley Road, together with various extensions and stubs throughout the street improvement area; and together with installation of additional water mains, stubs and relocation and replacement of fire hydrants, within the limits of the street improvement, all in accordance with Resolution 885 of the City Council; establishing Local Improvement District No. 289; providing for payment of a portion of the costs of the improvement 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 of and sale of local improvement district warrants redeemable in cash and local improvement district bonds or note in lieu of bonds.

WHEREAS by Resolution 885 adopted February 4, 1980, the City Council declared its intention to order the improvement of a portion of the City of Kent by the widening and/or reconstruction of Kent-Kangley Road (SR516) from the intersection of SE 256th to the intersection of 116th Avenue SE, with asphalt pavement, channelization, concrete curb and gutter, concrete sidewalks, storm drainage, underground power, street lighting and fire signal rebuild at the intersection of 114th Avenue SE and Kent-Kangley Road; together with the rebuilding of the existing sanitary sewer between 110th Avenue SE and 114th Avenue SE on Kent-Kangley Road, together with various extensions and stubs throughout the street improvement area; and together with installation of additional water mains, stubs and relocation and replacement of fire hydrants, within the limits of the street improvements, fixed March 3, 1980 at 8 o'clock p.m. in the Council Chambers in the City Hall as the time and place for hearing all matters relating to the proposed improvement and all obligations 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, 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 assessment outstanding or unpaid against the property 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 the 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 March 3, 1980 and all persons present having been heard, and written protests having been received, duly noted and entered into the record of the proceeding; and

WHEREAS the City Council has determined it to be in the public interest 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 orders the improvement of a portion of the City by the widening and/or reconstruction of Kent-Kangley Road (SR516) from the intersection of SE 256th to the intersection of 116th Avenue SE, together with construction, and reconstruction of sanitary sewers, water mains and stubs thereto, storm drainage, underground power, street lighting and fire signal rebuild 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's Consulting 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 District No. 289 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, Seven Hundred Forty Two Thousand, One Hundred Six Dollars and 05/100 ($1,742,106.05) of which Two Hundred Fifty Eight Thousand, Five Hundred Sixty Six Dollars and 15/100 ($258,566.15) shall be borne by and assessed against the property specially benefited by the improvements to be included in the local improvement district to be 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 assessments which may be deemed to fairly reflect the special benefits of 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. 289", 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 the limit which by law the City may legally pay 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 ex-
change 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. 289 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 to exceed the limit which by law the City may legally pay, 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 the limit which by law the City may legally collect and a penalty of 8% 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. 289, 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 collection 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.

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 17 day of March, 1980.
APPROVED the 18 day of March, 1980.
PUBLISHED the 20 day of March, 1980.

I hereby certify that this is a true copy of Ordinance No. 2214, 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)
That portion of the North half of Section 29, Township 22 North, Range 5 East, W.M., in King County, Washington, more particularly described as follows:

