ORDINANCE NO. 2244

AN ORDINANCE of the City of Kent, Washington, ordering the improvement of a portion of the City by the widening and or construction and reconstruction of South 252nd Street from South 248th Street to Canyon Drive with asphalt pavement, concrete curb and gutter, concrete sidewalks, storm drainage and retention, underground power, street lighting and retaining walls; together with the reconstruction of South 248th Street from approximately 175 feet west to approximately 340 feet east of its intersection with 100th Avenue SE; together with sewer construction on South 252nd and water main construction throughout the project; together with various extensions and stubs, all in accordance with Resolution 895 of the Kent City Council; establishing Local Improvement District No. 301; 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 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 895 adopted June 16, 1980, the Kent City Council declared its intention to order the improvement of a portion of the City of Kent by the widening and/or construction and reconstruction of South 252nd Street from South 248th Street to Canyon Drive with asphalt pavement, concrete curb and gutter, concrete sidewalks, storm drainage and retention, underground power, street lighting and retaining walls; together with the reconstruction of South 248th Street from approximately 175 feet west to approximately 340 feet east of its intersection with 100th Avenue SE; together with sewer construction on South 252nd and water main construction throughout the project; together with various extensions and stubs; and fixed July 21, 1980 at 8 o'clock p.m. in the Council Chambers of the Kent 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 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 pro-
posed 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, 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 July 21, 1980 and all persons present having been heard
and all protests having been received and considered; 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 hereby orders the improvement of a portion of the City
of Kent by the construction and reconstruction of South 252nd
Street, South 248th Street, together with sewer construction and
water main construction more fully described in Exhibit "B" at-
tached 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 Consult-
ing 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. 301 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 hereby declared to be One Million, Two Hundred Twenty-Six Thousand, Five Hundred Nineteen Dollars ($1,226,519.03) and 03/100 which shall be borne by and assessed against the property specially benefited by the improvement to be included in a 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 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. 301", 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 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. 301 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. 301, 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 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:

[Signature]

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

[Signature]

DONALD E. MIRK, CITY ATTORNEY

PASSED the ___ day of August, 1980.

APPROVED the ___ day of August, 1980.

PUBLISHED the ___ day of August, 1980.

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

[Signature] (SEAL)

MARIE JENSEN, CITY CLERK
Beginning at the Northeast corner of the Northwest quarter of the Northwest quarter of the Southwest quarter of Section 20, Township 22 North, Range 5 East, W.M., in King County, Washington; thence Southerly along the Easterly boundary of said subdivision to the Southerly margin of S.E. 248th Street, this being the TRUE POINT OF BEGINNING; thence Westerly along said Southerly margin to the Westerly boundary of said subdivision; thence continuing Westerly along said Southerly margin to a point lying 128.00 feet West of the Northwest corner of Tract 33 of R. O. Smith's Orchard Tracts to Kent, as recorded in Volume 12 of Plats, Page 27, in King County, Washington; thence Southeasterly a distance of 190.00 feet to a point lying 142.00 feet West of the Westerly margin of said Lot 33; thence West to a point on the Westerly margin of said Lot 33 lying 183.00 feet South of the Northeast corner of said Lot 33; thence Southerly along said Westerly boundary to the Southerly boundary of said Lot 33; thence Westerly along the Southerly boundary of the North quarter of the Southeast quarter of Section 19, Township 22 North, Range 5 East, W.M., in King County, Washington, to the Northeast corner of Tract 42 of said R. O. Smith's Orchard Tracts, thence Southerly along the Easterly margin of said Tract 42 a distance of 250.31 feet; thence Westerly at right angles to the Easterly line of said Tract 42 to the Northeasternly margin of Kent Kangley Road (also known as Canyon Drive) thence Southeasterly along said Northeasterly margin to the Southerly boundary of the Northwest quarter of the Southeast quarter of said Section 19; thence Easterly along the Southerly boundary of the Northwest quarter of the Southeast quarter of said Section 19, to the Westerly boundary of the Northeast quarter of the Southeast quarter of said Section 19, thence Northerly along said Westerly boundary to the Northeast corner of said Section 19, thence Northeast to the Southeast quarter of said section; thence Easterly along the Northerly boundary of the South half of the Northeast quarter of the Southeast quarter of said Section 19, thence Easterly along the Northerly boundary of the South half of the Northeast quarter of the Southeast quarter of said Section 19, thence Easterly along the Easterly boundary of said South half, thence Northerly along the Easterly boundary of the North half of the Northeast quarter of the Southeast quarter of said Section 19 to the Northeast corner of said North half, thence Easterly along the Southerly boundary of the Southwest quarter of the Northwest quarter of said Section 20 to the Easterly boundary of the West half of the Northwest quarter of the Southwest quarter of said Section 20, thence Northerly along the Easterly boundary of said West half to the TRUE POINT OF BEGINNING.
LEGAL DESCRIPTION

See Exhibit "A" attached and made a part hereto.

STREET IMPROVEMENTS

Description: Widening and/or reconstructing and extending street. New improvements to consist of 36-foot wide asphalt pavement, concrete curb and gutter, concrete sidewalks, storm drainage and retention, underground power, street lighting and retaining walls.

ON
S. 252nd Street
100th Avenue S.E.
Kent Kangley Road
S. 248th Street

FROM
Intersection with Kent Kangley Road
S. 252nd, approximately 900 feet east of Kent Kangley Road
Intersection with S. 252nd Street
Intersection with 100th Avenue S.E.

TO
approximately 900 feet east
approximately 1300 feet north to intersection of 100th Avenue SE & S. 248th Street
approximately 300 feet northwest and southeast of intersection with S. 252nd Street.
approximately 175 feet west and 340 feet east of intersection with 100th Avenue S.E.
SANITARY SEWER

Description: Includes sewer construction on S. 252nd Street with stubs to the adjacent properties.

<table>
<thead>
<tr>
<th>SIZE</th>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>S. 252nd Street</td>
<td>360 feet east of Kent Kangley Road</td>
<td>940 feet east of Kent Kangley Road</td>
</tr>
</tbody>
</table>

WATERMAIN

Description: Includes installation of a water main throughout the project area including stubs to the adjacent properties.

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<thead>
<tr>
<th>SIZE</th>
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<th>FROM</th>
<th>TO</th>
</tr>
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<tbody>
<tr>
<td>8&quot;</td>
<td>S. 252nd Street</td>
<td>360 feet east of Kent Kangley Road</td>
<td>615 feet east of Kent Kangley Road</td>
</tr>
<tr>
<td>10&quot;</td>
<td>S. 252nd Street</td>
<td>615 feet east of Kent Kangley Road</td>
<td>900 feet east of Kent Kangley Road</td>
</tr>
<tr>
<td>10&quot;</td>
<td>100th Avenue SE</td>
<td>S. 252nd Street 900 feet east of Kent Kangley Road</td>
<td>S. 248th Street</td>
</tr>
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</table>

TOTAL PROJECT COST: $1,226,519.03
L.I.D. SHARE: $1,226,519.03

HEARING DATE ON PRELIMINARY ASSESSMENT ROLL: July 21, 1980