

10/24/78

Introduced by: BILL BEAMS

Proposed No. 78-1091

ORDINANCE NO. 3970

AN ORDINANCE creating King County Road Improvement District No. 76 for the construction and improvement of portions of NE 165th Street, 216th Avenue NE and NE 150th Street.

PREAMBLE:

Pursuant to King County Motion No. 3803, a public hearing was held on November 27, 1978, on the petition of property owners within the proposed district for the formation of a road improvement district to accomplish a road improvement 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 36.88.050, 36.88.060 and King County Motion No. 3803 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. 76 (hereinafter "RID 76"). Said district shall include all the territory lying within the following portions of Township 26 North, Range 6 East, W.M.:

Section 9 -- S 1/2 of the SE 1/4 of the SW 1/4 together with SE 1/4 of the SW 1/4 of the SW 1/4 together with E 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4;  
Section 16 -- SW 1/4 together with SW 1/4 of the NW 1/4 together with E 1/2 of the NW 1/4 together with E 1/2 of the NW 1/4 of the NW 1/4 together with NE 1/4 of the NW 1/4 of the NW 1/4 of the NW 1/4 together with E 1/2 of the S 1/2 of the W 1/2 of the N 1/2 of the S 1/2 of the NW 1/4 of the NW 1/4 together with the S 1/2 of the SW 1/4 of the NW 1/4 of the NW 1/4.

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1           SECTION 2: It is hereby found that the plan for the  
2 improvement and the construction in RID 76 is feasible and that  
3 the benefits to be derived therefrom by the property within said  
4 District, together with the amount of any King County road fund  
5 participation, exceed the cost and expense of the formation of  
6 said District and the contemplated construction or improvement  
7 therein.

8           SECTION 3: Those portions of the following described  
9 streets within RID 76 are hereby ordered to be improved by  
10 clearing, grubbing, grading, draining, ballasting, paving, and  
11 performing such other work as may be necessary to improve a  
12 38-foot wide roadway with a pavement width of 22 feet and two  
13 8-foot gravel shoulders (where applicable, existing road features  
14 are to be used to the greatest extent practical):

15           (a) NE 165th Street from a point approximately 286 feet  
16 east of 212th Avenue NE to 216th Avenue NE;

17           (b) 216th Avenue NE from NE 165th Street to the south  
18 line of said Section 16, Township 26 North, Range 6 East, W.M.;

19           (c) NE 150th Street from 216th Avenue NE to the east  
20 line of the southwest quarter of said Section 16, Township 26 North,  
21 Range 6 East, W.M.

22           Said improvements are sometimes hereafter referred to  
23 collectively as the "Project".

24           SECTION 4: The total costs and expenses of accomplishing the  
25 Project are now estimated to be \$405,500, not including interim  
26 maintenance costs to be borne exclusively by King County and per-  
27 formed as discussed in Section 9. King County shall contribute  
28 ten percent of the final total of such costs and expenses and the  
29 remaining ninety percent shall be borne by and assessed against the  
30 property within the RID 76.

31           The method of assessment for payment of the final total cost  
32 and expenses of accomplishing the Project shall be pro-rated. The  
33 costs and expenses shall be assessed on a pro rata per acre basis  
against all property within RID 76 as the

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1 method of assessment (the amount of said assessment is now  
2 estimated to be \$1,152.24 per acre).

3 The final amount of the assessment against each parcel of  
4 property within RID 76 shall be payable in cash within thirty  
5 days of a date to be hereafter set by the Council or, at the  
6 election of the owner of the property, in fifteen equal, annual  
7 and consecutive installments, together with interest on the  
8 diminishing principal balance at the rate of eight percent per  
9 annum. If any installment is not paid when due, a penalty shall  
10 be levied and collected equal to ten percent on the principal  
11 amount of such delinquent installment, plus ten percent of all  
12 the then accrued and unpaid interest on the principal balance  
13 of the assessment. The amount of the final assessment, together  
14 with interest and provisions for penalty, shall, upon confirmation  
15 of the assessment roll by the Council, become a lien upon each  
16 parcel of land within RID 76 at the time said assessment roll is  
17 placed in the hands of the King County Comptroller for collection.

