ORDINANCE NO. 2425

AN ORDINANCE ordering the construction and installation of certain street, water main, and sanitary sewer improvements to Meeker Street from the West Valley Highway to the Green River within the City of Kent all in accordance with Resolution No. 1000 of the Kent City Council; establishing Local Improvement District No. 297; providing that payment for 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 and sale of local improvement district warrants or bond anticipation notes redeemable in cash and local improvement district bonds or note in lieu of bonds.

WHEREAS, by Resolution No. 1000, adopted August 1, 1983, the City Council declared its intention to order the construction and installation of certain street, water main, and sanitary sewer improvements on Meeker Street within the City and fixed September 6, 1983, at 7:00 p.m., local time, in the Council Chambers of the City Hall as the time and place for hearing all matters relating to the proposed improvements and all objections thereto and for determining the method of payment for the improvements; and

WHEREAS, the Public Works Director of the City caused an estimate to be made of the cost and expense of the proposed improvements and certified that estimate to the City Council, together with all papers and information in his possession touching the proposed improvements, a description of the boundaries of the district, a statement of what portion of the cost and expense of the improvements should be borne by the property within the improvement district, a statement in detail of the local improvement assessments outstanding or unpaid against the property in 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 improvements showing thereon the lots, tracts, parcels of land, and other property which will be specially benefited by the proposed improvements and the estimated 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 or persons having appeared at said hearings; and

WHEREAS, the City Council has determined it to be in the best interests of the City that the improvements as hereinafter described be carried out and that a local improvement district be created in connection therewith; NOW, THEREFORE,

THE CITY OF KENT, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Kent, Washington (the "City"), hereby orders the improvement of a portion of the City by the construction and installation of certain street, water main, and sanitary sewer improvements on Meeker Street 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 therefor prepared by the City Engineer, and may be modified by the City Council as long as such modification does not affect the purpose of the improvements.

Section 2. There is created and established a local improvement district to be called Local Improvement District No. 297 of the City, which district is more particularly described in Exhibit A, attached hereto and by this reference incorporated herein.

Section 3. The total estimated cost and expense of the improvements is declared to be $2,115,516.15, approximately $1,178,397.15 of which expense shall be borne by and assessed against the property specially benefited by such improvements included in the local improvement district herein established embracing as near as may be all property specially benefited by such improvements. The remainder of the cost of the improvements shall be paid by the City from other money legally available therefor.

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 reflect fairly the special benefits to the properties being assessed.

Section 5. Local improvement district warrants or bond anticipation notes shall be issued in payment of the cost and expense of the improvements herein ordered to be assessed, such warrants or notes to be payable out of the "Local Improvement Fund, District No. 297," hereinafter created and, until the bonds referred to in this section are issued and delivered to the purchaser thereof, to bear interest from the date thereof at a rate not in excess of 16% per annum to be hereafter fixed by the Director of Finance 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 or bond anticipation notes to be hereinafter referred to as "revenue warrants," or "BANs," respectively. 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 a date to be determined later by the City Council, the life of the improvements 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 or BANs 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. 297 is in her hands for collection. The bonds or note in lieu of bonds shall be redeemed by the collection of special assessments to be levied and assessed against property within the district, payable in annual installments, with interest at a rate to be hereinafter fixed by ordinance under the mode of "payment by bonds," or "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 and a penalty at a rate to be hereafter fixed by ordinance. The exact form, amount, date, interest rate and denominations of such warrants, BANs, bonds or note in lieu of bonds shall be hereafter fixed by ordinance of the City. Such warrants, BANs, bonds or note in lieu of bonds shall be sold in such manner as the City shall hereafter determine.

Section 6. All the work necessary to be done in connection with the making of such improvements shall be done 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 such work will be made in cash warrants
drawn upon the "Local Improvement Fund, District No. 297."

Section 7. There is created and established in the
office of the Treasurer of the City for Local Improvement District
No. 297 a special fund to be known and designated as "Local
Improvement Fund District No. 297," 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 for all other items of expense in connection with the
improvement.

Section 8. Effective Date. 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:

ISABEL HOGAN, MAYOR

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 19 day of Sept., 1983.
APPROVED the 26 day of Sept., 1983.
PUBLISHED the 23 day of Sept., 1983.