Beginning at a point which lies on the Westerly margin of 116th Avenue S.E. and South a distance of 317.00 feet from the South line of the Northeast corner of the Northeast quarter of said Section, said point being the TRUE POINT OF BEGINNING of the herebefore described property; thence N 89° 37' 51" W a distance of 372.15 feet, thence N 0° 09' 35" E a distance of 316.99 feet + to the South line of the Northeast quarter of the Northeast quarter of said Section, thence Easterly along said South line a distance of 30.10 feet to a point which lies westerly 334.75 feet from the Westerly margin of 116th Avenue S.E., thence Northerly a distance of 330.73 feet + to a point which lies a distance of 742.50 feet North of the Northerly margin of Kent Kangley Road and Westerly a distance of 336.88 feet from the Westerly margin of 116th Avenue S.E., thence Westerly a distance of 287.00 ft. + to a point which lies a distance of 676.50 feet North of the Northerly margin of Kent Kangley Road, and Westerly 623.88 feet from the Westerly line of 116th Avenue S.E., thence N 0° 05' 57" E to a point which lies 595.20 feet South of the North line of said Section 29, thence N 88° 34' 46" W a distance of 14.55 feet, thence N 02° 14' 08" E to a point which lies a distance of 570.50 feet South of and 673.17 feet West of the Northeast corner of said Section 29, thence S 85° 58' 13" W a distance of 83.98 feet, thence N 88° 34' 46" W a distance of 558.39 feet + to the Westerly line of the Northeast quarter of the Northeast quarter of said Section, thence North along the West line of the Northeast quarter of the Northeast quarter to a point on the Southerly margin of S.E. 256th Street, thence Westerly along the Southerly margin of S.E. 256th Street a distance of 519.76 feet + to a point on the East line of the West 10 acres of the portion of the East three-quarters of the Northwest quarter of the Northeast quarter of Section 29, lying Northerly of Kent Kangley Road, thence Southerly along the East line of said West 10 acres to the Southeast corner of the North 5 acres of the East three-quarters of the Northwest quarter of the Northeast quarter of said section, thence Westerly a distance of 470.61 feet + to the Southwest corner of said 5 acres to the East line of the Plat of East Hill Gardens, according to plat recorded in Volume 51 of Plats, page 77, records of King County, Washington, thence South along said East line of said plat 1° 59' 08" East 12.27 feet + to the Southeast corner of said plat; thence Westerly along saidSoutherly line of said plat to the Southwest corner of said plat; thence Northerly along the West line of said plat to a point which lies a distance of 349.65 feet South of the North line of Section 29, thence N 65° 08' W 216.83 feet to the Northerly and Easterly most corner of Lot B; thence Northerly along the Northerly line of said Lot B, a distance of 165.71 feet to the Southwest corner of Lot A of said short plat; thence Northerly along the West line of said Lot A to a point on the Southerly line of S.E. 256th Street, thence Westerly along the Southerly line of S.E. 256th a distance of 401.72 feet + to the most Northerly and Easterly corner of that certain tract of land as described in King County Auditor's File #6428940, thence Southwesterly along the Easterly line as described in King Co. Audit. File #6428940 and the extension of said Easterly line to a point on the Southerly margin of Kent Kangley Road; thence Northwesterly along the Southerly margin of Kent Kangley Road to the most Northeasterly corner of that certain tract of land as described in Volume 4728, page 467 of deeds, thence Southeasterly along said tract to the most Southerly and Easterly corner of said tract, thence Northwesterly along said Southerly margin to a point which lies a distance of 500.00 feet Easterly of the West line of the Northeast quarter of the Northwest quarter of said Section 29, thence Southerly along said line to a point on the South line of the Northeast quarter of the Northwest quarter, and a distance 300.00 feet Easterly from the West line of the Northeast quarter of the Northwest quarter; thence Easterly along the South line a distance of 300.00 feet to a point which lies a distance of 600.00 feet Easterly from the West line of the Northeast quarter of the Northwest quarter; thence Northerly parallel to the West line of the Northeast quarter of the Northwest quarter a distance of 434.45 feet, thence Easterly parallel to the South line of the Northeast quarter of the Northwest quarter a distance of 208.00 feet to a point a distance of 808.00 feet East of the West line of the Northeast quarter of the Northwest quarter, thence Southerly parallel to the Westerly line of the Northeast quarter of the Northwest quarter a distance of 434.45 feet + to a point on
the South line of the Northeast quarter of the Northwest quarter, thence Easterly along the South line of the Northeast quarter of the Northwest quarter to a point which lies a distance of 160.00 feet West of the East line of the Northeast quarter of the Northwest quarter; thence Northerly parallel to the East line of the Northeast quarter of the Northwest quarter a distance of 130.00 feet, thence Easterly parallel to the South line of the North half of the North half of said Section a distance of 190.00 feet to the Easterly margin of 108th Avenue S.E., thence Northerly along the Easterly margin of 108th Avenue S.E. to the Northwest corner of Lot 3, of Parson's Addition, according to plat recorded in Volume 58 of Plats, page 22, Records of King County, Washington, thence Easterly along the North line of said Lot 3 to the Northeast corner of Lot 3, said point also being the Westerly margin of Eastwood Short Plat, thence Southerly along the Westerly line of said short plat to the Northwesterly corner of Lot 1 of said short plat; thence Southeasterly to the Northeasterly corner of Lot 2, of said short plat; thence Southerly along the East line of said short plat to a point which lies a distance of 618.00 feet South of the Southerly margin of Kent Kangley Road; thence N 87° 24' 16" E a distance of 437.92 feet to the Westerly margin of 110th Avenue S.E.; thence Southeasterly to a point on the Easterly margin of 110th Avenue S.E., to a point which lies 1132 feet North of the South line of the Southwest quarter of the Northeast quarter; thence N 89° 51' 49" E a distance of 340.00 feet + to a point on the East line of the Southwest quarter of the Northeast quarter of said Section, thence Northerly along the East line of the Southwest quarter of the Northeast quarter to a point on the Northerly line of Kent Kangley Road; thence Southeasterly along the Northerly margin of Kent Kangley Road to the most Southerly and Westerly margin of that certain tract of land as described in King County Auditor's File #6108249; thence Northerly along said tract to the most Northerly and Westerly margin, thence Southeasterly along the Northerly margin to the Westerly margin of 116th Avenue S.E., thence Northerly along said Westerly margin of 116th Avenue S.E. to the TRUE POINT OF BEGINNING, EXCEPT Lot 3 Eastwood Short Plat as recorded in King County under Auditor's File No. 7803210824.
LEGAL DESCRIPTION

SEE EXHIBIT "A" ATTACHED AND MADE PARTS THEREOF.

