

ORDINANCE NO. 7081

AN ORDINANCE creating King County Road Improvement District No. 95 for the improvement of a portion of Southwest 171st Street.

PREAMBLE:

Pursuant to King County Motion No. 6150, a public hearing was held on January 7, 1985, on the petitions of property owners within the proposed district for the formation of a road improvement district to improve certain streets. Notice of said hearing was duly published and was duly mailed to each property owner pursuant to the requirements of RCW 36.88.050. A diagram showing the lots specially benefited by the Project and the estimated cost and expense to be borne by each lot or building site was considered by the Council. All written and verbal protests were considered. It is hereby found that the said petitions, including all additions thereto and withdrawals therefrom made prior to 5 o'clock p.m. of the business day before the hearing, are sufficient. It is further found that all requirements of RCW 36.88.020, 36.88.060, 36.88.410, and King County Motion No. 6150 have been satisfied.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: There is hereby established, pursuant to Chapter 36.88 RCW, a road improvement district in King County to be known and designated as "King County Road Improvement District No. 95" (hereinafter "RID 95"). Said District shall include all the territory described as follows:

Within the plat of Gregory Heights Division No. 2 in Southwest quarter, Section 25, Township 23 North, Range 3 East, W.M., beginning at the Southwest corner of Lot 13, Block 11, thence N 03° 32' 05" E, 191.84 feet, thence N 86° 27' 55" W 150 feet, thence S 03° 32' 05" W 65.00 feet, thence perpendicular along a line to a point on the Westerly line of Lot 16, Block 11, thence S 06° 52' 00" W to the Northwest corner Lot 26, Block 11, thence S 80° 01' 30" E 225.33 feet, thence S 48° 12' 50" E 91.46 feet, thence S 06° 52' 00" W 143.93 feet, thence along a curve to the right having a radius of 30.00 feet through a central angle of 73° 58' 08", an arc distance of 38.73 feet to the most Northerly corner of Lot 19, Block 15, thence S 73° 02' 45" E 44.77 feet, thence N 87° 02' 45" E 24.43 feet, thence S 06° 52' 00" W 214.45 feet to the Southeast corner of said Lot 19, thence along a curve to the left having a radius of 320.39 feet through a central angle of 22° 17' 28", an arc distance of 124.65 feet, thence N 74° 04' 05" W 631.36 feet to the Southwest corner of Lot 10, Block 15, thence N 03° 32' 05" E 343 feet more or less to the Southwest corner of Lot 11,

1 Block 11, thence along the margin of right of way S 83° 37' 30" E 99.52
2 feet, thence S 60° 14' 30" E 56.43 feet to the point of beginning.

3 SECTION 2: The following described street, which is wholly within RID 95,
4 shall be improved by clearing, grubbing, grading, draining, ballasting, paving,
5 sidewalks, curbs and gutters, overhead utility undergrounding, erosion control,
6 necessary affected off-site drainage, and such other work as may be incidental
7 thereto, in accordance with the request on the petition (which improvements are
8 hereinbefore and hereinafter referred to as the "Project"):

9 Southwest 171st Street from approximately 31st Avenue SW to
10 approximately 28th Avenue SW a distance of 650 feet more or less.

11 SECTION 3: The costs and expenses of accomplishing the project are now
12 estimated to be \$382,420.00. Adverse soils conditions may dictate an increase
13 in costs.

14 The costs and expenses of work to be done within the right-of-way will be
15 borne by and assessed against the property within the boundary of RID 95. The
16 final amount of said costs and expense will be determined after the project has
17 been completed.

18 It is further the intention of the council that the property owners' share
19 of the costs and expenses shall be assessed against each buildable lot within
20 the assessment boundary of RID 95.

