AN ORDINANCE of the City of Kent, Washington, approving and confirming the assessments and the assessment roll of Local Improvement District 335, which has been created and established for the purposes of the improvement of 77th Avenue South from 212th Street to S. 202nd Street and S. 206th Street from 77th Ave. South to the west end at the railroad tracks including water and sewer improvements; all as provided in Ordinance 2899; and the levying and assessing the amount thereof against several lots, tracts, parcels of land, and the properties shown on the roll.

WHEREAS, the assessment roll levying the special assessments against the properties located in Local Improvement District No. 335 have been filed with the Clerk of the City of Kent, as provided by law; and

WHEREAS, notice of the time and place of hearing thereon and of making objections and protests as to the roll was duly published at and for the time and in the manner provided by law, fixing a time and place of hearing therefor for the 2nd day of October, 1990 at the hour of 7 o’clock p.m. in the Council Chambers of the City Hall in the City of Kent, Washington, and further notice thereof was duly mailed by the City Clerk to each property owner shown on the roll; and

WHEREAS, the Council held such public hearings and considered all written and verbal testimony before it; and
WHEREAS, the Council finds that the lots, tracts, parcels of land, and other properties within LID 335 are specially benefited by the improvements in at least the amount charged against the same; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The assessments and the assessment roll of Local Improvement District No. 335 which has been created and established for the purposes of the improvement of 77th Avenue South from 212th Street to S. 202nd Street and S. 206th Street from 77th Ave. South to the west end at the railroad tracks including water and sewer improvements be and the same is hereby in all things and respects approved and confirmed in the total amount of $1,409,510.

Section 2. Findings. Each of the lots, tracts, parcels of land, and other properties shown upon the roll is hereby determined and declared to be specifically benefited by the improvements in at least the amount charged against the same, and the assessment appearing against the same is in proportion to the several assessments appearing on the roll. There is hereby 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 3. 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 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 shall be paid in ten (10) equal installments with interest at an estimated rate of 9% per annum with the exact interest rate to be fixed in the ordinance authorizing issuance and sale of the LID bonds for LID 335. The first installments of assessments on the assessment roll shall become due and payable during the thirty (30) days 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% percent 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 4. 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.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 16 day of October, 1990.
APPROVED the 17 day of October, 1990.
PUBLISHED the 19 day of October, 1990.

I hereby certify that this is a true copy of Ordinance No. 2946, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK
EXHIBIT 'A'

LID 335
77TH AVENUE S. AND S. 206TH STREET IMPROVEMENT
(S. 212TH ST. TO S. 202ND ST.)

LEGAL DESCRIPTION

That portion of Section 1, Township 22 North, Range 4 and Section 12, Township 22 North, Range 4 East W.M., King County, Washington described as follows:

Portion of said Section 1 lying Easterly of C.M. and St. Paul Railroad also known as Union Pacific Railroad and Westerly of Burlington Northern Railroad;

AND ALSO
That portion of the Northeast quarter of the Northwest quarter AND the Northwest quarter of the Northeast quarter of said Section 12 lying Easterly of C.M. & St. Paul Railroad also known as Union Pacific Railroad, Westerly of Burlington Northern Railroad and North of the North margin of South 212th Street;

EXCEPT that portion of said Section 12 described as follows:

That portion of the Northeast quarter of the Northwest quarter of East of C.M. and St. Paul Railroad right-of-way beginning at a point 30 feet North of Centerline of O'Brien Road S. 212th Street and 53 feet East of centerline of C.M. & St. Paul Railroad main line; thence N 01°01'22" East 425.51 feet; thence West 10 feet; thence N 01°01'22" East 29.49 feet; thence S 89°58'38" East 207.10 feet; thence S 28°28'00" East 26.33 feet; thence S 01°01'22" West 443.40 feet; thence N 85°55'38" West 210.15 feet to beginning less road;

AND ALSO EXCEPT
The South 209 feet of the West 104.5 feet of the East 209 feet of the Northeast quarter of the Northwest quarter less road;

AND ALSO EXCEPT
The East 104.5 feet of the South 209 feet of the Northeast quarter of the Northwest quarter less the East 10 feet;

AND ALSO EXCEPT
That portion of undesignated Tract, Town of Van lying West of Front Street West 50 feet of South 200 feet of the Northeast quarter of the Northeast quarter of Section 12 Township 22 North Range 4 East less County road and the East 10 feet of the South 209 feet of the Northeast quarter of the Northwest quarter of said section, less County road;

AND ALSO EXCEPT
That portion of undesignated Tract, Town of Van West of Front Street, the East 70 feet of the West 120 feet of the South 200 feet of the Northwest quarter of the Northeast quarter of Section 12, Township 22 North, Range 4 East, less County road;

AND ALSO EXCEPT
That portion of undesignated Tract, Town of Van West of 77th Avenue South (Front Street); beginning 120 feet East of the Southwest corner of the Northwest quarter of the Northeast quarter of Section 12, Township 22 North, Range 4 East; thence North 150 feet; thence East 120 feet; thence South 150 feet; thence West 120 feet to the True Point of Beginning less, County Road;

AND ALSO EXCEPT
That portion of undesignated Tract, Town of Van West of Front Street; beginning 240 feet East of the Southwest corner of the Northwest quarter of the Northeast quarter of Section 22, Range 4 East; thence North 150 feet; thence East to the West line of Front Street in Town of Van; thence Southerly to the South line of the Northwest quarter of the Northeast quarter; thence West to Beginning, less County Road, less Easterly 60 feet measured parallel to Front Street, less street.

312-89
EXHIBIT "B"
LID 335
77TH AVENUE S. AND S. 206TH STREET IMPROVEMENT
(S. 212TH ST. TO S. 202ND ST.)

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

STREET IMPROVEMENTS
The project is the improvement of 77th Avenue South from S. 212th Street to S. 202nd Street and S. 206th Street from 77th Avenue South to the west end at the railroad tracks.

The project includes the following improvements:

1. Curb and gutter
2. Cement concrete sidewalks except along the railroad right-of-way
3. Widened roadway, 36 feet between curbs
4. Storm drainage system
5. Street lighting (installed on Puget Power poles)
6. Street trees
7. Channelization and traffic signing
8. Traffic signal at the intersection of S. 212th Street and 77th Avenue South

It should be noted that the roadway has already been improved at the northwest corner of 77th Avenue South and S. 206th Street. Therefore, this portion of the roadway is not included in the project.

WATER MAIN
Includes the installation of stubs from the existing water main to the right-of-way line at various points within the project limits.

SANITARY SEWER
Includes the installation of stubs from the existing sanitary sewer main to the right-of-way line at various points within the project limits.

TOTAL PROJECT COST: $1,261,704.10
LID SHARE: $1,261,704.10