Ordinance No. 79

An ordinance providing for a new assessment upon the lots, blocks, parcels and tracts of land which have been benefited by the improvement of Smith Street in the town of Kent by grading and laying a sidewalk thereon, to the extent of their proportionate part of the expense and value thereof, in accordance with the provisions of Chapter seven of Volume 1 of Hilde's Annotated Statutes and Code of Washington entitled "An act relating to and authorizing the collection of assessments for local improvements by a new assessment of assessments of the cost and expense 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 placed ordinance No. 60 entitled "An ordinance specifying the mode of procedure in improving streets, alleys and other public grounds and in levy and collection of special local taxes to pay for such improvement" which said ordinance was approved by the Mayor of the town on said day, and thereafter duly published on the 12th day of July 1892; and
Whereas, on the 10th day of October, 1892, the Council of the town of Kent, at a regular adjourned meeting thereof, duly passed a resolution to improve Smith Street, in the town of Kent, by grading and sidewalk ing the same, and establishing and creating a separate fund in the town Treasury to be known as the Smith Street grade fund.

Whereas, heretofore a contract has been duly let as provided by law and the ordinance and resolution aforesaid for improving grading and sidewalk ing said Smith Street on one side thereof 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 street 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 $1,005.70, exclusive of interest and

Whereas, the cost of the improvement of street crossings was, and is, the sum of one hundred and sixteen dollars and twenty-five cents ($116.25) and

Whereas, the portion of the cost of said
improvement which has been a benefit to the lot, block, parcel and tract of land fronting on said Smith Street is the sum of eight hundred and ninety-two dollars and fifty-seven cents ($892.57) which sum is the portion of the cost of said improvements 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, hereofore the town of Kent, by its Council has made an assessment upon the lot, block, parcel and tract of land fronting on said Avenue, to defray the cost and expense of said improvement; and

Whereas, said assessment so made has been declared void and its enforcement under the laws, 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 lot, block, parcel and tract of land,
which have been benefited by said improvement of said Smith Street to the extent of their proportional 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 Sec 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 thirty 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, Chapter seven of Volume I of Hilde's Annotated Code and Statutes of Washington, and an Act of entitled "An Act relating to and authorizing the collection of assessments for local improvement, entered by a new or re-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 Chapter seven, and by the act of the legislative aforesaid 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 under the rules of the Council shall be, and are hereby authorized and required to make the assessment roll provided by said Chapter seven and the act of the legislative aforesaid and this ordinance. The town Clerk shall act as Clerk of said committee. When said roll has been accepted the Chairman of said committee shall attach his certificate thereof to the effect that the foregoing assessment roll contains a true description of all the property fronting on Smith Street, with the name of the owner who
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 pro-
vided 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 III, 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 Smith Street in the town of Kent."
The Mayor shall attach his certificate
thereof 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 thereof

Section V.

So much of ordinance No. 60 as conflict
with this ordinance is hereby repealed.
This ordinance shall take effect and
be in force from and after its passage,
Approval and publication.
Passed the Council and approved by the Mayor the 16th day of December 1895.

Attended by
J. C. Clark
Mayor.

Filed by me this 6th day of December 1895.
J. C. Clark
Town Clerk.

Published December 21st, 1895.
Ordinance No. 79

Ordinance
No. 79

Providing for reassessment
of Smith street
Improvement