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23 The final amount of the assessment against each parcel of property within
24 RID 95 shall be dependent upon the final total of such costs and expenses
25 incurred in accomplishing the project and shall, upon confirmation of the
26 assessment roll by the council, become a lien against each such parcel of land
27 within RID 95. Such assessments may be paid in full thereafter or at the
28 option of the owner thereof, in twenty equal, annual and consecutive
29 installments, together with interest on the diminishing principal at a rate
30 which is one-half (1/2) of one percent (1%) higher than the net effective
31 interest rate on the bonds, which will be sold to pay the cost of the
32 improvements within RID 95 per annum plus a penalty of ten percent on the
33 principal amount of any delinquent installment plus ten percent of all the then

1 accrued and unpaid interest on the principal balance of the assessment. The
2 amount of the final assessment, together with interest and provisions for
3 penalty, shall, upon confirmation of the assessment roll by the Council, become
4 a lien upon each lot or building site within RID 95 from the time said
5 assessment roll is placed in the hands of the office of finance for collection.

6 SECTION 4: It is hereby found that the plan for improvement or construc-
7 tion in RID 95 is feasible and that the benefits to be derived therefrom by the
8 property within said district, together with the amount of any King County road
9 fund participation, exceed the cost and expense of the formation of said
10 district and the contemplated construction or improvement therein.

11 SECTION 5: The director of the department of public works is hereby
12 authorized and directed to contract with the necessary parties for the design
13 and construction of the project. When the project has been completed and all
14 the costs and expenses are known or can be predicted with reasonable accuracy,
15 said director is further authorized and directed to prepare and file with the
16 clerk of the King County council a final assessment roll setting forth that
17 portion of the total costs and expenses of the project to be assessed against
18 all the property within RID 95 and the amount to be assessed against each lot
19 or building site.

20 SECTION 6: There is hereby created on the books of the King County office
21 of finance two funds of the County, to be designated as the "King County Road
22 Improvement District No. 95 Construction Fund" and the "King County Road
23 Improvement District No. 95 Bond Fund," respectively.

24 All moneys collected by the office of finance upon any assessment levied on
25 property within RID 95 for the accomplishment of the Project shall be placed in
26 the said construction fund during the thirty-day period allowed for payment of
27 such assessment without penalty or interest, and shall be placed in the said
28 bond fund thereafter. Moneys in said funds shall be used for no other purpose
29 than the payment of costs and expenses of accomplishing the project and the
30 payment of the principal of or interest on warrants drawn upon or bonds issued
31 against said funds.

32 SECTION 7: The office of finance, accounting section, is hereby authorized
33 and directed to issue interest-bearing warrants against the King County Road

1 Improvement District No. 95 construction fund to pay costs and expenses of
2 accomplishing the project pending the redemption of said warrants with bonds
3 issued for such purpose, as specified in RCW 36.88.330. Said warrants shall
4 bear interest at a rate not exceeding the maximum allowable rate as shall be
5 determined by said office of finance.

6 Following confirmation of the assessment roll by the council and expiration
7 of the thirty-day period for payment of assessments without penalty or
8 interest, the council will authorize the issuance of bonds sufficient in amount
9 to redeem all the then outstanding warrants drawn against the RID 95
10 construction fund and to pay all other unpaid costs and expenses of
11 accomplishing the project.

12 SECTION 8: "Costs and expenses of accomplishing the project," as used
13 herein and in any subsequent ordinance relating to RID 95, shall mean those
14 costs and expenses described in RCW 36.88.300, as follows: (1) The cost of all
15 of the construction or improvement authorized in RID 95, including that portion
16 of the construction or improvement within the limits of any street or road
17 intersection, space, or spaces; (2) the estimated costs and expenses of all
18 engineering and surveying necessary to be done by the county engineer or under
19 his direction or by such other engineer as may be employed by the County
20 Council; (3) the cost of all advertising, mailing, and publishing of all
21 notices; and (4) the cost of legal service and any other expenses incurred by
22 King County for RID 95 or in the formation thereof, or by said district in
23 connection with such construction of improvement and in the financing thereof,
24 including the issuance of bonds.

25 INTRODUCED AND READ for the first time this 3rd day of December
26 1984.

27 PASSED this 7th day of January, 1985

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Jerry Grant
Chairman

29 ATTEST:

30 Janet M. Quinn
31 Clerk of the Council

32 APPROVED this 18th day of January, 1985.

Randy Wells
33 King County Executive