

79-1412

ORDINANCE NO. 4683

1
2 AN ORDINANCE creating King County Road
3 Improvement District No. 86 for improve-
4 ment of 38th Avenue So. from 37th Avenue
5 So. to So. 140th Street in King County,
6 Washington.

PREAMBLE:

7 Pursuant to King County Motion No. 4618, a public
8 hearing was held on Jan. 7, 19 80, on the
9 petitions of property owners within the proposed
10 district for the formation of a road improvement
11 district to improve certain streets. Notice of said
12 hearing was duly published and was duly mailed to
13 each property owner pursuant to the requirements of
14 RCW 36.88.050. A diagram showing the lots specially
15 benefited by the Project and the estimated cost and
16 expense to be borne by each lot or building site was
17 considered by the Council. All written and verbal
18 protests were considered. It is hereby found that
19 the said petitions, including all additions thereto
20 and withdrawals therefrom made prior to 5 o'clock
21 p.m. of the business day before the hearing are
22 sufficient. It is further found that all require-
23 ments of RCW 36.88.020, 36.88.060, 36.88.410, and
24 King County Motion No. 4618 have been satisfied.

25 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

26 SECTION 1. There is hereby established, pursuant to Chapter
27 36.88 RCW, a road improvement district in King County to be known
28 and designated as "King County Road Improvement District No. 86"
29 (hereinafter "RID 86"). Said District shall include all the
30 territory described as follows:

31 Beginning at the Northwest corner of Block 8 in the plat of
32 VAL-VUE as recorded in Volume 40 of Plats, pages 4 and 5
33 Records of King County, Washington; thence Easterly to the
34 Northeast corner of said Block 8; thence Southerly to the
35 Southeast corner of Lot 12 said Block 8, thence Westerly to
36 the Northeast corner of Lot 13 said Block 8, thence Southerly
37 to the Southeast corner of said Block 8; thence Westerly to
38 the Southwest corner of Lot 13 Block 7 said plat of Val-Vue;
39 thence Northerly to the Northwest corner of Lot 23 said
40 Block 7; thence Westerly to the Southwest corner of Lot 1
41 said Block 7; thence Northerly to the Northwest corner of
42 said Block 8 and the point of beginning.

1 SECTION 2. It is hereby found that the plan for improvement
2 or construction in RID 86 is feasible and that the benefits to be
3 derived therefrom by the property within said District, together
4 with the amount of any King County road fund participation,
5 exceed the cost and expense of the formation of said District and
6 the contemplated construction or improvement therein.

7 SECTION 3. The following described street, which is wholly
8 within RID 86, shall be improved by the clearing, grubbing,
9 grading, draining, ballasting, paving, sidewalks, and other such
10 work as may be incidental thereto (which improvements are herein-
11 before and hereinafter referred to as "the Project"):

12 (a) 38th Avenue South from 37th Avenue South
13 to South 140th Street.

14 SECTION 4. The total costs and expenses of accomplishing
15 the Project are now estimated to be \$150,000. King County shall
16 contribute twenty-five percent of the final total of such costs
17 and expenses and the remaining seventy-five percent shall be borne
18 by and assessed against the property within the RID 86. Any
19 contribution from Block Grant Funds shall be used to finance the
20 property owners' share of the Project.

21 The method of assessment for payment of the final total cost
22 and expenses of accomplishing the Project shall be pro-rated. The
23 costs and expenses shall be assessed on a pro rata per lot basis
24 against all property within RID 86 as the method of assessment
25 (the amount of said assessment is now estimated to be \$3,214.00
26 per lot).

27 The final amount of the assessment against each parcel of
28 property within RID 86 shall be payable in cash within thirty days
29 of a date to be hereafter set by the Council or, at the election
30 of the owner of the property, in twenty equal, annual and con-
31 secutive installments, together with interest on the diminishing
32 principal balance at the rate of eight percent per annum. If any
33 installment is not paid when due, a penalty shall be levied and

1 collected equal to ten percent on the principal amount of such
2 delinquent installment, plus ten percent of all the then accrued
3 and unpaid interest on the principal balance of the assessment.
4 The amount of the final assessment, together with interest and
5 provisions for penalty, shall, upon confirmation of the assessment
6 roll by the Council, become a lien upon each parcel of land within
7 RID 86 at the time said assessment roll is placed in the hands of
8 the King County Comptroller for collection.

