

ORDINANCE NO. 4298

79-446

AN ORDINANCE creating King County Road Improvement District No. 74 for improvement of a portion of 11th Place South and South 324th Street in the Federal Way area of King County, Washington.

PREAMBLE:

Pursuant to King County Motion No. 4198, a public hearing was held on Apr. 130, 1979, 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. 4198 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. 74" (hereinafter "RID 74"). Said District shall include all the territory described as follows:

That portion of the northeast quarter of Section 17, Township 21 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing at the northeast corner of said northeast quarter; thence N. 88°48'13" W. along the north line said northeast quarter a distance of 1,800.41 feet; thence S. 0°04'56" W. a distance of 50.01 feet to the south margin of South 320th Street and the True Point of Beginning; thence S. 0°04'56" W. along the east line of Ninelake Park No. 1 as recorded in Volume 62 of Plats, page 77 and Century City Division 1 as recorded in Volume 72 of Plats, pages 33 and

1 34, records of King County, a distance of 1272.52 feet;
 2 thence S. 37°02'51" E. along said east line and the easterly
 3 line of Heritage West as recorded in Volume 91 of Plats,
 4 pages 11 and 12, records of King County a distance of 543.87
 5 feet; thence S. 88°46'00" E. a distance of 771.86 feet to
 6 the west line of the east half of the southeast quarter of
 7 the northeast quarter of said Section 17; thence N. 1°18'33"
 8 E. along said west line a distance of 226.51 feet; thence S.
 9 88° 46'00" E. a distance of 612.84 feet to the west margin
 10 of Pacific Highway South (16th Avenue South); thence N.
 11 1°12'15" E. along said margin a distance of 548.80 feet;
 12 thence N. 88°48'13" W. a distance of 160.00 feet; thence N.
 13 1°12'15" E. a distance of 75.00 feet; thence N. 88°48'13" W.
 14 a distance of 486.31 feet; thence N. 1°12'15" E. a distance
 15 of 850.00 feet to the south margin of South 320th Street;
 16 thence N. 88°48'13" W. along said margin a distance of
 17 1100.44 feet to the True Point of Beginning, LESS the north
 18 150 feet of the west 380 feet thereof.

19 SECTION 2. It is hereby found that the plan for improvement
 20 or construction in RID 74 is feasible and that the benefits to be
 21 derived therefrom by the property within said District, together
 22 with the amount of any King County road fund participation,
 23 exceed the cost and expense of the formation of said District and
 24 the contemplated construction or improvement therein.

25 SECTION 3. The following described streets, which are
 26 wholly within RID 74, shall be improved by the clearing, grub-
 27 bing, grading, draining, ballasting, paving, signaling, street-
 28 lighting, and other such work as may be incidental thereto (which
 29 improvements are hereinbefore and hereinafter referred to as "the
 30 Project"):

31 (a) 11th Place South from South 320th Street to South
 32 324th Street;

1 (b) South 324th Street from 11th Place South to 16th
2 Avenue South.

3 SECTION 4. That portion of the total costs and expense of
4 accomplishing the Project which is to be borne by all the bene-
5 fitted property owners within RID 74 is now estimated to be
6 \$662,090.31. If possible, the consulting engineering firm ob-
7 tained by the developers of the plat of Century shall be retained
8 to produce the construction plans for this road development, in
9 so much as the basic data used to design the site plan can be
10 directly applied to the road and drainage design. Design costs
11 for said road plan incurred prior to the formation of the dis-
12 trict shall be chargeable to RID 74 upon district formation. Any
13 additional costs incurred because of the necessity to reform the
14 district through new petitions, new motions, or new ordinances,
15 which costs include, but are not limited to, costs of title
16 search and the republishing and mailing of the notices of hear-
17 ings, shall be borne in full by King County.

18 The final amount of said cost and expense to be borne by
19 said benefited property owners, which amount will be determined
20 after the Project has been completed, will be assessed upon the
21 benefited property based upon the lineal front footage of each
22 parcel of benefited land with the following adjustments:

23 (a) The cost of the storm drainage retention/detention
24 facility in the vicinity of lots 8 and 14 of the Plat of
25 Century as recorded in Volume 104 of Plats, pages 68
26 through 72, records of King County, Washington, will be
27 assessed to lots 5, 6, 7, 8, 9, 14 and 15 of said Plat of
28 Century based on the lineal front footage.

29 (b) The assessment to Mr. M. C. Davis court's property,
30 that portion of the northeast quarter of Section 17,
31 Township 21 N., Range 4 E., W.M. defined as follows:

32 Beginning at a point N 89°46'10" W 1,420.30 feet of
33 the Northeast corner of said Northeast quarter thence

1 S 0°06'59" W 200 feet to the true point of beginning, thence
2 continuing S 0°06'59" W 888.63 feet, thence along a curve
3 to the left with a radius of 341.37 feet an arc distance
4 of 227.18 feet, thence S 38°00'48" W 30 feet, thence S 51°
5 59'12" W 370.02 feet, thence N 38°0'48" W 292.02 feet to
6 angle point on the east line of said plat of Century City
7 Division 1, thence northerly 1,122.53 feet along said east
8 line and the east line of said plat of Nine Lake Park No. 1,
9 thence S 89°46'10" E 380 feet to the true point of beginning
10 less that portion of said plat of Century, will be credited
11 \$14,061.63 based on the lineal front footage. Thirty percent
12 (\$4,218.49) of this \$14,061.63 credit will be added to the
13 assessment for lots 1 and 2 of said plat of Century and
14 seventy percent (\$9,843.14) of this \$14,061.63 credit will
15 be added to the assessment for lots 5, 6, 7, 8, 9, 14 and 15
16 of said plat of Century. Said additions to be based on the
17 lineal front footage.

