ORDINANCE NO. 2246

AN ORDINANCE of the City of Kent, Washington, ordering the improvement of a portion of the City by the widening construction or reconstruction of Crow Road, SE 260th Street and 101st Avenue SE from Kent Kangley Road to 104th Avenue SE with asphalt pavement, concrete curb and gutter, sidewalks, storm drainage and retention, underground power, street lighting and landscaping, together with the construction and installation of mainline sewer extensions and necessary appurtenances thereto on SE 260th Street and on an easement running 390 feet north from SE 260th Street, together with various side sewer stubs throughout the project area; and together with the construction and installation of mainline water main extensions and necessary appurtenances thereto on 101st Avenue SE and on an easement running from approximately 330 feet north of SE 260th Street to a point approximately 615 feet north of SE 260th Street, together with various stubs throughout the project area, all in accordance with Resolution 904 of the Kent City Council; establishing Local Improvement District 300; providing that payment for the costs of the improvements 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 904 adopted August 4, 1980 the Kent City Council declared its intention to order the improvement of a portion of the City by the widening construction or reconstruction of Crow Road, SE 260th Street and 101st Avenue SE from Kent Kangley Road to 104th Avenue SE with asphalt pavement, concrete curb and gutter, sidewalks, storm drainage and retention, underground power, street lighting and landscaping, together with the construction and installation of mainline sewer extensions and necessary appurtenances thereto on SE 260th Street and on an easement running 390 feet north from SE 260th Street, together with various side sewer stubs throughout the project area and together with the construction and installation of mainline water main extensions and necessary appurtenances thereto on 101st Avenue and on an easement running from approximately 330 feet north of SE 260th Street to a point approximately 615 feet north of SE 260th Street, together with various stubs throughout the pro-
ject area and fixed September 2, 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, to­
gether 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 bene­
fitied by the proposed improvement, and the estimated amount of the
cost and expense thereof to be borne by each lot, tract, and par­
cel of land or other property; and

WHEREAS, due notice of the above hearing was given in
the matter provided by law, and the hearing was held by the City
Council on September 2, 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 by the construction or reconstruction of Crow Road, SE 260th
Street, 101st Avenue SE from Kent Kangley Road to 104th Avenue SE,
together with construction and installation of mainline extensions and water mains 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. 300 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, One Hundred Seventy Two Thousand, Two Hundred Ninety-Eight and 47/100 ($1,172,298.47) 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. 300", 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 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 is-
sued hereunder and not redeemed in cash within a period of not to
exceed sixty (60) days after the first publication by the Super-
visor of Treasury Accounting of notice that the assessment roll
for Local Improvement District No. 300 is in her hand for collec-
tion. 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) e-
gual 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
denomination of the revenue warrants and local improvement dis-
trict 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 reserv-
es the right to reject any and all bids. The call for bids for
work authorized pursuant to this Ordinance shall include a state-
ment 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. 300, into
which fund shall be deposited the proceeds from the sale of reve-
nue 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 connec-
tion 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 15 day of September, 1980.
APPROVED the 16 day of September, 1980.
PUBLISHED the 19 day of September, 1980.

I hereby certify that this is a true copy of Ordinance No. 2-46, 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"

