AN ORDINANCE of the City Council of the City of Kent, Washington, adding five parcels of land to the boundaries of Local Improvement District No. 309; approving and confirming the assessment roll of Local Improvement District No. 309; fixing the interest rates and penalties on unpaid assessments; and providing for the filing of the assessment roll with the City Treasurer for collection.

WHEREAS, due notice was heretofore given, both by publication and by mailing in accordance with law, of the hearing on the addition of property to Local Improvement District No. 309 ("LID No. 309" or "the LID") and on assessment roll for LID No. 309, the hearing thereon having been set for December 3, 1984, at 7:00 p.m., local time, in the Council Chambers, City Hall, 220 South Fourth Avenue, Kent, Washington, and the City Council convened at such time and place and heard all persons who wished to be heard at the hearing; and

WHEREAS, the City Council has given due consideration to the special benefits to be received by each lot, tract and parcel of land shown on the final assessment roll of LID No. 309 and after examining the properties within LID No. 309 has concluded that the five parcels of land included within the boundaries of LID No. 309 but omitted from the preliminary assessment roll are receiving special benefits from the improvements and that no assessment on any other property is greater than the special benefits derived from the improvements and the assessments are equitable and just; and

WHEREAS, it appears to the City Council that the amount charged against all of the properties on such assessment roll are in accordance with the mode of assessments in LID No. 309 provided by law and by ordinances and resolutions of the City Council, and clearly reflect the special benefits to be received by those parcels of land; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:
Section 1. The boundaries of LID No. 309 are amended to add five parcels of land thereto, which boundaries are now the perimeter of the properties described in Exhibit A attached hereto and by this reference made a part hereof. The City Council finds that the added parcels, being those last five parcels listed in Exhibit A, are specially benefitted by the improvements in LID No. 309.

Section 2. The assessments on the assessment roll of LID No. 309 shall be and they are in all things confirmed and approved in the total sum of $122,294.54.

Section 3. Each of the lots, tracts, parcels of land and other property shown upon the assessment roll is declared to be specially benefited by the improvements in at least the amount charged against the same and it is further declared that the assessments appearing against the same are in proportion to the several assessments appearing upon the roll. There is levied and assessed against each lot, tract, parcel of land and other property appearing on the roll, the amount finally charged against the same thereon.

Section 4. The assessment roll as approved and confirmed shall be filed with the Supervisor of Treasury Accounting of the City of Kent for collection, and the Supervisor of Treasury Accounting is hereby authorized and directed to publish notice as required by law stating that the roll is in her hands for collection and a payment of any assessment thereof or any portion of that assessment can be made at any time within thirty (30) days from the date of the first publication of the notice without penalty, interest or cost, and that thereafter the sum remaining unpaid may be paid in ten (10) equal installments with interest at an estimated rate of 11 percent per annum, with the exact interest rate to be fixed in the ordinance authorizing issuance and sale of the LID bonds for LID 309. The first installment of assessments on the assessment roll shall become due and payable during the thirty (30) day period succeeding the date one (1) year after the date of the first publication by the Supervisor of Treasury Accounting of notice that the assessment roll is in her hands for collection and annually thereafter each succeeding installment.
shall become due and payable in like manner. If the whole or any portion of the assessment remains unpaid after the first thirty (30) day period, interest upon the whole unpaid sum shall be charged at the rate as determined above, and each year thereafter one of the installments, together with interest due on the whole unpaid balance, shall be collected. Any installment not paid prior to the expiration of the thirty (30) day period during which sum installment is due and payable shall thereupon become delinquent. All delinquent installments shall be subject to a charge of interest at the rate as determined above and for an additional charge of 9% penalty levied upon both principal and interest due upon such installment or installments. The collection of such delinquent installments will be enforced in the manner provided by law.

Section 5. 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 JENKINS, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN DIJULIO, CITY ATTORNEY

PASSED the 17 day of ___, 1984.
APPROVED the 18 day of ___, 1984.
PUBLISHED the 21 day of ___, 1984.
I hereby certify that this is a true copy of Ordinance No. 2519, 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]
MARIE JENSEN, CITY CLERK