AN ORDINANCE ordering the improvement of 38th Avenue S. from S. 253rd Street to S. 251st Street by the installation of sanitary and side sewers and related appurtenances, all in accordance with Resolution No. [redacted] of the City Council; establishing Local Improvement District No. 319 and ordering the carrying out of the proposed improvement; providing that payment for the improvement be made by special assessments upon the property in the District, payable by the mode of "payment by bonds"; and providing for the issuance and sale of local improvement district warrants redeemable in cash or other short-term financing and local improvement district bonds.

WHEREAS, by Resolution No. [redacted] adopted December 17, 1984, the City Council declared its intention to order the improvement of 38th Avenue S. from S. 253rd Street to S. 251st Street by the installation of sanitary and side sewers and related appurtenances, and fixed January 21, 1985, 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 improvement and all objections thereto and for determining the method of payment for the improvement; and

WHEREAS, the Director of Public Works of the City 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 proposed Local Improvement District (the "District") and a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed District; and

WHEREAS, that estimate is accompanied by a 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 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 all objections to the proposed improvement were duly considered and overruled by the City Council, and all persons appearing at such hearing and wishing to be heard were heard; and

WHEREAS, the City Council has determined it to be in the best interests of the City that the improvement as hereinafter described be carried out and that the 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 (the "City"), orders the improvement of 38th Avenue S. from S. 253rd Street to S. 251st Street by the installation of sanitary and side sewers and related appurtenances, all as more fully described in Exhibit B attached hereto and by this reference incorporated herein.

All of the foregoing shall be in accordance with the plans and specifications therefor prepared by the Director of Public Works of the City, and may be modified by the City Council as long as such modification does not affect the purpose of the improvement.

Section 2. There is created and established a local improvement district to be called Local Improvement District No. 319 of the City of Kent, Washington (the "District"), the boundaries or territorial extent of 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 improvement is declared to be $113,000.00. The entire cost and expense shall be borne by and assessed against the property specially benefited by such improvement included in the District embracing as nearly as practicable all property specially benefited by such 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 may be issued in payment of the cost and expense of the improvement herein ordered to be assessed, such warrants to be paid out of the "Local Improvement Fund, District No. 319," hereinafter created and referred to as the "Local Improvement Fund," 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 to be established hereafter by the City's Treasurer, as issuing officer, and to be redeemed in cash and/or by local improvement district bonds herein authorized to be issued, such interest-bearing warrants to be hereafter referred to as "revenue warrants." In the alternative, the City hereafter may provide by ordinance for the issuance of other short-term obligations pursuant to Chapter 216, Laws of 1982.

The City is authorized to issue local improvement district bonds for the District which shall bear interest at a rate and to be payable on or before a date to be hereafter fixed by ordinance. The bonds shall be issued in exchange for and/or in redemption of any and all revenue warrants issued hereunder or other short-term obligations hereafter authorized and not redeemed in cash within twenty days after the expiration of the thirty-day period for the cash payment of assessments without
interest on the assessment roll for the District. The bonds shall be redeemed by the collection of special assessments to be levied and assessed against the property within the District, payable in annual installments, with interest at a rate to be hereafter fixed by ordinance under the mode of "payment by bonds," as defined by law and the ordinances of the City. The exact form, amount, date, interest rate and denominations of such bonds shall be hereafter fixed by ordinance of the City Council. Such bonds shall be sold in such manner as the City Council shall hereafter determine.

Section 6. In all cases where the work necessary to be done in connection with the making of such improvement is carried out pursuant to contract upon competitive bids, the call for bids shall include a statement that payment for such work will be made in cash warrants drawn upon the "Local Improvement Fund."

Section 7. There is created and established in the office of the City Treasurer for the District the Local Improvement Fund, into which fund shall be deposited the proceeds from the sale of revenue warrants or other short-term obligations 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 it or 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. Within fifteen (15) days of the passage of this ordinance there shall be filed with the City Treasurer the title of the improvement and District number, a copy of the diagram or print showing the boundaries of the District and the preliminary assessment roll or abstract of such roll showing thereon the
lots, tracts and parcels of land that will be specially
benefited thereby and the estimated cost and expense of such
improvement to be borne by each lot, tract or parcel of land.
The City Treasurer shall immediately post the proposed
assessment roll upon her index of local improvement assessments
against the properties affected by the local improvement.

PASSED by the City Council and APPROVED by the Mayor of the
City of Kent, Washington, at a regular open public meeting
thereof, this 4 day of March, 1985.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published the 4th day of March, 1985.
I, MARIE JENSEN, City Clerk of the City of Kent, Washington, certify that the attached copy of Ordinance No. 2747 is a true and correct copy of the original ordinance passed on the 4th day of March, 1985, as that ordinance appears on the Minute Book of the City.

DATED this 7th day of March, 1985.

MARIE JENSEN
City Clerk

1356k
EXHIBIT "A"

Preliminary Boundary Description
LID 319 - 38th Ave. So., Sanitary Sewer (S.253rd St to S.251st St.)

November 13, 1984

That portion of the South three quarters of the South half of the North­
east quarter of the Southwest quarter in Section 22 Township 22 N, Range
4 E, W.M., King County Washington, lying easterly of 36th Ave. So.
EXCEPT portion lying West of the following described line.

Beginning on the North line of said South three quarters 258.00 feet
West of intersection with West line of Old Military Road: thence Southerly
parallel with said West line to a point on a line which line is the South
line of the North half of said South three quarters being the terminus of
line herein described. EXCEPT the North 123.00 feet of the East 278.23
feet AND EXCEPT the North 123.00 feet of the East 90.00 feet of the South
148.00 feet AND ALSO EXCEPT the South 125.00 feet of the East 140.00 feet
thereof. Together with that portion of the Southeast quarter of the South­
west quarter lying easterly of 38th Ave. So. and lying North of DOWCO Short
Plat as recorded under King County Auditors File #7905020806 EXCEPT the
South 120.00 feet of the East 320.00 feet thereof. AND EXCEPT any portions
thereof lying within public rights-of-ways.

Subject to revision upon examination of record title.
EXHIBIT "B"
LID 319
38th Ave. S. Sanitary Sewer (S. 253rd to S. 251st Street)

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

SANITARY SEWER IMPROVEMENTS
Description: Includes the installation of 8" Sanitary Sewers, 6" Side Sewers and related appurtenances.

<table>
<thead>
<tr>
<th>SIZE</th>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>8&quot;</td>
<td>38th Ave S</td>
<td>S. 253rd St</td>
<td>800 Feet North of S. 253rd St.</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Easement</td>
<td>38th Ave S., 500 feet North of S. 253rd St.</td>
<td>340 Feet West</td>
</tr>
<tr>
<td>8&quot;</td>
<td>Easement</td>
<td>38th Ave S., 500 feet North of S. 253rd St.</td>
<td>280 Feet East</td>
</tr>
</tbody>
</table>

TOTAL PROJECT COST: $113,000.00
L.I.D. SHARE: $113,000.00
HEARING DATE ON PRELIMINARY ASSESSMENT ROLL: JANUARY 21, 1985