AN ORDINANCE ordering the sanitary and side sewer improvements and related appurtenances from S.E. 208th Street to S. 213th Street and from 97th Place S. to 102nd Avenue S.E., all within the Westview Terrace area of the City, all in accordance with Resolution No. 1092 of the City Council; establishing Local Improvement District No. 322 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. 1092 adopted February 3, 1986, the City Council declared its intention to order the sanitary and side sewer improvements and related appurtenances from S.E. 208th Street to S. 213th Street and from 97th Place S. to 102nd Avenue S.E., all within the Westview Terrace area of the City, and fixed March 3, 1986, 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 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 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 a local improvement district be created in connection therewith; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES ORDAIN as follows:

Section 1. The City Council of the City of Kent, Washington (the "City"), orders the installation of sanitary and side sewer improvements and related appurtenances from S.E. 208th Street to S. 213th Street and from 97th Place S. to 102nd Avenue S.E., all within the Westview Terrace area of the City, as more fully described in Exhibit A 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. 322 of the City of Kent, Washington (the "District"), the boundaries or territorial extent of which District being more
particularly described in Exhibit B attached hereto and by this reference incorporated herein.

Section 3. The total estimated cost and expense of the improvement is declared to be $950,000. 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 reflect fairly 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. 322, 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 Finance Director or designee, 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 39.50 RCW.

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 (and the City shall have and reserves the right to reject any and all 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 Finance Director 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 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 Finance Director 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 Finance Director shall immediately post the proposed assessment roll upon his index of local improvement assessments against the properties affected by the local improvement.

Section 9. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Kent, Washington, at a regular open public meeting thereof, this 17th day of March, 1986.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published March 21, 1986

2397k
EXHIBIT A

Westview Terrace Area Sanitary Sewer
(208th to 213th St and 97th to 102nd Ave.)

SANITARY SEWER IMPROVEMENTS

Description: Includes the installation of 8" or larger Sanitary Sewers, 6" Side Sewers and related appurtenances.

<table>
<thead>
<tr>
<th>ON</th>
<th>FROM</th>
<th>TO</th>
</tr>
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<tbody>
<tr>
<td>S. 213th St</td>
<td>280' West of 97th P1 S.</td>
<td>100th Ave. S.</td>
</tr>
<tr>
<td>S. 212th St</td>
<td>97th P1. S.</td>
<td>99th Ave S.</td>
</tr>
<tr>
<td>SE 212th St</td>
<td>100th Ave S</td>
<td>670' East</td>
</tr>
<tr>
<td>S. 210th P1</td>
<td>97th P1 S.</td>
<td>100th Ave S</td>
</tr>
<tr>
<td>SE 208th P1</td>
<td>101st Ave SE</td>
<td>102nd Ave SE</td>
</tr>
<tr>
<td>97th P1 S.</td>
<td>S. 213th St</td>
<td>S. 210th P1</td>
</tr>
<tr>
<td>98th Ave S</td>
<td>S. 212th St</td>
<td>North to end of cul-de-sac</td>
</tr>
<tr>
<td>99th Ave S</td>
<td>S. 213th St</td>
<td>S. 210th P1</td>
</tr>
<tr>
<td>100th Ave S</td>
<td>S. 213th St</td>
<td>100' North of S. 210th P1</td>
</tr>
<tr>
<td>101st Ave SE</td>
<td>SE 212th St</td>
<td>SE 208th St</td>
</tr>
<tr>
<td>102nd Ave SE</td>
<td>SE 212th St</td>
<td>SE 208th P1</td>
</tr>
</tbody>
</table>
EXHIBIT B
Preliminary Legal Description
LID 322 Westview Terrace Area Sanitary Sewer
(208th to 213th St. and 97th to 102nd Ave)

Guinn Crest Addition as recorded in Volume 7 of Plats Page 43 AND Lots 23 thru 53 in Guinn Crest #2 Addition as recorded in Volume 80 of Plats Page 15 AND ALSO Lots 15 thru 24 Block 2 Olympic View Heights as recorded in Volume 79 of Plats Pages 59 and 60 AND ALSO Westview Terrace as recorded in Volume 66 of Plats Page 64 AND ALSO Westview Terrace Division #2 as recorded in Volume 68 of Plats Page 12 and 13 AND ALSO Lots 1 thru 22, 47 thru 49 in Westview Terrace Division #3 AND ALSO Lots A thru D Westview Terrace Division #4 all lying within King County Washington TOGETHER WITH the following described properties lying within Section 7 Township 22 North Range 5 E W.M.;

The South 80 feet of the North 511 feet of the East 160 feet of the Southeast quarter of the Northeast quarter of the Northeast quarter less the East 60 feet (T.L. 48)

AND ALSO;
The South 80 feet of the North 1249.33 feet of the East 160 feet of the Northeast quarter of the Northeast quarter less the East 60 feet thereof (T.L. #53)

AND ALSO;
That portion of the Northeast quarter beginning 1249.33 feet South of the Northeast corner; thence South 80 feet; thence N 89°06'37" W 160 feet; thence N 00°53'23" E 80 feet; thence S 89°06'37" E 160 feet to the True Point of Beginning less the East 60 feet (T.L. #57)

AND ALSO;
The West 100 feet of the East 160 feet of the South 80 feet of the North 351 feet of the South half of the Northeast quarter of the Northeast quarter (T.L. #58)

AND ALSO;
That portion of the South half of the Northeast quarter of the Northeast quarter described as follows: Beginning at the Northeast corner; thence S 00°53'23" W 351 feet to the point of beginning; thence S 89°06'37" W 80 feet; thence N 89°06'37" W 160 feet; thence N 00°53'23" E 80 feet; thence S 89°06'37" E 160 feet to the point of beginning Less the East 60 feet for road (T.L. #61)

AND ALSO;
The North 271 feet of the East 160 feet of the Southeast quarter of the Northeast quarter of the Northeast quarter less that portion platted and less the East 60 feet (T.L. #62)

TOGETHER WITH the following described properties lying within Section 8 Township 22 North Range 5 E W.M.;

That portion of the West half of the Northeast quarter of the Northwest quarter beginning at a point on the North subdivision line 382.01 feet lying Easterly of the Northwest corner; thence S 88°36'51" E 85 feet; thence S 00°53'23" W 178.22 feet; thence N 89°06'37" W to a point S 00°53'23" W from the beginning; thence N 00°53'23" E to the beginning Less County Road (T.L. #180)

AND ALSO;
That portion of the Northwest quarter of the Northwest quarter beginning S 88°36'51" E 292.01 feet from the Northwest corner of said subdivision; thence S 88°36'51" E 90 feet; thence S 00°53'23" W 178.96 feet; thence N 89°06'37" W 90 feet; thence N 00°53'23" E 179.74 feet to the beginning Less County Road (T.L. #20B)
I, MARIE JENSEN, City Clerk of the City of Kent, Washington, certify that the attached copy of Ordinance No. 2617 is a true and correct copy of the original ordinance passed on the 17th day of March, 1986, as that ordinance appears on the Minute Book of the City.

DATED this 21 day of March, 1986.

[Signature]
Marie Jensen
City Clerk