AN ORDINANCE ordering the installation of a traffic signal at the intersection of West Meeker Street and Russell Road and related improvements, all in accordance with Resolution No. 1467 of the City Council; establishing Local Improvement District No. 347 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, and for interfund loans.

WHEREAS, by Resolution No. 1467 adopted April 16, 1996, the City Council declared its intention to order installation of a traffic signal at the intersection of West Meeker Street and Russell Road and related improvements, and fixed May 7, 1996, 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 comments thereon and objections thereto and for determining the method of payment for the improvement; and

WHEREAS, the City's 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 a fully actuated 8-phase traffic signal with pedestrian detection and crossing indications at the intersection of West Meeker Street and Russell Road, including the installation of a southbound to westbound right turn lane. In addition, the intersection approach profile on the north side will be modified to improve sign distance to the east.

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 improvements.
Section 2. There is created and established a local improvement district to be called Local Improvement District No. 347 of the City of Kent, Washington (the "District"), the boundaries or territorial extent of the District being 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 $238,000. Approximately $100,000 of the cost and expense remaining after a contribution paid by the City as provided in Resolution no. 1467 shall be borne by and assessed against the property specially benefited by such improvement included in the District which embraces as nearly as practicable all property specially benefited by such improvement and the balance of such cost and expense shall be paid by the City.

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. 347, 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 Finance Division Director of the City, 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 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, including the interfund loans authorized by Section 6, and not redeemed in cash within twenty days after the expiration of the thirty-day period for the cash payment without interest of assessments 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 hereafter shall be fixed by ordinance of the City Council. Such bonds shall be sold in such manner as the City Council hereafter shall determine.

Section 6. For the purpose of paying part of the costs of carrying out the improvements within the District pending the receipt of the proceeds of the issuance and sale of the bonds or short-term obligations referred to in Section 5, interfund loans from the General Fund, Water Fund and/or Sewer Fund to the Local Improvement Fund in the maximum aggregate amount of not to exceed
$100,000 are authorized and approved, those loans to be repaid on or before the issuance of such bonds or obligations from the proceeds thereof. Each of the interfund loans shall bear interest at a variable rate, adjusted the fifteenth and last day of each month, equal to the interest rate of the State of Washington Local Government Investment Pool on the fifteenth and last day of each month. The initial interest rate on the date of each interfund loan shall be determined as of the last preceding interest payment adjustment date.

Section 7. 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 8. The Local Improvement Fund for the District is created and established in the office of the Finance Division Director of the City. 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 the collections of special assessments, interest and penalties thereon shall be deposited in the Local Improvement Fund. Cash warrants to the contractor or contractors in payment for the work to be done by them in connection with the improvement and cash warrants in payment for all other items of expense in connection with the improvement shall be issued against the Local Improvement Fund.

Section 9. Within 15 days of the passage of this ordinance there shall be filed with the Finance Division Director of the City
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 Finance Division Director immediately shall post the proposed assessment roll upon her index of local improvement assessments against the properties affected by the local improvement.

Section 10. This ordinance shall take effect and be in force five (5) days from and after its passage and five (5) days following its publication as required by law.

ATTEST:

JIM WHITE, Mayor

Passed the 21st day of May, 1996.
Approved the 22nd day of May, 1996.
Published the 24th day of May, 1996.
EXHIBIT A