9 SECTION 5. The Director of the Department of Public Works
10 and Transportation is hereby authorized and directed to contract
11 for the construction of the Project. When the Project has been
12 completed and all the costs and expenses are known or can be
13 predicted with reasonable accuracy, said Director is further
14 authorized and directed to prepare and file with the Clerk of the
15 Council a final assessment roll setting forth that portion of the
16 total costs and expenses of accomplishing the Project which are
17 to be assessed against all the property within RID 86 and the
18 amount to be assessed against each parcel therein.

19 SECTION 6: There is hereby created on the books of the
20 King County Comptroller two funds of the County, to be designated
21 as the "King County Road Improvement District No. 86 Construction
22 Fund" and the "King County Road Improvement District No. 86 Bond
23 Fund," respectively.

24 All moneys collected by the Comptroller upon any assessment
25 levied on property within RID 86 for the accomplishment of the
26 Project shall be placed in the said Construction Fund during the
27 thirty-day period allowed for payment of such assessment without
28 penalty or interest, and shall be placed in the said Bond Fund
29 thereafter. Moneys in said Funds shall be used for no other
30 purpose than the payment of costs and expenses of accomplishing
31 the Project and the payment of the principal of or interest on
32 warrants drawn upon or bonds issued against said Funds.

1 SECTION 7. The Office of the Comptroller, Accounting Section
2 is hereby authorized and directed to issue interest-bearing
3 warrants against the King County Road Improvement District No. 86
4 Construction Fund to pay costs and expenses of accomplishing the
5 Project pending the redemption of said warrants with bonds issued
6 for such purpose. Said warrants shall bear interest at a rate,
7 not exceeding the maximum allowable as specified in RCW 36.88.330,
8 as shall be determined by said Comptroller.

9 Following confirmation of the assessment roll by the Council
10 and expiration of the thirty-day period for payment of assessments
11 without penalty or interest, the Council will authorize the
12 issuance of bonds sufficient in amount to redeem all the then
13 outstanding warrants drawn against the RID 86 Construction Fund
14 and to pay all other unpaid costs and expenses of accomplishing
15 the Project.

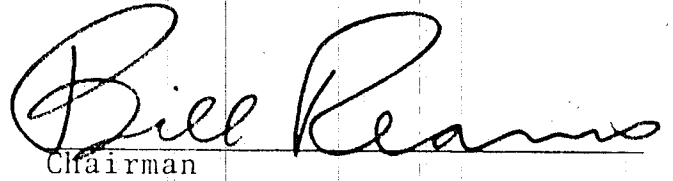
16 SECTION 8. "Costs and expenses of accomplishing the Pro-
17 ject," as used herein and in any subsequent ordinance relating to
18 RID 86, shall mean those costs and expenses described in RCW
19 36.88.300, as follows: (1) The cost of all of the construction
20 or improvement authorized in RID 86, including that portion of
21 the construction or improvement within the limits of any street
22 or road intersection, space, or spaces; (2) the estimated costs
23 and expenses of all engineering and surveying necessary to be
24 done by the County engineer or under his direction or by such
25 other engineer as may be employed by the County Council; (3) the
26 cost of all advertising, mailing, and publishing of all notices;

1 and (4) the cost of legal service and any other expenses incurred
2 by King County for RID 86 or in the formation thereof, or by said
3 District in connection with such construction or improvement and
4 in the financing thereof, including the issuance of bonds.

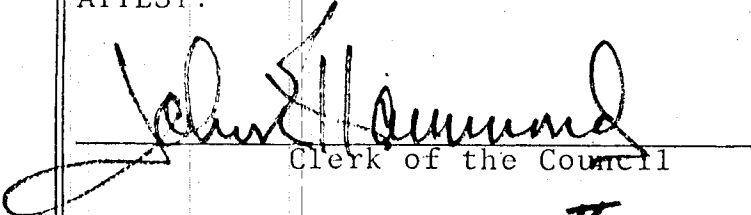
5 INTRODUCED AND READ for the first time this 13th day
6 of November, 19 79.

7 PASSED this 7th day of Jan., 19 80.

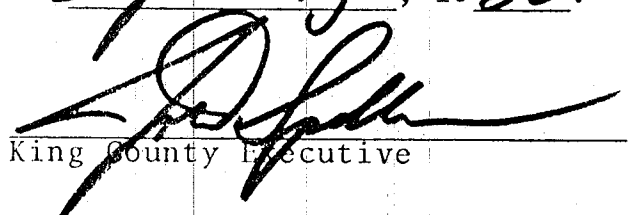
8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 
11 Chairman

12
13 ATTEST:

14 
15 Clerk of the Council

16
17 APPROVED this 14th day of January, 19 80.

18 
19 King County Executive