

November 26, 1979

Introduced by R.R. "BOB" GRILVE

Proposed No.

79-1500

ORDINANCE NO. 4641

AN ORDINANCE of King County, Washington providing for the issuance of bonds of Road Improvement District No. 74 in the principal sum of \$484,069.11 and for the sale thereof.

PREAMBLE:

By King County Ordinance No. 4298, passed May 29, 1979, Road Improvement District No. 74 of the County was duly created. The assessment roll in Road Improvement District No. 74 has been confirmed by Ordinance No. 4464 in the total amount of \$489,936.71 of which \$5,867.60 was paid during the thirty (30) day period permitted by law for the payment of assessments without penalty or interest. It is necessary for the County to now issue bonds of Road Improvement District No. 74 in the principal sum of \$484,069.11 in order to pay the cost and expense of said improvements.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. For the purpose of paying the cost and expense of the improvements ordered by Ordinance No. 4298 of the County and constructed in Road Improvement District No. 74, the County shall issue and sell bonds of Road Improvement District No. 74 in the principal amount of \$484,069.11 (the "Bonds"). The Bonds shall be dated February 1, 1980, shall be in the denomination of \$5,000.00 each, except Bond No. 1 which shall be in the denomination of \$4,069.11, shall bear interest at such rate or rates as shall be fixed by the County Council upon the sale thereof, payable on the first day of February, 1981 and annually thereafter on the first day of February of each year, shall be numbered from 1 to 97 inclusive, and shall mature February 1, 2002.

Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the office of the County Comptroller and ex officio Treasurer in Seattle, Washington or, at the option of the holder, at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington and New York, New York. Bonds shall be redeemable at par in advance of their scheduled maturity, in numerical order, on any interest payment date whenever there

1 shall be sufficient money in the Road Improvement District No. 74  
2 Bond Fund to pay the same, over and above an amount sufficient  
3 for the payment of the interest next accruing on all the unpaid  
4 bonds of Road Improvement District No. 74.

5 Notice of such intended redemption shall be given by mail to  
6 the original purchaser or the account manager thereof (or to its  
7 successor in business) at its main office, and by one publication  
8 thereof in the official newspaper of King County not more than  
9 thirty (30) nor less than twenty (20) days prior to such redemp-  
10 tion date.

11 SECTION 2. There has heretofore been created a Road  
12 Improvement District No. 74 Bond Fund (the "Bond Fund") and the  
13 County has levied assessments payable into said Fund in the total  
14 amount of \$489,936.71, of which \$5,867.60 was paid prior to the  
15 introduction and passage of this Ordinance. Not less than  
16 \$484,069.11 remains payable into said Fund in twenty equal annual  
17 installments together with interest and penalties thereon in  
18 accordance with Ordinance No. 4464 of the County passed on  
19 August 27, 1979. Both principal of and interest on the Bonds are  
20 payable solely out of the Road Improvement District No. 74 Bond  
21 Fund and the King County Road Improvement Guaranty Fund.

22 SECTION 3. Said Bonds shall be in substantially the follow-  
23 ing form:

24 UNITED STATES OF AMERICA

25 NO. \_\_\_\_\_ \$ \_\_\_\_\_

26 STATE OF WASHINGTON

27 KING COUNTY  
28 ROAD IMPROVEMENT DISTRICT NO. 74

29 Laws of Washington 1963, Chapter 4 (RCW 36.88.240)  
30 provides, in part, as follows:

31 "Neither the holder nor the owner of any  
32 bond or warrant issued under the provisions  
of this chapter shall have any claim therefor

1 against the county by which the same is  
2 issued, except for payment from the special  
3 assessments made for improvement for which  
4 said bond or warrant was issued and except as  
5 against the improvement guaranty fund of such  
6 county, and the county shall not be liable to  
7 any holder or owner of such bond or warrant  
8 for any loss to the guaranty fund occurring  
9 in the lawful operation thereof by the county.  
10 The remedy of the holder or owner of a bond,  
11 or warrant in case of nonpayment, shall be  
12 confined to the enforcement of any assess-  
13 ments made in such road improvement district  
14 and to the guaranty fund."

