



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**March 27, 2001**

**Ordinance 14066**

**Proposed No.** 2001-0154.1

**Sponsors** von Reichbauer

1 AN ORDINANCE creating King County road improvement  
2 district no. 128 and ordering the improvement of a portion of  
3 39th Avenue South, authorizing interim financing, confirming the  
4 final assessment roll and levying assessments against the property  
5 within said district.

6

7 **STATEMENT OF FACTS:**

8 1. Pursuant to Motion 11125, a public hearing was held on March 26,  
9 2001, on the petitions of property owners within the proposed district for  
10 the formation of a road improvement district to improve certain streets,  
11 and pursuant to RCW 36.88.060 and 36.88.090, for the purpose of  
12 considering the formation and the assessment roll for King County road  
13 improvement district no. 128.

14 2. Notice of said hearing was duly published and was duly mailed to  
15 each property owner pursuant to the requirements of RCW 36.88.050  
16 and 36.88.090.

17 3. A diagram showing the properties specially benefited by the project  
18 and the cost and expense to be borne by each lot or building site was  
19 considered by the council.

20 4. All written and verbal protests were considered.

21 5. It is hereby found those said petitions, including all additions thereto  
22 and withdrawals therefrom made prior to 4:30 p.m. of the business day  
23 before the hearing are sufficient.

24 6. The King County council, sitting as a board of equalization for such  
25 purpose considered the assessment roll and all timely-filled written  
26 objections made to the confirmation thereof.

27 7. It is further found that all requirements of RCW 36.88.020, 36.88.060  
28 and 36.88.090 and Motion 11125 have been satisfied.

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. There is hereby established, pursuant to chapter 36.88 RCW, a road  
31 improvement district in King County to be known and designated as “King County road  
32 improvement district no. 128” (hereinafter “RID 128”). Said district shall include all the  
33 territory within the boundaries described as follows:

34 Lot 16 through lot 30, block 71, and lot 1 through lot 15, block 72, plat of Jovita  
35 Addition, recorded in volume 19 page 14, records of King County, Washington.

36 SECTION 2. The following described streets, which are wholly within RID 128,  
37 shall be improved by clearing, grubbing, grading, drainage, surfacing with asphalt  
38 concrete, and such other work as may be incidental thereto, in accordance with the

39 request on the petition (which improvements are herein before and herein after referred to  
40 as the “project”): 39th Avenue South from South 376th Street to South 378th Street.

41 SECTION 3. It is hereby found that the plan for improvement or construction in  
42 RID 128 is feasible and that the benefits to be derived therefrom by the property within  
43 said district exceed the cost and expense of the formation of said district and the  
44 contemplated construction or improvement therein.

45 SECTION 4. Total costs and expenses of accomplishing the project are estimated  
46 to be \$52,429. Approximately fifty percent of the estimated cost for the improvement  
47 will be borne by and assessed against property within the boundary of RID 128. The  
48 portion of the total costs and expenses to be assessed the properties within RID 128 shall  
49 not exceed \$26,214.50. King County shall contribute the remaining balance of the costs  
50 to construct 39th Avenue South.

51 The property owner’s share of the costs and expenses shall be assessed \$2,016.50  
52 per building lot within the boundary of RID 128.

53 The actual amount of the final assessment against each parcel of property within  
54 RID 128 shall include a portion of the actual total of such costs and expenses incurred in  
55 completing the project and shall become a lien against each such parcel of land within  
56 RID 128, upon confirmation of the assessment roll by the council. The assessments may  
57 be paid in full within thirty days following confirmation of the final assessment roll and  
58 notification by the office of finance, treasury division. The amount of any assessment or  
59 any portion thereof against property in RID 128 not paid within the thirty-day period  
60 shall be paid in five annual and consecutive installments, together with interest on the  
61 diminishing principal balance of such assessment which will be set at one-half of one

62 percent higher than the net effective interest rate on the loan obtained to pay the costs of  
63 the improvements on RID 128.

64 Interest shall commence on the 30th day following first publication of the office  
65 of finance's notice described in section 8 of this ordinance and the first installment shall  
66 be due one year from said date.

67 Interest on the assessment amount due shall be calculated on an annual basis  
68 based on the interest bearing warrant rate established by the county's service bank,  
69 currently 90% of the bank's prime borrowing rate, at the time of confirmation of the final  
70 assessment roll. Interest will be added annually to the assessed amount due at the end of  
71 each calendar year, beginning from the end of the thirty-day prepay period (the estimated  
72 net effective interest rate plus one-half of one percent is nine and one-twentieth percent).

73 Following expiration of thirty days after said first publication, the principal  
74 balance of the assessment, together with accrued interest and penalty, if any, may be  
75 prepaid only at the times and in the manner determined by the King County office of  
76 finance, treasury division; provided, that any prepayment made on any date other than an  
77 installment due date shall be accompanied by interest on the amount prepaid to and  
78 including the date of maturity of the installment next falling due.

79 Any installment which is not paid when due is therefore delinquent. Thereafter,  
80 such delinquent installment shall be subject, at the time of delinquency, to a charge of ten  
81 percent penalty levied on both principal and interest due upon that installment, and all  
82 delinquent installments also shall be charged interest at the rate as determined above.  
83 The collection of such delinquent installments shall be enforced in the manner provided  
84 by law. The amount of the final assessment, together with interest and provisions for

85 penalty, shall, upon confirmation of the assessment roll by the council, become a lien  
86 upon each lot or building site within RID 128 from the time said assessment roll is placed  
87 in the hands of the office of finance, treasury division, for collection.

