

VETOED

ORDINANCE NO. 4724

AN ORDINANCE confirming the King County Road Improvement District No. 75 assessment roll for the improvement of a portion of Southwest 336th Street and Southwest 340th Street and levying assessments against the property within said District

PREAMBLE:

A public hearing was held on January 28, 1980, pursuant to RCW 36.88.090, for the purpose of considering the assessment roll for King County Road Improvement District No. 75. Notice of said hearing was duly published and duly mailed to each property owner pursuant to the requirements of RCW 36.88.090. The Council, sitting as a board of equalization for such purpose, considered said assessment roll and all timely filed written objections made to the confirmation thereof.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: The Council, sitting as a board of equalization and having made all revisions to the roll it deems necessary, hereby finds that the assessment roll for King County Road Improvement District 75 (hereinafter "RID 75") is just and equitable and that no assessment against any property within RID 75 is greater than the special benefits to be derived from the improvement made to such property. Accordingly, said assessment roll, totaling \$354,690.69, is hereby confirmed and the assessments set forth therein are hereby levied against each parcel of property described in said roll.

SECTION 2: The Clerk of the Council is hereby directed to place in the hands of the King County Comptroller for collection the said RID 75 assessment roll, bearing such revisions as the Council has made thereto. Upon such placement, the amount of each assessment set forth therein, together with an interest accrued from time to time thereon and any penalty imposed from time to time thereon, shall become a lien against the property so assessed. Said lien shall be paramount and superior to any other lien or encumbrance whatsoever, theretofore or thereafter created, except for a lien for general taxes.

SECTION 3: Upon receipt of the RID 75 assessment roll, the King County Comptroller is hereby directed to publish notice at

1 the times and in the manner required by RCW 36.88.270, stating  
2 that such assessments or any portion thereof may be paid without  
3 interest in the 30 days following first publication of such  
4 notice.

5 SECTION 4: The amount of any assessment or any portion  
6 thereof against property in RID 75 not paid within the 30 day  
7 period specified in Section 3 of this ordinance shall be paid  
8 in 20 equal, annual and consecutive installments, together  
9 with interest on the diminishing principal balance of such  
10 assessment at the rate of eight percent per annum. Interest  
11 shall commence on the 30th day following first publication  
12 of the Comptroller's notice described in Section 3 hereof and  
13 the first installment shall be due one year from said date.  
14 Following expiration of 30 days after said first publication,  
15 the principal balance of the assessment, together with accrued  
16 interest and penalty, if any, may be prepaid only at the times  
17 and in the manner determined by the King County Comptroller.

18 Any installment which is not paid when due is therefore  
19 delinquent. Thereafter, a penalty shall be levied and collected  
20 equal to ten percent of the principal amount of such delinquent  
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1 installment plus ten percent of all the then accrued and unpaid  
2 interest on the principal balance of the assessment.

3 INTRODUCED AND READ for the first time this 3rd day of  
4 December, 1979.

5 PASSED this 28th day of January, 1980.

6 KING COUNTY COUNCIL  
7 KING COUNTY, WASHINGTON

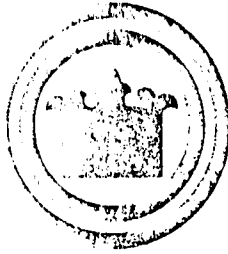
8 *Pice Reams*  
9 Chairman

10 ATTEST:

11  
12 *Juanita M. Luena*  
13 DEPUTY Clerk of the Council

14 **VETOED** APPROVED this 8th day of February, 1980  
15 *JR*

16 *[Signature]*  
17 King County Executive



**John D. Spellman**

*County Executive*

King County Courthouse  
Seattle, Washington 98104  
(206) 344-4040

February 8, 1980

Mr. William Reams, Chairman  
King County Council  
C O U R T H O U S E

Dear Chairman Reams:

Re: RID 75 (Ordinance confirming final assessment roll)

Ordinance 4724, transmitted herewith, is vetoed for the reason outlined as follows.

Due to a technical problem during the public hearing, an appellant and the Department of Public Works did not have an opportunity to present all of the evidence and testimony to the Council. A parcel of land, owned by the appellant, is included in the final assessment roll; however, this parcel is classified as "non-buildable" for hydraulic reasons. This was a condition attached to a recent short-plat approval.

The public hearing was originally continued to allow the appellant an opportunity to present a conceptual plan to the Division of Hydraulics for review and comments. The hearing continuance proved insufficient for the appellant to present his conceptual plan, for Hydraulics Division to review and comment, and for the appellant to analyze the Hydraulics Division comments. The Department of Public Works was assured by a Council staff person that arrangements had been made to continue the hearing. However, apparently due to an oversight, the Council closed the public hearing and passed the Ordinance. Therefore, the Council did not have the opportunity to hear all of the testimony and evidence as outlined in RCW 36.88.090.

I have asked Public Works staff to prepare a new motion and ordinance on this subject.

Very truly yours,

John D. Spellman  
County Executive

JDS:jr

Attachment

cc: Department of Public Works