

3/8/78

Introduced by:

TRACY J. OWEN

NO. 78-7

ORDINANCE NO. 3672

AN ORDINANCE creating King County Road Improvement District No. 78 for underground wiring in the Lake Forest Park area.

PREAMBLE:

Pursuant to King County Motion No. 3332, a public hearing was held on January 30, 1978, on the petition of property owners within the proposed district for the formation of a road improvement district to accomplish an underground wiring Project. 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 petition, including all additions thereto and withdrawals therefrom made prior to 5 o'clock p.m. of the business day before the hearing, is sufficient. It is further found that all requirements of RCW 36.88.020, 36.88.050, 36.88.060, 36.88.410, and King County Motion No. 3332 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. 78" (hereinafter "RID 78"). Said district shall include all the territory described as follows:

The plats of Forest Heights as recorded in King County records, Volume 65, page 100, except lot 20 and Forest Heights No. 2 as recorded in King County records, Volume 66, page 68, together with the following portions of the South 1/2 of the NE 1/4 of the NW 1/4 of the SW 1/4 of Section 3, Township 26 M., Range 4 East, W.M.: The North 119.94 feet of the East 129.94 feet of the West 389.94; ALSO the East 115 feet of the West 260 feet LESS the North 74 feet and LESS the South 133 feet thereof.

1 SECTION 2. It is hereby found that the plan for improvement
2 or construction in RID 78 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, ex-
5 ceed the cost and expense of the formation of said district and
6 the contemplated construction or improvement therein.
7

8 SECTION 3. The following-described streets, which are
9 wholly within RID 78, shall be improved by the conversion of
10 existing overhead electric and communication facilities to
11 underground facilities (which improvements are hereinbefore
12 and hereinafter referred to as the "Project"):
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14 (a) Northeast 192nd Street between 37th Avenue
15 Northeast and 38th Place Northeast;

16 (b) 38th Place Northeast between Northeast 192nd
17 Street and Northeast 193rd Street; and

18 (c) Northeast 193rd Street from 38th Place Northeast
19 to its end on the west.
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21 SECTION 4. That portion of the total cost and expense of
22 accomplishing the Project which is to be borne by all the prop-
23 erty owners within RID 78 is now estimated to be \$52,020.00. The
24 cost per lot or building site is now estimated to be \$1,530.00.
25 The final amount of said cost and expense to be borne by said
26 property owners, which amount will be determined after the
27 Project has been completed, will be divided equally among all the
28 lots or building sites within RID 78, and each lot or building
29 site will be assessed such equal share.
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31 Such assessments shall be payable in cash within 30 days of
32 a date to be hereafter set by the Council, or, at the election of
33 the owner of the property, in 15 equal, annual and consecutive

1 installments, together with interest on the diminishing principal
2 balance at the rate of 8% per annum (in no event exceeding 8% per
3 annum) plus a penalty of 10% on the principal amount of any
4 delinquent installment. The amount of the final assessment,
5 together with interest and provisions for penalty, shall, upon
6 confirmation of the assessment roll by the Council, become a lien
7 upon each lot or building site within RID 78 from the time said
8 assessment roll is placed in the hands of the Comptroller for
9 collection.

10 SECTION 5. The Director of the Department of Public Works
11 and Transportation is hereby authorized and directed to contract
12 with Seattle City Light and Pacific Northwest Bell Telephone
13 Company for the construction of the Project. When the Project
14 has been completed and all the costs and expenses are known or
15 can be predicted with reasonable accuracy, said Director is
16 further authorized and directed to prepare and file with the
17 Clerk of the King County Council a final assessment roll setting
18 forth that portion of the total costs and expenses of the Project
19 to be assessed against all the property within RID 78 and the
20 amount to be assessed against each lot or building site.

21 SECTION 6. In the event an owner of a lot or building site
22 within RID 78 should request the furnishing of electrical or
23 communication service to a lot or building site which has not
24 been separately and independently assessed therefor in the RID 78
25 assessment roll, as confirmed by the Council, such service shall
26 be provided only upon advance payment in cash by such owner of a
27 fee consistent with the then current fees being charged per lot
28 or building site in new undergrounding projects.

29 SECTION 7. There is hereby created on the books of the King
30 County Comptroller two funds of the County, to be designated as
31 the "King County Road Improvement District No. 78 Construction
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1 Fund" and the "King County Road Improvement District No. 78 Bond
2 Fund," respectively.

3 All moneys collected by the Comptroller upon any assessments
4 levied on property within RID 78 for the accomplishment of the
5 Project shall be placed in the said Construction Fund during the
6 thirty-day period allowed for payment of such assessment without
7 penalty or interest, and shall be placed in the said Bond Fund
8 thereafter. Moneys in said Funds shall be used for no other
9 purpose than the payment of costs and expenses of accomplishing
10 the Project and the payment of the principal of or interest on
11 warrants drawn upon or bonds issued against said Funds.

12 SECTION 8. The Office of the Comptroller, Accounting Sec-
13 tion, is hereby authorized and directed to issue interest-bearing
14 warrants against the King County Road Improvement District No. 78
15 Construction Fund to pay costs and expenses of accomplishing the
16 Project pending the redemption of said warrants with bonds issued
17 for such purpose. Said warrants shall bear interest at a rate,
18 not exceeding 6 percent per annum, as shall be determined by said
19 Comptroller.

20 Following confirmation of the assessment roll by the Council
21 and expiration of the thirty-day period for payment of assess-
22 ments without penalty or interest, the Council will authorize the
23 issuance of bonds sufficient in amount to redeem all the then-
24 outstanding warrants drawn against the RID 78 Construction Fund
25 and to pay all other unpaid costs and expenses of accomplishing
26 the Project.

27 SECTION 9. "Costs and expenses of accomplishing the Project,"
28 as used herein and in any subsequent ordinance relating to RID 78,
29 shall mean those costs and expenses described in RCW 36.88.300,
30 as follows: (1) The cost of all of the construction or improve-
31 ment authorized in RID 78, including that portion of the con-
32 struction or improvement within the limits of any street or road

1 intersection, space, or spaces; (2) the estimated costs and
2 expenses of all engineering and surveying necessary to be done by
3 the County engineer or under his direction or by such other
4 engineer as may be employed by the County Council; (3) the cost
5 of all advertising, mailing, and publishing of all notices; and
6 (4) the cost of legal service and any other expenses incurred by
7 King County for RID 78 or in the formation thereof, or by said
8 District in connection with such construction or improvement and
9 in the financing thereof, including the issuance of bonds.

10 INTRODUCED AND READ for the first time this 9th day of

11 January, 1978.

12 PASSED this 17th day of April, 1978.

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 Bernice Stern
16 Chairman

17 Attest:

18 Dorothy B. Quinn DEPUTY
19 Clerk of the Council

20 APPROVED this 19th day of April, 1978.

21 [Signature]
22 King County Executive
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