18 SECTION 5: The Director of the Department of Public Works  
19 and Transportation is hereby authorized and directed to contract  
20 for the construction of the Project. When the Project has been  
21 completed and all the costs and expenses are known or can be  
22 predicted with reasonable accuracy, said Director is further  
23 authorized and directed to prepare and file with the Clerk of the  
24 Council a final assessment roll setting forth that portion of  
25 the total costs and expenses of accomplishing the Project which  
26 are to be assessed against all the property within RID 76 and the  
27 amount to be assessed against each parcel therein.

28 SECTION 6: There is hereby created on the books of the  
29 King County Comptroller two funds of the County, to be designated  
30 as the "King County Road Improvement District No. 76 Construction  
31 Fund" and the "King County Road Improvement District No. 76 Bond  
32 Fund," respectively.

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1 All moneys collected by the Comptroller upon any assessment  
2 levied on property within RID 76 for the accomplishment of the  
3 Project shall be placed in the said Construction Fund during  
4 the thirty-day period allowed for payment of such assessment  
5 without penalty or interest, and shall be placed in the said  
6 Bond Fund thereafter. Moneys in said Funds shall be used for  
7 no other purpose than the payment of costs and expenses of  
8 accomplishing the Project and the payment of the principal of  
9 or interest on warrants drawn upon or bonds issued against  
10 said funds.

11 SECTION 7: The Office of the Comptroller, Accounting  
12 Section, is hereby authorized and directed to issue interest-  
13 bearing warrants against the King County Road Improvement  
14 District No. 76 Construction Fund to pay costs and expenses  
15 of accomplishing the Project pending the redemption of said  
16 warrants with bonds issued for such purpose. Said warrants  
17 shall bear interest at a rate not exceeding six percent per  
18 annum, as shall be determined by said Comptroller.

19 Following confirmation of the assessment roll by the  
20 Council and expiration of the thirty-day period for payment of  
21 assessments without penalty or interest, the Council will  
22 authorize the issuance of bonds sufficient in amount to redeem  
23 all the then outstanding warrants drawn against the RID 76  
24 Construction Fund and to pay all other unpaid costs and expenses  
25 of accomplishing the Project.

26 SECTION 8: "Costs and expenses of accomplishing the Project",  
27 as used herein and in any subsequent ordinance relating to  
28 RID 76, shall mean those costs and expenses described in  
29 RCW 36.88.300, as follows: (1) The cost of all of the construc-  
30 tion or improvement authorized in RID 76, including that portion  
31 of the construction or improvement within the limits of any  
32 street or road intersection, space, or spaces; (2) the estimated  
33 costs and expenses of all engineering and surveying necessary to

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1 be done by the County Engineer or under his direction or by such  
2 other engineer as may be employed by the County Council; (3) the  
3 cost of all advertising, mailing, and publishing of all notices;  
4 and (4) the cost of legal service and any other expenses incurred  
5 by King County for RID 76 or in the formation thereof, or by said  
6 District in connection with such construction or improvement and  
7 in the financing thereof, including the issuance of bonds.

8 SECTION 9: King County shall further participate in RID 76  
9 by providing interim maintenance to those streets and avenues  
10 discussed in Section 3 from the time of creation of RID 76, to the  
11 date of the award of contract for the construction of the project.

12 The cost of providing interim maintenance is now estimated  
13 to be \$11,313.

14 INTRODUCED AND READ for the first time this 30th day of  
15 October, 1978.

16 PASSED this 27th day of November, 1978.

17  
18 KING COUNTY COUNCIL  
19 KING COUNTY, WASHINGTON

20 Bernice Stern  
21 Chairman

22  
23 ATTEST:

24 Janet M. Rivera  
25 Deputy Clerk of the Council

26 APPROVED this 7th day of December, 1978.

27  
28 [Signature]  
29 King County Executive