15 King County, Washington, hereby promises to pay to  
16 bearer on the first day of February, 2002, the principal  
17 amount of

18 \_\_\_\_\_  
19  
20 in lawful money of the United States of America,  
21 together with interest thereon from the date hereof  
22 until payment of the principal sum has been made or  
23 duly provided for at the rate of \_\_\_\_\_ % per annum  
24 payable February 1, 1981 and annually thereafter on the  
25 first day of December of each year, upon presentation  
26 and surrender of the annexed interest coupons as they  
27 severally become due or until such principal amount  
28 shall have been paid or duly provided for.

29 Both principal of and interest on the bonds are  
30 payable in lawful money of the United States of America  
31 at the office of the County Comptroller and ex officio  
32 Treasurer in Seattle, Washington, or, at the option of  
the holder, at either of the fiscal agencies of the  
State of Washington in the cities of Seattle, Washington  
and New York, New York, solely out of the Road Improve-  
ment District No. 74 Bond Fund created by Ordinance  
No. 4298 of the County passed May 29, 1979, and from  
the King County Road Improvement Guaranty Fund created  
by Resolution No. 13558, adopted \_\_\_\_\_, pursuant  
to Laws of Washington 1963, Chapter 4. Neither the  
holder nor the owner of this bond shall have any claim  
therefor against King County except for payment from  
the special assessments made for the improvement for  
which said bond was issued and except as against the  
King County Road Improvement District Guaranty Fund.

33 This bond is one of an issue aggregating in all  
34 the principal sum of \$484,069.11, issued to pay part of  
35 the cost of certain road improvements within Road  
36 Improvement District No. 74 created by said Ordinance  
37 No. 4298. The bonds of this issue are subject to  
38 redemption at par in advance of their scheduled matur-  
39 ity, in numerical order, on any interest payment date  
40 whenever there shall be sufficient money in said Road  
41 Improvement District No. 74 Bond Fund to pay the same,  
42 over and above an amount sufficient for the payment of  
the interest next accruing on the unpaid bonds of Road  
Improvement District No. 74.

1 In case this bond is called for payment before its  
2 final maturity, each and every interest coupon not  
3 accrued at the time of such payment shall be void.  
4 Call for payment of this bond shall be made by the  
5 County Comptroller by mailing notice of such call to  
6 \_\_\_\_\_, or its succes-  
7 sor in business, at its main office in \_\_\_\_\_,  
8 and by one publication of such call in the official  
9 newspaper of King County, Washington not more than  
10 thirty (30) nor less than twenty (20) days prior to  
11 said call date, and when such call is made this bond  
12 shall be paid on the date the next interest coupon  
13 thereof shall become due after such call.

14 It is hereby certified and declared that this bond  
15 and the bonds of this issue are issued pursuant to and  
16 in compliance with the Constitution and laws of the  
17 State of Washington and ordinances of the County, and  
18 that all acts, conditions and things required to be  
19 done precedent to and in the issuance of this bond have  
20 happened, been done, and performed.

21 IN WITNESS WHEREOF, King County, Washington has  
22 caused this bond to be signed on behalf of the County  
23 with the facsimile signature of the County Executive,  
24 to be attested by the manual signature of the Deputy  
25 Clerk of the County Council, the official seal of the  
26 County to be imprinted hereon, and the interest coupons  
27 attached hereto to be signed with the facsimile signatures  
28 of said officials this 1st day of February, 1980.

29 KING COUNTY, WASHINGTON

30 By \_\_\_\_\_  
31 County Executive

32 ATTEST:

\_\_\_\_\_  
Clerk (Deputy Clerk) of the  
County Council

The interest coupons to be attached to said bonds shall be  
in substantially the following form:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

On the first day of \_\_\_\_\_, 19\_\_\_\_, King County,  
Washington, will pay to bearer at the office of the  
County Comptroller and ex officio Treasurer or, at the  
option of the holder, at either of the fiscal agencies  
of the State of Washington in the cities of Seattle,  
Washington and New York, New York, the sum shown hereon  
in lawful money of the United States of America out of  
the Road Improvement District No. 74 Bond Fund of the  
County, said sum being the interest due that date on  
bond numbered \_\_\_\_\_ of Road Improvement District  
No. 74 of the County. This coupon is subject to all

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1 the terms and conditions contained in the bond to which  
2 it is attached.

