ORDINANCE NO. __________

AN ORDINANCE ordering the construction and installation of certain improvements to the Central Business District of the City of Kent, all in accordance with Resolution No. 1002 of the Kent City Council; establishing Local Improvement District No. 313; 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. 1002, adopted September 6, 1983, the City Council declared its intention to order the construction and installation of certain improvements to the Central Business District within the City of Kent, and fixed October 3, 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 written protests having been received and 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 improvements to the Central Business District of the City of Kent 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. 313 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 $780,512.89, approximately $445,509.89 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.

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. 313," 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. 313 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. 313."

Section 7. There is created and established in the office of the Treasurer of the City for Local Improvement District No. 313 a special fund to be known and designated as "Local Improvement Fund District No. 313," 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:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 17 day of Oct, 1983.

APPROVED the 18 day of Oct, 1983.

PUBLISHED the 21 day of Oct, 1983.
I hereby certify that this is a true copy of Ordinance No. 2430, 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)
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 7, Yesler's First Addition to Kent according to the Plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington; Together with that portion of vacated street adjacent thereto as vacated under Ordinance No. 303 of the City of Kent; AND ALSO Lots 16, 17 and 18, Block 7, Yesler's First Addition to Kent, according to the Plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington; Except that portion of vacated alley adjacent thereto.

AND ALSO Lots 6, 7, 8, 9, 10, 11, 12, 13 and the East 30.00 feet of Lot 14, Block 14, Yesler's First Addition to Kent, according to the Plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington.

AND ALSO Lots 1, through 20, inclusive, Block 5, Yesler's First Addition to Kent, according to the Plat recorded in Volume 5 of Plats, page 64, records of King County, Washington.

AND ALSO 8, 9, 10 and 11, Block 15, Yesler's First Addition to Kent, according to the plat recorded in Volume 5 of Plats, page 64, records of King County, Washington.

AND ALSO Lots 1, through 20, inclusive Block 6, Yesler's First Addition to Kent, according to the plat recorded in Volume 5 of plats page 64, records of King County, Washington.

AND ALSO Lots 1 through 12, inclusive, Block 13, Yesler's First Addition to Kent, according to the plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington, Except the East 8 feet of Lots 7 through 12, inclusive for alley AND Except the West 8 feet of Lots 1 through 6, inclusive for alley.

AND ALSO Lots 1 through 12, inclusive, Block 8, Yesler's First Addition to Kent, according to the plat recorded in Volume 5 of Plats, page 64, records of King County, Washington.

AND ALSO Lots 1 through 12, inclusive, Block 3, Yesler's First Addition to Kent, according to the plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington; Except the East 8 feet of Lots 7 through 12 inclusive for alley AND EXCEPT the West 8 feet of Lots 1 through 6 inclusive, for alley.

AND ALSO Lots 4, 5, 6, 7 and 8, Block 2, Yesler's First Addition to Kent, according to Plat recorded in Volume 5 of Plats, page 64, Records of King County, Washington.

EXHIBIT A
AND ALSO Lots 1, 2, 3, 4, 5 and 6, Block 24, Yesler's First Addition to Kent according to Plat recorded in Volume 5 of Plats page 64, records of King County Washington. Except the West 8 feet of Lots 1, 2, and 3 for alley AND EXCEPT the East 8 feet of Lots 4, 5, and 6 for alley.

AND ALSO that portion of Lots 1, 15 and 16, Block 4, Yesler's First Addition to Kent, according to plat recorded in Volume 5 of Plats, page 64 records of King County Washington; lying southerly of the following described line; Beginning at the Southeast corner of Lot 1; thence N 01°58'00" E along the East line thereof a distance of 121.61 feet to the True Point of Beginning of said line; thence S 63°47'00" W a distance of 8.01 feet; thence S 68°03'00" W a distance of 20.33 feet; thence S 72°58'00" W a distance of 20.37 feet thence S 77°38'00" W, distance of 20.30 feet; thence S 81°53'00" W a distance of 20.24 feet; thence S 85°33'00" W a distance of 7.97 feet; thence S 85°33'00" W a distance of 12.5 feet; thence S 88°08'00" W a distance of 20.15 feet; thence S 89°22'00" W a distance of 20.05 feet; thence N 89°27'00" W a distance of 112.01' to the terminus of said line.

AND ALSO the West 56 feet of the South 145 feet of that portion of the Northern Pacific Railway lying in the Southeast quarter of the Northeast quarter of Section 24, Township 22 North, Range 4 East, W.M., in King County, Washington; lying East of First Avenue, North of Meeker Street, and South of Smith Street.

AND ALSO the West 56 feet of that portion of the Northern Pacific Railway lying in the Southeast quarter of the Northeast quarter of Section 24, Township 22 North, Range 4 East, W.M., in King County Washington; lying East of First Avenue South of Meeker Street and North of Gowe Street.

AND ALSO that portion of the West 56 feet of the Southeast quarter of the Northeast quarter of Section 24, Township 22 North, Range 4 East, W.M. in King County Washington lying westerly of the Northern Pacific Railway and East of First Avenue, south of Gowe Street and North of Titus Street.

AND ALSO that portion of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 24, Township 22 North, Range 4 East, W.M., in King County, Washington; described as follows: Beginning at a point 687.5 feet North of the Southwest corner of Government Lot 9 in the Northeast quarter of the Southeast quarter of said Section, said point being the True Point of Beginning; thence North 40 feet; thence East 78 feet; thence South 40 feet; thence West 78 feet to the True Point of Beginning.

Except any portions thereof lying within Public Right of Way.
DESCRIPTION OF IMPROVEMENTS

I. Gateways: Consists of rebuilding three main entry points into the CBD area. Included are the following items:

A. Sidewalk and curbing replacement including sidewalk widening and special surface coloring and treatment.

B. New drainage facilities to replace old and to be compatible with the new curb locations. Also included is road restoration of the trench areas including new pavement markings following the asphalt overlay.

C. Special paving pattern crosswalk at 4th and Meeker on east leg of intersection.

D. Installation of pylons, large structures with landscaping and special lighting, which announce the beginning of the downtown business area, which establish the design theme of the downtown area and which extend a feeling of welcome for shoppers.

Locations: Fourth Avenue and Meeker Street
First Avenue and Meeker Street
First Avenue and Titus Street

II. Lighting: Consists of installing historic style fixtures on First Avenue between Gowe Street and Titus Street. Also included is installation of underground wiring to service the lights.

III. Signing: Consists of directory signs and information kiosks for the CBD area.

IV. Landscaping: Street trees are to be installed where they are now missing on Meeker and First Avenue.

V. Furniture: Consists of installing park type benches for pedestrians along Meeker and First.

VI. Trellis Connection: Consists of constructing a cover over the walkway along the east side of First Avenue from Meeker to Gowe Street.

VII. Drainage: Consists of drainage work outside of the gateway areas. Includes repair of the existing system on Meeker Street between Fourth Avenue and First Avenue and the installation of a new system on Gowe Street between Fourth Avenue and First Avenue, and other miscellaneous improvements.

VIII. Paving: Consists of an asphalt overlay of the gateway areas and Gowe Street to restore the roadway after the installation of the new drainage.

EXHIBIT B