AN ORDINANCE ordering the widening and improvement of West Valley Highway from South 212th Street to West James Street, the installation of a sidewalk on South 220th Street from West Valley Highway to the east side of 72nd Avenue South, and the construction of a sanitary sewer line on the west side of West Valley Highway from a point approximately 275 feet north of the southwest corner of Section 12, Range 22, Township 4 East, W.M., to a point approximately 150 feet north thereof, all in accordance with Resolution No. 1153 of the City Council; establishing Local Improvement District No. 327 and ordering the carrying out of the proposed improvement; providing that payment for the improvement be made in part 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. 1153 adopted November 3, 1987, the City Council declared its intention to order the widening and improvement of West Valley Highway from South 212th Street to West James Street, the installation of a sidewalk on South 220th Street from West Valley Highway to the east side of 72nd Avenue South, and the construction of a sanitary sewer line on the west side of West Valley Highway from a point approximately 275 feet north of the southwest corner of Section 12, Range 22, Township 4 East, W.M., to a point approximately 150 feet north thereof, and fixed December 1, 1987, 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 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 widening and improvement of West Valley Highway from South 212th Street to West James Street, the installation of a sidewalk on South 220th Street from West Valley Highway to the east side of 72nd Avenue South, and the construction of a sanitary sewer line on the west side of West Valley Highway from a point approximately 275 feet north
of the southwest corner of Section 12, Range 22, Township 4
East, W.M., to a point approximately 150 feet north thereof, all
as 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 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.
327 of the City of Kent, Washington (the "District"), the bound­
daries or territorial extent of which District being more par­
ticularly 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 $5,254,892. Approximately
$1,631,277 of the cost and expense shall be paid by the City and
the balance of such 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. 327, 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 his 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:

SANDRA DRISCOLL, CITY ATTORNEY

Passed the 22nd day of Dec., 1987.
Approved the 23rd day of Dec., 1987.
Published the 28th day of Dec., 1987.

I certify this is a true copy of Ordinance No. 2761 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 (SEAL)
L.I.D. 327  
West Valley Highway Improvements  
(S. 212th St. to James St.)

EXHIBIT "A"  
BOUNDARY LEGAL DESCRIPTION  
"FINAL"  
October 26, 1987

The West 856.73 feet of the following. The North half of the Southwest quarter of the Northwest quarter of Section 12, Township 22 North, Range 4 East, EXCEPT portions in public right-of-way.

Lots 1 and 2 Flow SP 78-37 Recording #7902130695.

The Southeast quarter of the Northeast quarter of Section 11, Township 22 North, Range 4 East EXCEPT the East 108.00 feet of the West 278.00 feet of the South 159.00 feet of the North 189.00 feet thereof AND EXCEPT portions in public right-of-way.

The East half of the East half of the Southeast quarter of Section 11, Township 22 North, Range 4 East, AND the Southwest quarter of the Southeast quarter of the Southeast quarter of said Section 11 EXCEPT portions thereof lying in public right-of-way.

The Northwest quarter of the Southwest quarter of Section 12, Township 22 North, Range 4 East, EXCEPT portions in public right-of-way.

That portion of the Southwest quarter of the Southwest quarter in said Section 12 lying Westerly of 70th Avenue So. and 72nd Avenue So. including therein all recorded plats. EXCEPT portion lying easterly of the east line of Ross Fair Addition (corrected) in Volume 44 Page 82 King County Washington, lying Southerly of a line which lies 501.00 feet south of the south line of the Northwest quarter of the Southwest quarter in said Section 12 and lies north of the easterly intersection of the north line of Lot 12 in Block 3 of said Ross Fair plat AND EXCEPT any portions thereof lying in public right-of-way.

Lots 1 and 2 Arden Mayfair No.11 SP#77-20 recorded in King County under Recording #7707260759.

Lots 1, 4 and 5 Block 1 Upland Corporate Park recorded in Volume 108 Page 38 and 39 in King County, Washington.

Lot 1 of Western Electric SP#83-10 recorded under King County Recording #831280552.

Lots 1, 7, 8 and 9 Van Doren's Landing SP #86-6 recorded under King County Recording #8606301093.
LID 327
West Valley Highway Improvements (S. 212th to W. James St.)
Boundary Legal Description
10/26/87
Page -2-
The Southeast quarter of the Northeast quarter in Section 14, Township 22 North, Range 4 East EXCEPT portions in public right of way.

The Northeast quarter of the Southeast quarter in Section 14, Township 22 North Range 4 East EXCEPT portions in public right-of-way AND EXCEPT any portions thereof lying within King County Drainage District #1.

Lots 1 and 4 Green River Industrial Park SP#74-1 recorded in King County under Recording #7808170845.

Lots 5 and 10 except the North 37.40 feet thereof and Lots 6, 7 and 9 EXCEPT the South 40.00 feet of said Lot 9 all in Block 4 of Kenthurst Addition Volume 57 pages 58 and 59 in King County Washington.

Lot 2 Scholle S.P. #86-14 recorded in King County under Recording #8612101194.

Tract 2 Meeker's Supplemental Plat 1st Addition to Kent Volume 5 Page 96 and a portion of Tract 3 in said Meeker's Plat which portion is lying Westerly of State Highway EXCEPT County Road AND EXCEPT portion of said tracts lying South of the following described line. Beginning at a point on the West margin of County Road which point lies 131.00 feet North of the North line of So. 238th St. being the True Point of Beginning of line; thence S 89°56' 00" West a distance of 141.04 feet; thence North at right angles to said street a distance of 0.50 feet; thence West parallel with said street to a point on the West line of Tract 2 and the terminus of line.

That portion of Tract 3 in said Meeker plat together with the West half of vacated Washington Avenue adjoining lying Easterly of State Highway EXCEPT the East 87.00 feet, measured from centerline of said vacated Avenue of the South 120.00 feet thereof AND EXCEPT portions for public right-of-way.

Tract 6 in said Meeker's Plat EXCEPT Beginning at the Southwest corner of Tract 6 being the True Point of Beginning of exception; thence East along the South line thereof a distance of 354.28 feet; thence the North at right angles to the last described line a distance of 102.20 feet; thence N 89°03'15" West to a point on the West line of said Tract 6; thence South along said West line thereof to the True Point of Beginning of this exception EXCEPT portions in public right-of-way.

All lying within City limits of Kent, King County, Washington.
EXHIBIT B
West Valley Highway Street Improvement
(South 212th Street to West James Street)

STREET IMPROVEMENTS

The project will include additional paving width to accommodate more lanes, including turn lanes, overlay of the existing pavement, drainage, curb and gutter, sidewalk, landscaping, illumination, signal improvements, some undergrounding of electrical facilities and utility extensions, and relocations.

SIDEWALK

In addition to the sidewalk to be installed throughout the project on West Valley Highway a sidewalk shall be installed on South 220th Street from West Valley Highway to the east side of 72nd Avenue South.

SANITARY SEWER

The sanitary sewer system shall be extended from the existing system as follows:

On the west side of West Valley Highway from the existing sewer from a point approximately 275 feet north of the southwest corner of Section 12, Range 22, Township 4 East, W.M. to a point approximately 150 feet north thereof.