STREET IMPROVEMENTS

DESCRIPTION: WIDENING AND/OR RECONSTRUCTING A HALF STREET TO 29 FEET WIDE WITH ASPHALT PAVEMENT, CHANNELIZATION, CONCRETE CURB AND GUTTER, CONCRETE SIDEWALKS, STORM DRAINAGE, UNDERGROUND POWER, STREET LIGHTING AND FIRE SIGNAL REBUILD AT INTERSECTION OF 114TH AVENUE SE AND KENT-KANGLEY ROAD.

ON KENT-KANGLEY ROAD (SR 516) NORTHERLY HALF FROM 1450 FEET WEST OF 116TH AVENUE SE TO THE INTERSECTION OF KENT-KANGLEY ROAD AND 116TH AVENUE SE

AND

WIDENING AND/OR RECONSTRUCTING STREET TO 58 FEET WIDE WITH ASPHALT PAVEMENT, CHANNELIZATION, CONCRETE CURB AND GUTTER, CONCRETE SIDEWALKS, STORM DRAINAGE, UNDERGROUND POWER, AND STREET LIGHTING.

ON KENT-KANGLEY ROAD (SR 516) FROM INTERSECTION WITH SE 256TH STREET (APPROX.) 300 FEET EAST OF 104TH AVENUE SE TO 1450 FEET WEST OF THE INTERSECTION OF KENT KANGLEY ROAD AND 116TH AVENUE SE

SANITARY SEWER

DESCRIPTION: INCLUDES REBUILD OF THE EXISTING SEWER BETWEEN 110TH AVENUE SE, 114TH AVENUE SE, AND VARIOUS EXTENSIONS AND STUBS THROUGHOUT THE STREET IMPROVEMENT AREA.

SIZE ON FROM TO
12" SOUTH SIDE KENT KANGLEY ROAD 114TH AVENUE SE 110TH AVENUE SE
12" NORTH SIDE KENT KANGLEY ROAD 185 FEET WEST OF 110TH AVENUE SE 135 FEET EAST OF 110TH AVENUE SE
8" KENT KANGLEY ROAD 75 FEET EAST OF 108TH AVENUE SE 10 FEET WEST OF 108TH AVENUE SE
8" 108TH AVENUE SE KENT-KANGLEY ROAD 280 FEET SOUTH
8" 114TH AVENUE SE KENT-KANGLEY ROAD 85 FEET SOUTH

ALSO THE FOLLOWING STUBS:

SIZE LOCATION DIRECTION
8" 114TH AVENUE SE NORTH
8" 189 FEET WEST OF 114TH AVENUE SE NORTH
8" 593 FEET WEST OF 114TH AVENUE SE NORTH
**LID 289 - KENT KANGLEY (SR 516) STREET IMPROVEMENT - CON'T**

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<td>886 FEET WEST OF 114TH AVENUE SE</td>
<td>SOUTH</td>
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<td>6&quot;</td>
<td>108TH AVENUE SE - 270 FEET SOUTH OF KENT-KANGLEY ROAD</td>
<td>EAST &amp; WEST</td>
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<td>8&quot;</td>
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<td>SOUTH</td>
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<td>36&quot; CASING</td>
<td>1085 FEET WEST OF 108TH AVENUE SE</td>
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**WATER MAIN**

**DESCRIPTION:** INCLUDES INSTALLATION OF SOME ADDITIONAL MAIN LINE, STUBS TO PROPERTIES, AND RELOCATION AND REPLACEMENT OF FIRE HYDRANTS, ALL WITHIN THE LIMITS OF THE STREET IMPROVEMENTS.

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<th>SIZE</th>
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<tr>
<td>12&quot;</td>
<td>108TH AVENUE SE</td>
<td>KENT-KANGLEY ROAD</td>
<td>285 FEET SOUTH</td>
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ALSO THE FOLLOWING STUBS ON KENT-KANGLEY ROAD:

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<td>543 FEET EAST OF 110TH AVENUE SE</td>
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<td>8&quot;</td>
<td>AT 114TH AVENUE SE</td>
<td>NORTH</td>
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<td>8&quot;</td>
<td>260 FEET EAST OF 110TH AVENUE SE</td>
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<tr>
<td>8&quot;</td>
<td>203 FEET WEST OF 114TH AVENUE SE</td>
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**TOTAL PROJECT COST:** $1,742,106.05

**LID SHARE:** 258,566.15

**HEARING DATE ON PRELIMINARY ASSESSMENT ROLL:** MARCH 3, 1980