3 KING COUNTY, WASHINGTON

4 By \_\_\_\_\_  
5 County Executive

6 ATTEST:

7  
8 \_\_\_\_\_  
9 Clerk (Deputy Clerk) of the  
County Council

10 SECTION 4. The Bonds shall be signed on behalf of the  
11 County by the facsimile signature of the County Executive and the  
12 manual signature of the Clerk or Deputy Clerk of the County  
13 Council and shall have the official corporate seal of the County  
14 impressed or imprinted thereon. The interest coupons attached  
15 thereto shall be signed with the facsimile signatures of said  
16 officials.

17 SECTION 5. The Bonds shall be sold at public sale at 10:00  
18 o'clock a.m., Pacific Standard Time, on January 14, 1980. Sealed  
19 bids for the purchase of the Bonds shall be received by the  
20 County Council in the King County Courthouse in Seattle, Washington  
21 until such time, whereupon said bids will be publicly opened,  
22 read and evaluated. Said bids will be considered and acted upon  
23 by the King County Council.

24 The terms of such sale are set forth in the Notice of Sale  
25 and Proposal for Bonds marked "Exhibit A" and attached hereto,  
26 the provisions thereof and form of which are hereby approved and  
27 made a part of this ordinance by this reference.

28 Section 6. There has heretofore been created a Road Improve-  
29 ment District No. 74 Construction Fund (the "Construction Fund")  
30 into which fund the proceeds of sale of the Bonds shall be depos-  
31 ited, except that any accrued interest on the Bonds received at  
32 the time of their delivery shall be paid into the Bond Fund.

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1 Moneys in the Construction Fund shall be used and applied as  
2 follows:

3 First, to pay the principal of and interest on warrants  
4 issued to pay the costs and expenses of Road Improvement  
5 District No. 74 (the "District").

6 Second, to pay any costs and expenses of the District  
7 remaining unpaid.

8 Third, any moneys remaining in the Construction Fund  
9 shall be immediately paid into the Bond Fund.

10 Any moneys remaining in the Bond fund after all of the principal  
11 of and interest on the Bonds have been paid shall be paid into  
12 the King County Road Improvement Guaranty Fund.

13 Upon the sale of said Bonds the appropriate County officials  
14 are hereby authorized to do everything necessary for the prompt  
15 printing, issuance and delivery of the Bonds and the proper  
16 application of the proceeds thereof.

17 INTRODUCED AND READ for the first time this 3rd day of  
18 December, 1979.

19 PASSED this 21st day of December, 1979.

20 KING COUNTY COUNCIL  
21 KING COUNTY, WASHINGTON

22 Ruby Chow  
23 Chairman

24 ATTEST:

25 Dorothy M. Quinn  
26 DEPUTY Clerk of the Council

27 APPROVED this 31st day of December, 1979.

28 [Signature]  
29 King County Executive

"EXHIBIT A"

NOTICE OF SALE  
AND  
PROPOSAL FOR BONDS

\*\*

\$484,069.11

KING COUNTY, WASHINGTON

ROAD IMPROVEMENT DISTRICT NO. 74 BONDS

SEALED BIDS WILL BE RECEIVED UNTIL 10:00 A.M.

PACIFIC STANDARD TIME

JANUARY 14, 1980

AT ROOM 402, KING COUNTY COURTHOUSE

SEATTLE, WASHINGTON 98104

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NOTICE OF BOND SALE  
KING COUNTY, WASHINGTON  
ROAD IMPROVEMENT DISTRICT NO. 74 BONDS  
\$484,069.11

NOTICE IS HEREBY GIVEN that sealed bids will be received by the County Council of King County, Washington at the office of the Deputy Clerk of the County Council in the King County Courthouse in Seattle, Washington on

January 14, 1980

until 10:00 o'clock a.m., Pacific Standard Time, for the purchase of all or none of the Road Improvement District No. 74 Bonds of the County in the principal amount of \$484,069.11, at which time bids will be publicly opened, read and evaluated.