PRELIMINARY BOUNDARY LEGAL DESCRIPTION

LID 347 - WEST MEEKER ST & RUSSELL RD SIGNAL

That portion of Section 23, Township 22 North, Range 4 East, W.M., King County, Wa. described as follows;
(T.L. #9048)
Beginning 2001.9 feet west and 1359.7 feet south of the northeast corner of Section; thence west to easterly margin County road; thence northerly along County road to a point 36 feet north of said south line; thence east parallel with and 36 feet north of the south line to a point 500 feet west and 36 feet north of beginning; thence north 224 feet; thence east 500 feet; thence south to beginning,
AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East, W.M., King County, Wa. described as follows;
(T.L. #9027)
Beginning 2001.9 feet west of the northeast corner of Section; thence west 1517.36 feet; thence South 09°58'00" east along County road 247.11 feet; thence South 20°35'00" East along the east line of County road 1154.7 feet; thence east to a point 500 feet west of line drawn south from beginning; thence north 224 feet; thence east 500 feet; thence north to beginning,
AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East, W.M. King County, Wa. described as follow;
(T.L. #9002)
A 15 foot wide strip located in the northeast and northwest quarters of Section 23 Township 22 North Range 4 East centerline of which begins at a point on the west boundary line of C. C. Thompson Donation Land Claim which is 605 feet north from the north line of W. Meeker Avenue and runs; thence South 88°30' west 1956 feet less west 150 feet thereof; together with that portion of the northwest quarter of said Section 23 described as follows:
Beginning 3519.26 feet west of the northeast corner of said Section; thence South 09°58'00" east 247.11 feet; thence South 20°30'00" east 1192.30 feet to the True Point of Beginning; thence North 88°30'00" east 150 feet; thence south 50 feet; thence South 88°30'00" west to the east margin of John Downey Road No. 722 (54th Place S); thence northwesterly along said east margin to the True Point of Beginning less that portion lying within 64th Avenue South and less that portion within City of Kent Short Plat No. SP-91-18 Recording No. 9212010934,
AND ALSO;
That portion of Section 23, Township 22 North, Range 4 East W.M., King County, Wa. described as follows:
(T.L. #9088)
That portion of the southeast quarter of the northwest quarter described as follows:
Commencing at the centerline monument station 23+30.704 City of Kent plans;
thence North 24°14'47" west right angle to centerline tangent of West Meeker 30 feet to the True Point of Beginning; thence South 65°45'12.6" west along the northerly margin of said station 241.60 feet; thence North 20°44'27" west 159.37 feet; thence North 18°36'47" west 536.74 feet; thence North 70°22'23" East 300.23 feet; thence South 19°43'27" East 639.97 feet to a point of curve center which bears South 70°16'33" West 35 feet; thence southwesterly along a curve to right radius 35 feet thru central angle of 89°20'43" an arc distance of 54.88 feet to a point of reverse curve center which bears South 20°22'44" East 480 feet; thence southwesterly along a curve to the left radius 480 feet thru central angle 03°52'03" arc distance of 32.40 feet to a point of tangent and the True Point of Beginning,
AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East W.M., King County, Wa. described as follows:
(T.L. #9062)
The northerly 300 feet of that portion of the southwest quarter of the northeast quarter and southeast quarter of the northwest quarter described as follows:
Beginning 2001.9 feet west and 1359.7 feet south of the northeast corner of Section; thence west 1055.2 feet more or less to the east line of County road; thence southeasterly along said road 692.3 feet to the north line of Meeker Avenue; thence east along said north line 805.9 feet more or less to a point 899.9 feet west of the west line of Thompson Donation Claim; thence north 629.9 feet to beginning less that portion to City of Kent together with that portion of the north half beginning at a point on the north line of Meeker Street 899.9 feet west of the west line of Thompson Donation Claim; thence north 329.9 feet to the True Point of Beginning; thence south 329.9 feet; thence west 30 feet; thence north 320 feet; thence west 175 feet; thence south 20 feet; thence west to the easterly margin of Road #722; thence northerly along said easterly margin to a point west of the True Point of Beginning; thence east to the True Point of Beginning,
AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East W.M., King County, Wa. described as follows:
(T.L. #9063)
The north 150 feet of the south 300 feet of the following described portion of the southwest quarter of the northeast quarter and the southeast quarter of the northwest quarter of Section 23, Township 22 North, Range 4 East,
Beginning at a point 2001.9 feet west and 1359.7 feet south of the northeast corner of said Section 23; thence west 1055.2 feet more or less to the easterly line of County Road No. 722 (54th Place South); thence southeasterly along said easterly line 692.3 feet to the north line of West Meeker Street; thence east along said north line 805.9 feet to a point 899.9 feet west of the west line of Thompson Donation Land Claim No. 39; thence north 629.9 feet to point of beginning less the east 355 feet thereof; together with that portion of the southwest quarter of the northeast quarter of said Section 23 described as follows:

