AN ORDINANCE ordering the sanitary and side sewer improvements and related appurtenances within the Olympic View Heights area of the City, all in accordance with Resolution No. 1102 of the City Council; establishing Local Improvement District No. 323 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. 1102 adopted May 5, 1986, the City Council declared its intention to order the sanitary and side sewer improvements and related appurtenances within the Olympic View Heights area of the City, and fixed June 2, 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 within the Olympic View Heights 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. 323 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 $290,277.90. 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. 323, 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.

DAN KELLEHER, MAYOR

ATTEST:

MARIE JENSEN, CITY CLERK

APPROVED AS TO FORM:

P. STEPHEN D'ITALIO, CITY ATTORNEY

PASSED the 16 day of June, 1986.
APPROVED the 17 day of June, 1986.
PUBLISHED the 20 day of June, 1986.

I hereby certify that this is a true and correct copy of
Ordinance No. 2637, 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

2547k
Lots 1 thru 9, Block 1 and Lots 1 thru 14, Block 2, Olympic View Heights, recorded in Volume 79, plats page 59 and 60, King County, Washington AND Lots 1 thru 31, Olympic View Heights No. 2, recorded in Volume 86, plats page 63 and 64, King County, Washington, AND ALSO that portion of the North 100 feet of the South 207 feet of the Southwest quarter of the Northwest quarter of Section 8, Township 22 North, Range 5, East W.M. King County Washington, lying East of 103rd Pl SE; AND ALSO the North 415.19 feet of the South 744.12 feet of the West 50 feet of the Southeast quarter of the Northwest quarter of said Section 8; EXCEPT any portion lying within Public right-of-way.
EXHIBIT "B"

Olympic View Heights Sanitary Sewer

SANITARY SEWER IMPROVEMENTS

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

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<thead>
<tr>
<th>ON</th>
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<th>TO</th>
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<tbody>
<tr>
<td>SE 213th St</td>
<td>100th Ave SE</td>
<td>SE 213th Pl.</td>
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<td>SE 216th St</td>
<td>SE 213th Pl.</td>
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<td>SE 213th St</td>
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<tr>
<td>102nd Ave SE</td>
<td>SE 213th Pl</td>
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