BOND DETAILS: All of said bonds will be dated February 1, 1980, will be in the denomination of \$5,000.00 each, except Bond No. 1 which will be in the denomination of \$4,069.11, will be numbered 1-97 inclusive, and will mature on February 1, 2002. The Bonds will be in coupon form and will bear interest from the date thereof payable February 1, 1981 and annually thereafter on the first day of February of each year. The principal of and interest on the Bonds will be payable at the office of the County Comptroller and ex officio Treasurer in Seattle, Washington or, at the option of the holder, at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington and New York, New York.

PRIOR REDEMPTION: The Bonds are subject to redemption at par prior to maturity in numerical order on any interest payment date whenever there shall be sufficient money in the Road Improvement District No. 74 Bond Fund to pay the same, over and above an amount sufficient for the payment of the interest next accruing on all unpaid bonds of Road Improvement District No. 74.



SECURITY: Both principal and interest on the Bonds will be payable solely from the Road Improvement District No. 74 Bond Fund and from the King County Road Improvement Guaranty Fund. The County has levied assessments payable into the Road Improvement District No. 74 Bond Fund of which an amount not less than \$484,069.11 remains payable into said Fund in twenty equal annual installments together with interest and penalties thereon in accordance with Ordinance No. 4464 of the County, passed on August 27, 1979. The Bonds will not be general obligations of the County.

INTEREST RATE AND BIDDING DETAILS: Each bid shall be enclosed in a sealed envelope. There is no official bid form. Each bid submitted shall provide for the payment of accrued interest to date of delivery and shall specify either (a) the lowest rate of interest and premium, if any, above par, at which the bidder will purchase the Bonds; or (b) the lowest rate of interest at which the bidder will purchase the Bonds at par. No bid will be accepted for the purchase of less than all of the Bonds or for a price less than 100% of the principal amount of the Bonds.

The rate of interest fixed for the Bonds must be in a multiple of 1/8 or 1/20 of 1%. The interest rate shall not exceed 8%. The interest rate shall be the same on all Bonds and shall be represented by one coupon for each installment.

It is requested that each bid state the total interest cost over the life of the Bonds, less the premium, if any, and the net effective interest rate of such bid. Such statement shall not be deemed to be part of such bid.

The County reserves the right to reject any and all bids received and to waive any irregularities therein or in the bidding.

DEPOSIT: Each bid shall be sealed and shall be accompanied by a good faith deposit of \$24,205.00 evidenced by a certified or

bank cashier's check made payable to the Comptroller of King County, Washington, which deposit shall be security for the performance of such bid and shall be held for liquidated damages in case the successful bidder fails to take up and pay for the bonds within forty days, if tendered for delivery, after the acceptance thereof. Interest will not be allowed on such good faith deposit. The good faith checks of all bidders except that of the successful bidder will be returned as soon as possible after the bids have been opened and evaluated. The award of such bonds, if any, will be made at the County Council meeting on the date when the bids are opened.

If, prior to the delivery of the bonds, the income receivable by the holders thereof shall be taxable by the terms of any federal income tax law, the successful bidder may at his option be relieved of his obligation to purchase the bonds, and in such case the deposit accompanying his bid will be returned.

AWARD: The bonds will be awarded to the bidder offering to purchase all of the same at the lowest interest rate to the County (to be determined by computing the total dollar interest cost from the date of the Bonds to the maturity date and deducting therefrom any premium), subject to the right of the County to reject any or all bids submitted and to waive any irregularities in any bid.

DELIVERY: The bonds will be delivered to the purchaser in the city of Seattle, Washington, at the expense of the County. Settlement in full shall be made at the time of delivery and shall be in Federal Funds available upon the date and at the place of delivery.

The County will pay the cost of printing the bonds, and will furnish without cost to the purchaser thereof the unqualified approving opinion of Preston, Thorgrimson, Ellis & Holman approving the legality of the issuance of the same, but expressing no

opinion with respect to any official statement or other similar disclosure document. The opinion will be reproduced on each bond.

FURTHER INFORMATION: Further information regarding these Bonds may be obtained upon request made to the undersigned, Deputy Clerk of the County Council, King County Courthouse, Seattle, Washington 98104.

DATED at Seattle, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, 1979.

Deputy Clerk of the County Council  
King County, Washington