

CLERK'S COPY

ORDINANCE NO. 0004478

AN ORDINANCE ordering the acquisition and construction of the sewer improvements in The Duwamish County Sewer Service Area in accordance with the Sewerage General Plan for the Duwamish area as adopted on August 6, 1979, by Ordinance No. 4435, applicable to the utility local improvement district hereinafter described, creating Utility Local Improvement District No. 2 and authorizing revenue bonds and interim interest bearing warrants to finance the costs of such improvements.

PREAMBLE:

On August 6, 1979, the Council of King County, Washington duly adopted Motion No. 4409 setting forth the intention of the Council to order the construction of the sewers in the Utility Local Improvement District portion of the Sewerage General Plan Duwamish County Sewer Service Area as adopted on August 6, 1979, by Ordinance No. 4435.

Notice of the adoption of Motion No. 4409 was duly published and was duly mailed to owners or reputed owners of the property within the proposed district as required by law stating that a public hearing on this ordinance and on the formation of the proposed utility local improvement district would be held before the County Council at 9:30 a.m., on September 10, 1979, in Room 402, King County, Courthouse, Seattle, Washington.

The hearing was duly and regularly held at that time and place, and the County Council heard all persons desiring to be heard on matters affecting the formation of the proposed Utility Local Improvement District No. 2 and the acquisition and construction of the improvements therein, and duly considered the protests filed in writing with the Council, those protests being signed by the owners of less than 40% of the area of land within the proposed utility local improvement district, and the Council determined to overrule those protests and to proceed with the improvement.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The acquisition and construction of the utility local improvement district portion of the Sewerage General Plan Duwamish Sewer Service Area of the County as adopted on August 6, 1979, by Ordinance No. 4435, applicable to Utility Local Improvement District No. 2, is hereby ordered to be carried out, that improvement consisting of the design, acquisition, construction and installation of a system of sewers and appurtenances thereto and by doing such other work as may be necessary in connection therewith in accordance with the plans and speci-

1 fications as prepared by the County Department of Public Works,  
2 which improvement shall be within the proposed utility local  
3 improvement district and outside the district where required  
4 to serve the facilities within the district, all as more specifi-  
5 cally described in Exhibit A attached hereto and by this refer-  
6 ence made a part hereof, all to serve the area included in the  
7 proposed utility local improvement district, the boundaries  
8 of which are hereinafter described. The County reserves the  
9 right to make reasonable changes in the improvement which do  
10 not substantially alter the purpose thereof and to proceed with  
11 the design, acquisition, construction and installation of the  
12 improvement specified in whole or in successive parts or units  
13 from time to time as may be advisable and as funds for the same  
14 become available.

15 SECTION 2. To carry out the Sewerage General Plan described  
16 in Section 1, there is hereby formed Utility Local Improvement  
17 District No. 2 of King County, Washington, the boundaries thereof  
18 being more particularly described as follows:

19 Those portions of the SW 1/4 of Section 3; the SE 1/4  
20 of Section 4; the NE 1/4 of Section 9 and the NW 1/4 of  
21 Section 10, Township 23 N., Range 4 E., W.M. described  
as follows:

22 Beginning at the intersection of the westerly margin  
23 of Puget Sound Power and Light Company property formerly  
24 known as Seattle-Tacoma Interurban Right of Way and the  
25 north line of said SW 1/4 of Section 3; thence S 8°01'50"  
26 E along said westerly margin a distance of 538.209 feet  
27 to the true point of beginning; thence S 79°37'30" W to  
28 the east bank of the Duwamish River; thence southerly and  
29 continuing upstream along the right bank of said River  
30 to the intersection of the southerly extension of the  
31 west line of C. D. Hillman Meadow Gardens Add. No. 3 as  
32 recorded in Vol. 12 of Plats, page 86 records of King  
33 County, Washington; thence northerly along said ex-  
tension and the west line of said plat and its  
northerly extension to a line parallel with and 450 feet  
southwesterly of the center line of the Burlington  
Northern Railroad right of way, formerly known as the  
Pacific Coast Railroad; thence northwesterly along  
said parallel line to the north line of the south  
2107.21 feet of said Section 3; thence westerly along  
said north line to the easterly margin of said Puget  
Sound Power and Light Company property; thence westerly  
across said property to the true point of beginning.

1           SECTION 3. The estimated cost and expense of the proposed  
2 improvement are hereby declared to be \$872,025. It is estimated  
3 that approximately \$542,025 of the total estimated cost of the  
4 improvement shall be paid by special assessments levied against  
5 the property within the proposed utility local improvement spe-  
6 cially benefited by the proposed improvement, and the balance  
7 of the costs shall be paid from sewer revenues for the improvement  
8 and other money available to the County and to be used for such  
9 purpose.

10           SECTION 4. The cost of the above described improvement  
11 and the financing thereof shall be met and defrayed from the  
12 proceeds received from the issuance and sale of sewer revenue  
13 bonds in the approximate principal amount of \$545,000, the issu-  
14 ance of which are hereby authorized, and from other money legally  
15 available therefor.

16           The specific form, terms, interest rates, covenants, manner  
17 of sale and other details of the sewer revenue bonds authorized  
18 by this ordinance shall be hereafter provided by the County  
19 Council.

20           The bonds shall be payable from the revenues received from  
21 the provisions of sewer service by the sewer improvement described  
22 in Section 1 and from such other sewer facilities of the County  
23 as the County Council shall provide, and also from the receipt  
24 of payments of assessments in Utility Local Improvement District  
25 No. 2 which assessments shall be deposited into a sewer revenue  
26 bond fund to be hereafter created for the purpose of paying  
27 for those bonds.

28           Pending the issuance and sale of such bonds and the receipt  
29 of other money to pay the costs of the improvements described  
30 in this ordinance, the County may issue and sell interest-bearing  
31 warrants payable from a construction fund to be created by the  
32 County Comptroller for the purposes set forth in this ordinance,  
33 such warrants to be issued and sold and to bear interest as

prescribed for County warrants.

SECTION 5. Assessments shall be made against the property of Utility Local Improvement District No. 2 in accordance with special benefits that will be derived from the improvements.

INTRODUCED AND READ for the first time this 13<sup>th</sup> day of August, 1979.

PASSED THIS 10<sup>th</sup> day of September, 1979.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Ruby Chow  
Chairman

ATTEST:

Georcky M. Amers  
Deputy Clerk of the Council

APPROVED this 17<sup>th</sup> day of September, 1979.

[Signature]  
King County Executive

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