Ordinance No. 78

An ordinance providing for a new assessment upon the lots, blocks, parcels and tracts of land which have been benefited by the improvement of Central Avenue by grading from Meeker Avenue to Pioneer Street, and from Pioneer Street to the North boundary line of the town of Kent by grading and grading, to the extent of their respective part of the expense and cost thereof, in accordance with the provisions of Chapter seven of Volume 1 of Hille Annotated Statutes and Code of Washington; and an act of the legislature entitled, "An Act relating to and authorizing the collection of assessments for local improvements by a new assessment or re-assessment of the cost and expenses of making same in cities and towns, and declaring an emergency," Approved March 9th, 1893.

Whereas, on the 11th day of July 1892, the Council of the town of Kent passed ordinance No. 60 entitled "An ordinance specifying the mode of procedure in improving streets, alleys and other public grounds and in the levy and collection of special local taxes to pay for such improvements," which said ordinance was
and attested by the clerk
approved by the Mayor pro tempore, on said
day, and thereafter duly published on the 14th
day of July 1892, and

Whereas, on the 3rd day of July 1893
the council of the Town of Hunt, at a regular
meeting thereof, duly passed a resolution
(Secl) that said Central Avenue be graded
from Mcker Avenue to Smith Street to a
depth of six inches and to a width of
ten feet; and from Smith Street to Pioneer
Street to a depth of three inches and to
a width of ten feet; and from Pioneer Street
to the North boundary line of the town of
Hunt, said street to be graded and graded
to a depth of six inches and to a width
of ten feet.
(Secl2) That there shall be and is hereby
created in the treasury of the town of Hunt
a fund, to be known as the Central Avenue
Improvement Fund.
(Secl3) That all warrants issued for the
payment of labor or for materials furnished in
grading and graveling said Central Avenue,
shall be drawn and payable from the said
Central Avenue Fund: and

Whereas, heretofore a contract has
been duly let as provided by law and the
ordinance and resolution aforesaid for grading
graveling and improvement of said Central
Avenue; and

Whereas, said improvement has been duly completed and accepted by the town of Kent, and the same has been and is a great benefit to the property fronting on said Avenue, and liable for the cost of the same, to the extent of the benefits accruing therefrom; and

Whereas, the total cost of said improvement was found to be and was, the sum of five hundred and fifty seven and 70/100 dollars ($557.70), exclusive of interest; and

Whereas, the cost of the improvement of street crossings was, and is, the sum of thirteen dollars and twenty cents ($13.20); and

Whereas, the portion of the cost of said improvement which has been as benefit to the lots, blocks, parcelle and tracts of land fronting on said Central Avenue, is the sum of five hundred and forty four and 70/100 dollars ($544.70), which sum is the portion of the cost of said improvement that should be assessed against said property benefited under and by virtue of the present state laws, and the ordinance and resolution aforesaid; and

Whereas, heretofore the town of Kent, by its council, has made an assessment upon the lots, blocks, parcelle and tracte
of land fronting on said Avenue, to defray the costs and expense of said improvement, and

Whereas said assessment so made has been declared void and its enforcement under the law ordinance and resolution aforesaid refused by the courts of this state, and has been set aside, annulled and declared void, by the Superior Court of King County, now therefore,

Be it ordained by the council of the town of Kent:

Section 1.

That there shall be and is hereby ordered to be made an assessment upon the lots, blocks, parcels and tracts of land which have been benefited by said improvement of said Central Avenue, to the extent of their proportionate part of the expense thereof, and in case the cost of said improvement shall be found to exceed the actual value of said improvement, the assessment shall be for and based upon the actual value of the improvement to the full depth thereof, at the time of its completion, and to this end, the committee mentioned in Section 3 of this ordinance be, and is hereby ordered to make an assessment roll in an equitable manner with
reference to the benefits received as near as may be, in accordance with the law now in force and this ordinance; and to report the said assessment to the council of the town of Kent within twenty days from the day of taking effect of this ordinance.

Section II.

Said assessment roll shall be made in all respects in accordance with the act of the legislature of the State of Washington relating to the incorporation of cities and towns of the fourth class, and an act of said the legislative entitled "An act relating to and authorizing the collection of assessments for local improvements by a new or new assessment of the cost and expense of making same in cities and towns, and declaring an emergency" approved by the governor March 9th 1893, and when such assessment roll shall have been reported to the town council, notice shall be given by the town clerk, and such other acts and proceedings shall be done and performed as are required by said acts of the legislature, and when said new assessment roll shall have been equalized, approved and confirmed by the town council, it shall be enforced and collected in the same manner as other assessments for local
improvement are or have heretofore been enforced and collected under the laws and ordinances governing the town of Kent.

Section III.

The standing "Committee on Streets" appointed by the Mayor shall be, and is hereby authorized and required to make the assessment or re-assessment roll provided by the acts of the legislature aforesaid and this ordinance. The town Clerk shall act as clerk of said committee. When said roll has been completed, the Chairman of said committee shall attach his certificate thereto, to the effect that, the foregoing assessment roll contains a true description of all the property fronting on Central Avenue from Meeker Avenue to the north limit of the town of Kent, with the name of the owner when known. That the amount of tax assessed against the property, is, to the best of the knowledge, information and belief of the committee, the amount which ought to be assessed against each lot, block and parcel of land as provided and directed, in and by the laws of Washington and the ordinances of the town of Kent in force at the time this assessment is made. Said Clerk shall attest the same.
Section IV

When the council shall have equalized, adjusted and confirmed the assessment returned by the committee described in Section 3, the town clerk shall make out an assessment roll, in all respects conforming to the assessment as equalized and confirmed, to be known as the "Equalized Re-assessment Roll for Central Avenue in the town of Rent." The Mayor shall attach his certificate thereto under the corporate seal, and the attestation of the clerk. Said Clerk shall file the roll in his office, and forthwith deliver the same to the proper officer for collection, taking his receipt therefor.

Section V.

So much of Ordinance No 60 as conflicts with this ordinance, is hereby repealed.

This ordinance shall take effect and be in force, from and after its passage, approval and publication. Pased the Council and approved by the Mayor this 16th day of December 1895.

J.C. Clark
Mayor

Filed by me this 16th day of December 1895.

J.C. Clark
Town Clerk

Published December 21st 1895.
Providing for
Re-assessment of
Central Avenue Improvement

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