18 (c) The assessment for lot 2 of said plat of Century
19 will be further adjusted by assessment to lots 2, 3 and 4 of
20 said plat of Century based on percentages of 70.9, 23.2 and
21 5.9 percent respectively.

22 (d) Lots 2, 3 and 4 of said plat of Century will be
23 further adjusted by the crediting of the equivalent cost of
24 the Rainier Fund's constructing a portion of 11th Place
25 South (equivalent cost will be computed by utilizing the
26 unit costs of the RID 74 contract and the quantities pro-
27 vided by the Rainier Fund) and the cost of installment of a
28 traffic control signal at the intersection of south 320th
29 Street and 11th Place South. This credit will be applied to
30 said lot 2 and any remaining balance will be applied to said
31 lots 3 and 4 in proportion to their assessment.

32 Such assessments shall be payable in cash within thirty days of a
33

1 date to be hereinafter set by the Council or, at the election of
2 the owner of the property, in twenty equal annual and con-
3 secutive installments, together with interest on the diminishing
4 principal balance at the rate of eight percent per annum plus a
5 penalty of ten percent on the principal amount of any delinquent
6 installment plus ten percent of all the then accrued and unpaid
7 interest on the principal balance of the assessment. The amount
8 of the final assessment, together with interest and provisions
9 for penalty, shall, upon confirmation of the assessment roll by
10 the Council, become a lien upon each lot or building site within
11 RID 74 from the time said assessment roll is placed in the hands
12 of the Comptroller for collection.

13 SECTION 5. The Director of the Department of Public Works
14 and Transportation is hereby authorized and directed to contract
15 with the necessary parties for the construction of the Project.
16 When the Project has been completed and all the costs and ex-
17 penses are known or can be predicted with reasonable accuracy,
18 said Director is further authorized and directed to prepare and
19 file with the Clerk of the King County Council a final assessment
20 roll setting forth that portion of the total costs and expenses
21 of the Project to be assessed against all the property within
22 RID 74 and the amount to be assessed against each lot or building
23 site.

24 SECTION 6. There is hereby created on the books of the King
25 County Comptroller two funds of the County, to be designated as
26 the "King County Road Improvement District No. 74 Construction
27 Fund" and the "King County Road Improvement District No. 74 Bond
28 Fund," respectively.

29 All moneys collected by the Comptroller upon any assessment
30 levied on property within RID 74 for the accomplishment of the
31 Project shall be placed in the said Construction Fund during the
32 thirty-day period allowed for payment of such assessment without
33

1 penalty or interest, and shall be placed in the said Bond Fund
2 thereafter. Moneys in said Funds shall be used for no other
3 purpose than the payment of costs and expenses of accomplishing
4 the Project and the payment of the principal of or interest on
5 warrents drawn upon or bonds issued against said Funds.

6 SECTION 8. The Office of the Comptroller, Accounting Sec-
7 tion, is hereby authorized and directed to issue interest-bearing
8 warrants against the King County Road Improvement District No. 74
9 Construction Fund to pay costs and expenses of accomplishing the
10 Project pending the redemption of said warrants with bonds issued
11 for such purpose. Said warrants shall bear interest at a rate,
12 not exceeding six percent per annum, as shall be determined by
13 said Comptroller.

14 Following confirmation of the assessment roll by the Council
15 and expiration of the thirty-day period for payment of assessments
16 without penalty or interest, the Council will authorize the
17 issuance of bonds sufficient in amount to redeem all the then
18 outstanding warrants drawn against the RID 74 Construction Fund
19 and to pay all other unpaid costs and expenses of accomplishing
20 the Project.

21 SECTION 9. "Costs and expenses of accomplishing the Pro-
22 ject," as used herein and in any subsequent ordinance relating to
23 RID 74, shall mean those costs and expenses described in RCW
24 36.88.300, as follows: (1) The cost of all of the construction
25 or improvement authorized in RID 74, including that portion of
26 the construction or improvement within the limits of any street
27 or road intersection, space, or spaces; (2) the estimated costs
28 and expenses of all engineering and surveying necessary to be
29 done by the County engineer or under his direction or by such
30 other engineer as may be employed by the County Council; (3) the
31 cost of all advertising, mailing, and publishing of all notices;
32 and (4) the cost of legal service and any other expenses incurred
33

1 by King County for RID 74 or in the formation thereof, or by said
2 District in connection with such construction or improvement and
3 in the financing thereof, including the issuance of bonds.

4 INTRODUCED AND READ for the first time this 16th day of

5 April, 19 79.

6 PASSED this 29th day of May, 19 79.

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 Ruby Chow
10 Chairman

11 ATTEST:

12 Dorothy M. Quinn DEPUTY
13 Clerk of the Council

14 APPROVED this 31st day of May, 19 79.

15 [Signature]
16 King County Executive