Beginning at the southeast corner of the above described parcel; thence east 14.7 feet; thence northerly to a point 12.4 feet east of the northeast corner of the above described parcel; thence west 12.4 feet; thence south to the point of beginning; together with that portion of the southwest quarter of the northeast quarter of said Section 23 described as follows:

Beginning at the intersection of the north line of West Meeker Street and easterly line of County Road No. 722; thence easterly along said north line 150 feet to the True Point of Beginning; thence east to a point 1254.9 feet west of the west line of Thompson Donation Land Claim No. 39; thence north 150 feet; thence west to a point north of the True Point of Beginning; thence south to the True Point of Beginning less the south 140 feet of the east 150 feet and less the west 152.39 feet thereof,

AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East, W.M., King County, Wa. described as follows;

(T.L. #9075)

That portion of the southeast quarter of the northwest quarter of Section 23 Township 22 North Range 4 East described as follows:
Beginning at a point on the north line of Meeker Avenue bearing South 88°34'22" west 1404.9 feet from the west line CC Thompson Donation Land Claim No. 39; thence continuing South 88°34'22" west 203.68 feet to the True Point of Beginning; thence continuing South 88°34'22" west 48.94 feet to point of curve of tangent as established in highway plans in 1916; thence along tangent curve to the left with radius 316.48 feet arc distance 48.62 feet to the east boundary of Russell Road; thence North 19°59'36" west along said boundary 163.15 feet; thence North 88°34'22" east 152.00 feet; thence South 00°25'38" east 150.00 feet to the True Point of Beginning also known as "New Lot B" as described and delineated per City of Kent Lot Line Adjustment No. LL-92-1 Recording No. 9201140509 less portion conveyed to the City of Kent by deed under Recording No. 9202110557,

AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East, W.M., King County Wa. described as follows;
That portion of Government Lots 4 and 5 and of the southeast quarter of the northwest quarter lying southerly of State Highway #5-A and westerly of John Downey Road #722 less Colony Park contained in Volume 31/55-57, AND ALSO;

That portion of Section 23, Township 22 North, Range 4 East W.M., King County, Wa. described as follows;

Lot 4 of City of Kent Short Plat No. SP 84-8 Recording No. 8503211054 said Short Plat described as follows:

Beginning at the northeast corner of said Section; thence South 29°17'38" west 2307.08 feet to the intersection of the west line of CC Thompson Donation Claim with the south line of 60 feet of right of way of South 246th Street (W. Meeker Street) said west line being centerline of 60 foot right of way of 64th Avenue South; thence westerly along said south line South 89°34'22" west 30.01 feet to a point on the westerly line of said 64th Avenue South; thence southerly along said west line of 64th Avenue S. South 00°36'51" west 35.46 feet to the True Point of Beginning; thence continuing southerly along said west line of 64th Avenue S. South 00°36'51" west 721.09 feet; thence South 89°34'22" west 996.80 feet; thence South 00°36'51" west 34.93 feet to a point on line of ordinary high water along the northerly side of Green River; thence westerly along said water line following courses and distance North 80°07'09" west 185.90 feet; thence South 76°16'52" west 145.13 feet; thence South 65°38'58" west 160.98 feet to a point on the easterly line of Russell Road right of way; thence along the northeasterly right of way line North 11°07'52" west 27.01 feet to a point on a curve to the left center bearing North 45°48'48" east; thence along said curve to the left radius 55 feet central angle 113°53'18" 109.32 feet to said right of way line; thence along said right of way line North 11°07'52" west 67.95 feet to the west line of the southeast quarter of said Section 23; thence South 00°46'26" west along said west line 24.24 feet to the easterly line of road right of way deeded to the City of Kent; thence along the following courses and distance North 11°07'52" west 668.18 feet to point of curve to right radius 25 feet central angle 96°51'48" 42.27 feet to a point 40 feet southerly, measured radially, from centerline of South 246th Street and point of a curve to right radius 410 feet central angle 03°50'26" 27.48 feet; thence North 89°34'22" east 1565.85 feet to a point on curve to right radius 25 feet central angle 91°02'29" 39.72 feet to the True Point of Beginning. Also known as portion of SPC 85-2.