

Introduced by:

BOB GAINES

NO. 77-668

ORDINANCE NO. 3394

1
2 AN ORDINANCE ordering the acquisition and
3 construction of the sewer improvements in
4 Trend County Sewer Service Area in accordance
5 with the Sewerage General Plan for the Trend
6 area as adopted on May 3, 1976, by Ordinance
7 No. 2707, applicable to the utility local
8 improvement district hereinafter described
9 and creating Utility Local Improvement
10 District No. 1 and ratifying actions hereto-
11 fore taken by the County relating thereto,
12 and declaring an emergency.

8 PREAMBLE:

9 On June 20, 1977, the Council of King County, Washington,
10 duly adopted Motion No. 03077 setting forth the intention
11 of the Council to order the construction of the sewers in
12 the Utility Local Improvement District portion of the Trend
13 County Sewer Service Area General Plan as adopted on May 3,
14 1976, by Ordinance No. 2707.

13 Notice of Motion No. 03077 was duly published and notice was
14 duly mailed to owners or reputed owners of the property
15 within the proposed district as required by law and that a
16 public hearing on the formation of the proposed utility local
17 improvement district would be held before the County Council
18 at 9:30 a.m., on July 25, 1977, in Room 402, King
19 County Courthouse, Seattle, Washington.

17 The hearing was duly and regularly held at that time and
18 place, and the County Council heard all persons desiring to
19 be heard on matters affecting the formation of the proposed
20 Utility Local Improvement District No. 1, and the acquisi-
21 tion and construction of the improvements therein, and
22 duly considered the protests filed in writing with the
23 Council those protests being signed by the owners of less
24 than 40% of the area of land within the proposed utility
25 local improvement district, and the Council determined to
26 overrule those protests and to proceed with the improvement.

22 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

23 SECTION 1. The acquisition and construction of the
24 utility local improvement district portion of the Sewerage
25 General Plan Trend Sewer Service Area of the County as adopted
26 on May 3, 1976, by Ordinance No. 2707, applicable to Utility
27 Local Improvement District No.1, is hereby ordered to be carried
28 out, that improvement consisting of the design, acquisition,
29 construction and installation of a system of sewers and appurten-
30 ances thereto and by doing such other work as may be necessary
31 in connection therewith in accordance with the plans and specifi-
32 cations as prepared by the County Department of Public Works, which
33

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

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

19 Beginning at the NE corner of Sec. 33, Twp 26 N.,
20 Rge. 5E, W.M.; thence southerly along the east
21 line of said Sec. 33 to the south line of the
22 NE 1/4 of the NE 1/4 of said Sec. 33; thence west
23 along said south line to the east line of the west
24 half of the east half of said Sec. 33; thence
25 south along said east line to its intersection
26 with the centerline of NE 107th Pl. (in the SE
27 1/4 of said Sec. 33); thence west along said
28 centerline to its intersection with the N-S center-
29 line of said Sec. 33; thence south along said
30 centerline to the easterly extension of the south
31 line of Lot 19, Orchard Park, according to plat
32 thereof recorded in Vol. 66 of plats, page 86,
33 records of King County, Washington; thence west

1 along said extension and south line to the west
2 line of said Lot 19; thence north along said
3 west line and the west line of Lot 20, said
4 Orchard Park, and its northerly extension to the
5 north line of the south 120 feet of Tract 154,
6 Juanita Acre Tracts, according to plat thereof
7 recorded in Vol. 16 of plats, page 63, records
8 of said County; thence east along said north line
9 and its easterly extension to aforesaid N-S center-
10 line of Sec. 33; thence north along said N-S center-
11 line to the north line of said Sec. 33; thence
12 east along said north line to the NE corner of
13 said Sec. 33 and the point of beginning.

14 SECTION 3. The estimated cost and expense of the
15 proposed improvement are hereby declared to be \$280,000.00
16 It is intended that 85% of the total cost of the improvement
17 shall be paid by special assessments levied against the
18 property within the proposed utility local improvement specially
19 benefited by the proposed improvement, and the balance of the
20 costs shall be paid from sewer revenues for the improvement
21 and other money available to the County and to be used for such
22 purpose.

23 SECTION 4. The cost of the above described improvement
24 shall be met and defrayed from the proceeds received from the
25 issuance and sale of sewer revenue bonds in the approximate
26 principal amount of \$280,000, the issuance of which are
27 hereby authorized, and from other money legally available
28 therefor.

29 The specific form, terms, interest rates, covenants,
30 manner of sale and other details of the sewer revenue bonds
31 authorized by this resolution shall be hereafter provided by the
32 County Council.

1 The bonds shall be payable from the revenues received
2 from the provision of sewer service by the sewer improvement
3 described in Section 1 and from such other sewer facilities
4 of the County as the County Council shall provide, and also
5 from the receipt of payments of assessments in Utility Local
6 Improvement District No. 1 which assessments shall be deposited
7 into a sewer revenue bond fund to be hereafter created for the
8 purpose of paying for those bonds.

9 SECTION 5. Inasmuch as the nature of the improvement
10 is such that the special benefits conferred upon the property
11 included in Utility Local Improvement District No. 1 would not
12 be fairly reflected by the strict use of the zone-and-termini
13 method of the assessment as provided by statute, assessments
14 shall, therefore be made against the property Utility Local
15 Improvement District No. 1 in accordance with special benefits
16 that will be derived from the improvements without regard to
17 this strict zone-and-termini method of assessment.

18 SECTION 6. The County Council finds as a fact and
19 declares that an emergency exists and that this ordinance is
20 necessary for the immediate preservation of public peace, health
21 or safety or for the support of County government and its existing
22 public institutions.

23 INTRODUCED AND READ for the first time this 25th day of
24 July, 1977.
25 PASSED this 6th day of September, 1977.

26
27 ATTEST:
28 Dorothy M. Owens DEPUTY
29 Clerk of the Council

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Mike Lowry
Chairman

30 APPROVED this 7th day of September, 1977.

[Signature]
King County Executive