L.I.D. BOUNDARY DESCRIPTION

L.I.D. 300

Those portions of the Northwest quarter of Section 29, the Northeast quarter of Section 30, and the Southeast quarter of Section 19, all in Township 22 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 29, thence Southeasterly to the Northwest corner of Lot 3, as described in City of Kent Short Plat No. 79-19, as recorded under King County Recording No. 791130596, also known as Massey Short Plat; thence Southeasterly along said Westerly boundary of said Lot 3 to the Southerly boundary of said Lot 3, thence Easterly along the Southerly boundary of said short plat to the Westerly boundary of 104th Avenue SE, thence Easterly along said Westerly margin to a point lying 264.00 feet Southerly of the Northerly boundary of said Northwest quarter; thence Westerly along the Southerly boundary of the Northerly 264.00 feet of said section to the Westerly line of the East 10.00 acres of the Northwest quarter of said Northwest quarter; thence Southerly along the Westerly line of said East 10 acres to a point lying 400.00 feet Northerly of the Southerly boundary of the Northwest quarter of said Northwest quarter; thence Westerly along the Northerly boundary of the South 400.00 feet of the Northwest quarter of said Northwest quarter to the Easterly boundary of the Southwest quarter of said Northwest quarter of said Northwest quarter; thence Westerly along the Easterly boundary of the Southwest quarter of said Northwest quarter to the Northeast corner of the Northwest quarter of said Northwest quarter; thence Northerly along the Northerly boundary of the Southwest quarter of said Northwest quarter to the Northeast corner of the Northwest quarter of said Northwest quarter; thence East along the Westerly boundary of the Northeast corner of the Northwest quarter, a distance of 217.00 feet; thence Northerly along the Easterly boundary of the West 433.00 feet of the Northwest quarter of said Northwest quarter to the Southerly margin of SE 256th Street; thence Westerly along said South 600.00 feet Northwesterly of a point on said margin 600.00 feet North of the South line of the Southeast quarter of Section 19, Township 22 North, Range 5 East, W.M., thence Southwesterly to a point on the Westerly boundary of the East half of the Southeast quarter of said Section 19, lying 1060.00 feet Northerly of the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 19; thence Southerly along the Westerly boundary of the East half of the Southeast quarter of said Section 19 to the Northerly boundary of the Northeast quarter of Section 30, Township 22 North, Range 5 East, W.M., in King County, Washington; thence North­ erly along the Westerly boundary of the East half of the Northeast quarter of said Section 30 to the Northeastern margin of Woodland Way; thence Southeasterly along said Northeasternly margin to the Southerly boundary of the North half of the Northwest quarter of said Section 30; thence Easterly along the Southerly boundary of said North half to the POINT OF BEGINNING.
LEGAL DESCRIPTION
See "Exhibit A" attached and made a part hereto.

STREET IMPROVEMENTS
Description: The project consists of reconstructing the street to 36-foot wide with asphalt pavement, concrete curb and gutter, sidewalks, storm drainage and retention, undergrounding of electrical facilities, street lighting and landscaping.

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<thead>
<tr>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
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<tbody>
<tr>
<td>Crow Road</td>
<td>Kent Kangley Road</td>
<td>SE 260th Street</td>
</tr>
<tr>
<td>SE 260th Street</td>
<td>Crow Road</td>
<td>104th Avenue SE</td>
</tr>
<tr>
<td>101st Avenue SE</td>
<td>Kent Kangley Road</td>
<td>SE 260th Street</td>
</tr>
</tbody>
</table>

SANITARY SEWER IMPROVEMENTS
Description: The project consists of installing main line sewer extensions along with side sewer stubs to adjacent properties from both the new and existing lines.

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<thead>
<tr>
<th>SIZE</th>
<th>ON</th>
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</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>SE 260th Street</td>
<td>330' West of 104th Ave SE</td>
<td>110' West of 104th Ave SE</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Easement</td>
<td>330' West of 104th Ave SE</td>
<td>390' North</td>
</tr>
</tbody>
</table>

WATER MAIN IMPROVEMENTS
Description: The project consists of installing main line watermain extensions along with stubs to adjacent properties from both the new and existing lines.

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<tr>
<th>SIZE</th>
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</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>101st Ave SE</td>
<td>SE 260th Street</td>
<td>Easement Road, approx. 440' South of Kent Kangley Road</td>
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<tr>
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<td></td>
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<td>Approx. 615' North of SE 260th St and 330' West of 104th Ave SE</td>
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</tbody>
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TOTAL PROJECT COST: $1,172,298.47
L.I.D. SHARE: $1,172,298.47
HEARING DATE ON PRELIMINARY ASSESSMENT ROLL: SEPTEMBER 2, 1980