- 4 -
I hereby certify that this is a true copy of Ordinance No. 2025, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(Seal)

MARIE JENSEN, CITY CLERK
EXHIBIT "A"

L.I.D. 297

L.I.D. BOUNDARY LEGAL DESCRIPTION

Tracts 28 and 30 through 39 Meekers Suppl Plat First Addition; Lot 3 and Lot 2 including lot line adjustment of Lot 2 Pacific National Bank Short Plat as recorded under King County Auditor's File No. 7501100471. The west 899.90 feet of that portion of the northeast quarter of 23-22-4 lying south of the Western Estates, Inc. Short Plat as recorded under King County Auditor's File No. 8009100829 and lying north of the north margin of West Meeker Street. That portion of Section 23 Township 22 Range 4 E. W.M. lying east of Russell Road; south of Meeker Street; west of westerly line of the Thompson Donation Claim; northerly and easterly of the Green River and northerly of SR 516; EXCEPT therefrom said section portion the east 30.00 feet and except any portion lying south of the following described line.

Beginning at a point of intersection with the east line of Russell Road and northerly bank of said river being point of beginning of line herein described; thence easterly along said bank 504 feet thence north 85.3 feet thence east 996.8 feet more or less to a point 30 feet west of said Donation Claim line being terminus of line herein described. That portion of said section lying northerly and easterly of the bank of the Green River; lying westerly of Russell Road and lying south of a line which lies 1435' south of north line of said section. That portion of the north half of said section lying east of Russell Road, north of West Meeker Street, west of a line which lies 2031.90 feet west of east line of said section and lies south of the following described line.

Beginning at a point which lies 2031.90 feet west of east line of said section and lies 320.00 feet north of north margin of West Meeker Street being point of beginning of line herein described. Thence west 175.00 feet, thence south 20.00 feet, thence west 137.60 feet, thence south 150.00 feet, thence west 14.70 feet thence south 10.00 feet, thence west 150.00 feet, thence north 10.00 feet, thence west 370.00 feet +, to a point on east margin of Russell Road being terminus of line herein described, EXCEPT any portion of all the prior description that may lie within public Right-of-way. Subject to revision upon examination of recorded title.
STREET IMPROVEMENTS

Description:
The project includes the following:

1. Three lane roadway, two lanes each direction with center two-way turn lane and a bike lane each direction (44 foot wide curb to curb)
2. Curb and gutter
3. Sidewalks on both sides
4. Storm drainage system
5. Street lighting
6. Undergrounding of power and telephone lines
7. Street trees

Location:
Meeker Street from West Valley Highway to the Green River. A storm drainage system only will also be installed on an easement from Meeker Street to James Street. This easement is 900 feet west of 64th Avenue South.

WATER MAIN IMPROVEMENTS

Description:
Includes the installation of water mains and related appurtenances

Location:
The following are stubs or extensions from the water main on Meeker Street to the north or south property line or to outside the new improvement area.

<table>
<thead>
<tr>
<th>SIZE</th>
<th>LOCATION</th>
<th>TO NORTH OR SOUTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>10&quot;</td>
<td>64th Avenue</td>
<td>South</td>
</tr>
<tr>
<td>10&quot;</td>
<td>Russell Road</td>
<td>South</td>
</tr>
<tr>
<td>10&quot;</td>
<td>Approximately 800' East of Russell Road</td>
<td>South</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 600' East of Green River</td>
<td>North</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 300' East of Russell Road</td>
<td>North</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 230' East of 64th Ave</td>
<td>North</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 400' West of 64th Avenue</td>
<td>North</td>
</tr>
</tbody>
</table>
SANITARY SEWER

Description:
Includes the installation of sanitary sewer mains and related appurtenances

Location:
The following are stubs or extensions from the sanitary sewer on Meeker Street to the north or south property line.

<table>
<thead>
<tr>
<th>SIZE</th>
<th>LOCATION</th>
<th>TO NORTH OR SOUTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>Approximately 800' West of Russell Road</td>
<td>North</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 330' East of Russell Road</td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>This stub is also to be extended 153 feet to the West</td>
<td></td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 280' West of 64th Avenue</td>
<td>South</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 690' West of 64th Avenue</td>
<td>South</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 1300' West of 64th Avenue</td>
<td>South</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Approximately 460' West of 64th Avenue</td>
<td>North</td>
</tr>
</tbody>
</table>

Also the following extension:

<table>
<thead>
<tr>
<th>SIZE</th>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>Easement approximately 280' South of Meeker St.</td>
<td>Approximately 400' West of West Valley Highway</td>
<td>260' West</td>
</tr>
</tbody>
</table>