ORDINANCE NO. 959

AN ORDINANCE of the City of Kent, Washington, providing for the improvement of certain streets and avenues in the city by the construction and installation of curbs and gutters, pavement, sidewalks and drainage facilities, and by doing all other work necessary in connection therewith and incidental thereto, pursuant to Resolution No. 385 of the city; creating a local improvement district therefor, and providing that payment of part of the cost of said improvements be made by special assessments upon the property in said district payable by the mode of "payment by bonds" and that the rest of such cost be borne by the city.

WHEREAS, on July 15, 1957, the Council of the City of Kent, Washington, adopted its Resolution No. 385, declaring its intention to order the improvement of certain streets and avenues within the city by the construction and installation of curbs and gutters, pavement, sidewalks and storm drainage facilities, and by doing all other work necessary in connection therewith and incidental thereto, which resolution fixed the time, date and place of hearing thereon at 8:00 p. m. on August 12, 1957 at the City Hall; and

WHEREAS, such resolution was duly published in the manner required by law and notice of said hearing was also duly given to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement as required by law; and

WHEREAS, said hearing was held on said date and at said time and place as provided in said resolution and notice, and after a discussion of said improvements and after hearing all protests and discussing the same the Council decided to delete the improvements proposed to be constructed and installed on
Van de Vanter Avenue, Guiberson Street, State Highway 5A and the alley between No. Central Avenue and No. State Avenue; and

WHEREAS, the Council then ordered the balance of the improvements described in said Resolution No. 385 to be constructed and installed, and authorized bond counsel for the city to draw the necessary ordinance creating the necessary local improvement district and ordering the construction and installation of such improvements, for presentation at the next regular council meeting; and

WHEREAS, said Council also determined that the city should contribute the amount of $11,010.50 to the cost of such improvements;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Washington, as follows:

Section 1. The following described streets and avenues within the city shall be improved by the construction and installation of the following described improvements:

A. By the installation of cement concrete curbs and gutters, asphaltic concrete paving, and storm drainage

<table>
<thead>
<tr>
<th>On</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Railroad Ave.</td>
<td>Smith Street</td>
<td>James Street</td>
</tr>
<tr>
<td>George Street</td>
<td>Central Avenue</td>
<td>Woodford Avenue</td>
</tr>
</tbody>
</table>

B. By the installation of cement concrete curbs and gutters, widening the existing pavement with asphaltic concrete pavement and storm drainage **on the east side only**

<table>
<thead>
<tr>
<th>On</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>4th Avenue</td>
<td>West Saar Street</td>
<td>West Gowe Street</td>
</tr>
</tbody>
</table>
C. By the installation of concrete sidewalk on the east side of the street

On Central Avenue From James Street To No. side of City Park
So. Railroad Ave. E. Willis Street E. Saar St.

D. By the installation of cement concrete curbs and gutters, asphaltic concrete pavement, drainage and a concrete sidewalk on the south side of the street

On James Street From N. Central Avenue To Railroad Right-of-Way

E. By the installation of a concrete sidewalk on the north side of the street

On Smith Street From North State St. To Jason Avenue

F. By the installation of cement concrete curbs and gutters, asphaltic concrete pavement, drainage and replacement of existing sidewalks, as required

On Ward Street From North State Avenue To North Kennebeck Ave.

G. By the installation of cement concrete curbs and gutters and asphalt concrete strip on the south side of the existing pavement

On E. Meeker Street From North State Avenue To North Central Ave.

H. By the installation of cement concrete curbs and gutters, asphaltic concrete pavement, drainage, and construction of concrete sidewalk on west side of the street, as needed

On North State Avenue From Smith Street To Pioneer Street
I. By the installation of cement concrete curbs and gutters, asphaltic concrete pavement, drainage and concrete sidewalks on the north side

On Pioneer Street From North State Avenue North Central Ave.

Together with all necessary appurtenances thereto, and by doing all other work necessary in connection therewith and incidental thereto, all in accordance with maps, plans and specifications prepared by Hill & Ingman, consulting engineers of Seattle, Washington, and engineers for the city, and now on file with the City Clerk, which maps, plans and specifications are hereby adopted as those necessary and required for these improvements.

Section 2. That there be and is hereby established a local improvement district of the city to be known as "Local Improvement District No. 237."

Approximately $93,461.44 of the entire cost and expense of said improvements and appurtenances, including all necessary expenses incidental thereto, shall be borne by and assessed against the property included in the local improvement district heretofore created. The City of Kent shall bear approximately $11,010.50 of the cost of such improvements, appurtenances and incidental expenses.

The improvement district shall include all the property between the termini of the hereinbefore described improvements abutting upon, adjacent, vicinal or proximate to the street or avenue proposed to be improved to a distance of at least ninety feet back from the marginal lines thereof or to the center line of the blocks facing or abutting thereon, whichever is greater.
Such assessments shall be computed by the zone and termini method unless the special benefits conferred on any of such properties are not fairly reflected by the use of such method, and in such case the assessments shall then be computed in a manner that will fairly reflect the special benefits derived from such improvements.

Section 3. Bonds of said local improvement district bearing interest at a rate of not to exceed 6% per annum and payable on or before twelve years from date of issue shall be issued in payment of the cost and expense of the improvements provided for herein, which bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within the district as above provided, such assessments to be payable in ten equal installments and with interest at a rate of not to exceed 6% per annum under the mode of "payment by bonds" as defined by law and ordinances of the City of Kent.

Any assessments or installments thereof when delinquent, and the interest due thereon, shall bear a penalty of 5% of the total amount thereof from the date of such delinquency.

That there be and is hereby created a fund of the city to be known as "Local Improvement District No. 237 Fund." Warrants bearing interest at a rate of not to exceed 6% per annum shall be drawn on said Fund, based on estimates of the city's engineers, in payment of the cost of construction of said improvements and all costs incidental thereto.

The money received from the sale of said warrants shall be placed in the Local Improvement District No. 237 Construction Fund of the city which is hereby created, and shall be used to pay all of said costs.
The rate of interest to be borne by said warrants, bonds and installments of said assessments shall be as hereafter fixed by the City Council. The bonds of this district to be issued shall be delivered to the owner or owners of said Local Improvement District No. 237 Fund warrants in redemption of the same.

Section 4. This ordinance shall become effective five days from and after its passage, approval and publication as required by law.

PASSED by the Council of the City of Kent, Washington, and approved by its Mayor at a regular meeting of said Council held this 3d day of September, 1957.

CITY OF KENT, WASHINGTON
By

ATTEST:
City Clerk

APPROVED AS TO FORM:
City Attorney
Ordinance No. 959

Proceeding for

Improvements

Creating L.D.

237

Curb, gutter,
Sidewalk, pavement
& drainage)