

5/19/77
JC/hn

Introduced by MIKE LOWRY

77-486

ORDINANCE NO. 3296

1
2 AN ORDINANCE creating Road Improvement District
3 No. 72 for the improvement of a portion of 124th
4 Avenue SE, 128th Avenue SE, SE 38th Place, and
5 SE 41st Street, to be known as King County Road
6 Improvement District No. 72 (Factoria Square),
and directing the Department of Public Works and
Transportation to proceed with the improvement
project, and to prepare and file a final assess-
ment roll when the project is completed.

7 PREAMBLE:

8 Motion No. 3018 setting a date for a public hearing on
9 the creation of a Road Improvement District for the
10 improvement of a portion of 124th Avenue SE, 128th
11 Avenue SE, SE 38th Place, and SE 41st Street, to be
12 known as King County Road Improvement District No. 72
13 (Factoria Square), was passed by the King County Council
14 May 16, 1977, and the date set for the hearing was
15 June 27, 1977, and due Notice of Hearing was mailed to
16 the owners of the property at the address shown on the
17 tax rolls of the King County Comptroller, as required
18 by law. The Director of the Department of Public Works
19 and Transportation has certified that the petition for
this improvement, including all withdrawals therefrom
and additions thereto made prior to 5 p.m. of the day
prior to the hearing is sufficient; and that said peti-
tion conforms to the provisions of RCW 36.88.010,
36.88.015, 36.88.020, and 36.88.050. The hearing has
been held as provided in said notice, and after hearing
any and all written and verbal protests of the various
property owners within the proposed district, the Council
has ascertained that the petition is sufficient and the
plan of improvement is feasible, and has determined to
order the construction of said improvement.

20 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

21 SECTION 1. The improvement of 124th Avenue SE from SE 38th
22 Place southerly to a point 340 feet more or less south of the
23 centerline of SE 41st Street, and 128th Avenue SE from the
24 southerly margin of the right-of-way of I-90 to a point 340 feet
25 more or less south of the centerline of SE 41st Street, and
26 SE 38th Place from 124th Avenue SE to 128th Avenue SE, and SE 41st
27 Street from 124th Avenue SE to 128th Avenue SE shall consist of
28 clearing, grubbing, grading, draining, ballasting, paving, street
29 lighting, sidewalks, curbs and gutters, and such other work as may
30 be incidental thereto, in accordance with the request on the
31 petition.
32
33

1 SECTION 2. There is hereby established a road improvement
2 district for the improvement described in Section 1, to be known
3 and designated as "King County Road Improvement District No. 72",
4 which said assessment district shall include all of the territory
5 described as follows:

6 That portion of the North half of Section 16, Township 24
7 North, Range 5 East, W.M., and the SE quarter of Section 9,
8 Township 24 North, Range 5 East, W.M., in King County,
9 Washington lying easterly of the east margin of I-405
10 (Secondary State Highway No. 2A) and south of the south
11 margin of I-90 (Primary State Highway No. 2) and lying
12 southerly, westerly and north of the following line:

13 Begining at the north line of the South half of the SW
14 quarter of the NE quarter of the SE quarter of said Section
15 9 at the centerline of the Relocation of Richards Road;
16 thence east a distance of 330 feet more or less; thence
17 southerly along a line that is 330 feet from and parallel to
18 said centerline and the centerline of 128th Avenue SE to the
19 north line of the south 363 feet of the NE quarter of the
20 NE quarter of Section 16, Township 24 North, Range 5 East,
21 S.M.; thence west along said north line a distance of 360
22 feet more or less to the west margin of said 128th Avenue SE;
23 thence south along said margin to the south line of the North
24 half of the South half of the NW quarter of the NE quarter of
25 said Section 16; thence west along said south line and the
26 south line of the North half of the South half of the
27 NE quarter of the NW quarter to the west margin of I-405
28 (State Road No. 2A).

29 SECTION 3. The estimated cost and expense of the improvement
30 of 124th Avenue SE is \$149,900.00; for 128th Avenue SE it is
31 \$209,800.00; for SE 38th Place it is \$100,500.00; and for
32 SE 41st Street it is \$119,400.00; for a total of \$579,600.00. It
33 is the intention that the total cost and expense of each road to

1 be improved shall be borne by the private property in the portion
2 of the district adjacent to that road. It is the intention that
3 the assessments shall be based on the zone and termini method of
4 assessment calculation, and shall be paid over a period of 20 years.
5 It is the intention that the consulting engineering firm retained
6 by the developers for the plat of Factoria Square be retained to
7 produce the construction plans for this road improvement district.
8 The basic data used in the plat site plan can be directly applied
9 to the road and drainage design without additional cost to the
10 developer. Design cost for the road plans incurred prior to the
11 formation of this road improvement district shall be payable by
12 the district after its formation.

13 SECTION 4. It is hereby found that the plan for improvement
14 construction in Road Improvement District No. 72 is feasible and
15 that the benefits to be derived therefrom by the property within
16 said district exceeds the costs and expense of the formation of
17 said district and the contemplated construction or improvement
18 therein.

19 SECTION 5. The Director of the Department of Public Works
20 and Transportation is hereby directed to call for bids for
21 construction of said improvement, and when a contract therefor
22 shall have been let by King County, and the construction is
23 completed, and the exact costs are known, said Director of the
24 Department of Public Works and Transportation is further directed
25 to prepare and file with the Administrator-Clerk of the King
26 County Council an Assessment Roll for that portion of the entire
27 cost and expense of said improvement to be assessed against the
28 property included in the assessment district herein before created.

29 SECTION 6. There shall be, and is hereby created in the
30 Office of the Comptroller, two funds of the County to be known and
31 designated as "King County Road Improvement District No. 72
32 Construction Fund" and "King County Road Improvement District
33 No. 72 Bond fund", respectively.

1 All moneys collected by the Office of Comptroller upon any
2 assessments levied for the construction of said improvement shall
3 be placed in the Construction Fund during the thirty-day period
4 allowed for payment of such assessments without penalty or interest,
5 and shall be placed in the Bond Fund thereafter. Payments shall be
6 made on the basis of the assessment roll prepared by the Director
7 of the Department of Public Works and Transportation, subject to
8 adjustment after completion of the hearing on said roll.

9 The Office of Comptroller, Accounting Section, is hereby
10 directed and authorized to issue interest bearing warrants against
11 King County Road Improvement District No. 72 Construction Fund to
12 pay construction costs pending the redemption of said warrants
13 after the bond sale. The interest rate of said interest bearing
14 warrants shall be fixed at six (6) per cent per annum.

15 Bonds of said improvement district shall be payable on or
16 before 22 years from date of issuance, shall be sold in the amount
17 sufficient to redeem all outstanding warrants against the aforesaid
18 Construction Fund for that portion of the cost and expense of the
19 construction of said improvement to be assessed against the
20 property within the district, after determining the amount of said
21 assessments paid within the thirty-day period allowed for payment
22 of assessments without penalty or interest.

23 INTRODUCED AND READ for the first time this 31st day of

24 May, 1977.

25 PASSED this 11th day of July, 1977.

26 KING COUNTY COUNCIL
27 KING COUNTY, WASHINGTON

28 ATTEST:

29 Dorothy B. Owen
Deputy Clerk of the Council

30 Mike Jurey
Chairman

31 APPROVED this 12th day of July, 1977.

32 [Signature]
33 King County Executive