88 SECTION 5. The council, sitting as a board of equalization and having made all  
89 revisions to the assessment roll it deems necessary, hereby finds that the assessment roll  
90 or RID 128 is just and equitable and that no assessment against any property within RID  
91 128 is greater than the special benefits to be derived from the improvement made to such  
92 property. Accordingly, said assessment roll, totaling \$26,214.50, is hereby confirmed  
93 and the assessments set forth therein are hereby levied against each parcel of property  
94 described in said roll.

95 SECTION 6. The manager, road services division, department of transportation is  
96 hereby authorized and directed to contract with the necessary parties for the design and  
97 construction of the project.

98 SECTION 7. The clerk of the council is hereby directed to place said RID 128  
99 assessment roll, bearing such revisions as the council has made thereto, in the hands of  
100 the King County office of finance for collection. Upon such placement, the amount of  
101 each assessment set forth therein, together with any interest accrued from time to time  
102 thereon and any penalty imposed from time to time thereon, will become a lien against  
103 the property so assessed. Said lien shall be paramount and superior to any other lien or  
104 encumbrance whatsoever, theretofore and thereafter created, except for a lien for general  
105 taxes.

106            SECTION 8. There is hereby created on the books of the King County office of  
107 finance one fund of the county, to be designated as the “King County road improvement  
108 district no. 128 enhanced RID (ERID) fund.”

109            Upon receipt of the RID 128 assessment roll, the King County office of finance is  
110 hereby directed to publish notice at the times and in the manner required by RCW  
111 36.88.270, stating that such assessments or any portion thereof may be paid without  
112 interest in the thirty days following first publication of such notice. All moneys collected  
113 by the office of finance upon any assessment levied on property within RID 128 for the  
114 completion of the project during the thirty-day period allowed for payment of such  
115 assessment without penalty or interest and all such moneys collected thereafter shall be  
116 placed in the said ERID fund. The ERID fund shall be used for the payment of costs and  
117 expenses of accomplishing the project and the payment of the principal or interest on the  
118 balance drawn upon or issued against said loan. Moneys in said ERID fund shall be used  
119 solely to pay principal and interest on the loan. Upon repayment of the loan, the balance  
120 of the RID 128 ERID fund shall be placed in the King County RID/LID participation  
121 fund 0386 “Project - RDCW15.”

122            SECTION 9. “Costs and expenses of accomplishing the project,” as used herein  
123 and in any subsequent ordinance relating to RID 128, shall mean those costs and  
124 expenses described in RCW 36.88.300, as follows: A. The cost of all of the construction  
125 or improvement authorized in RID 128, including that portion of the construction or  
126 improvement within the limits of any street or road intersection, space, or spaces; B. the  
127 costs and expense of all engineering and surveying necessary to be done by the county  
128 engineer or under his direction or by such other engineer as may be employed by the

**Ordinance 14066**

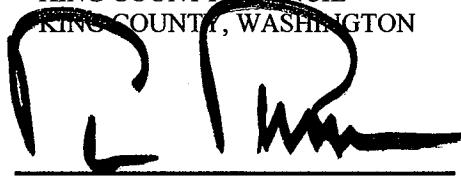
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129 King County council; and C. the cost of legal service and any other expense incurred by  
130 King County for RID 128 or in the formation thereof, or by said district in connection  
131 with such construction of improvement and in the financing thereof, including the  
132 issuance of interim financing and long term financing.

Ordinance 14066 was introduced on 2/26/01 and passed by the Metropolitan King  
County Council on 3/26/01, by the following vote:

Yes: 13 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz,  
Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett, Ms.  
Hague, Mr. Thomas and Mr. Irons  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



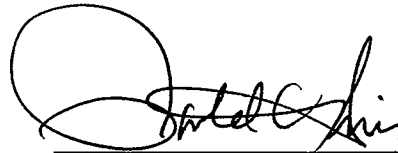
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 5 day of April, 2001.



Ron Sims, County Executive

**Attachments** A. Preliminary Assessment Roll- King County Road Improvement District No. 128

PRELIMINARY ASSESSMENT ROLL  
 KING COUNTY ROAD IMPROVEMENT DISTRICT

2001.154  
 No. 18  
**14066**  
 Assessment

Name of Owner	Legal Description	Assessment
375060-3652-08 Hans Gross 11108 SE 298 <sup>th</sup> St Auburn, WA 98002	Lot 16 - 17, Block 71, Jovita Addition	\$2,016.50
375060-3656-04 Morris Burkman 37635 - 39 <sup>th</sup> Ave S Auburn, WA 98002	Lot 18 & Lot 19, Block 71, Jovita Addition	\$2,016.50
375060-3675-01 Morris Burkman 37635 - 39 <sup>th</sup> Ave S Auburn, WA 98002	Lot 20 - 21 - 22, Block 71, Jovita Addition	\$2,016.50
375060-3681-03 Morris Burkman 37635 - 39 <sup>th</sup> Ave S Auburn, WA 98002	Lot 23 & Lot 24, Block 71, Jovita Addition	\$2,016.50
375060-3685-09 Robert & Beverly Tweddle 37621 - 139 <sup>th</sup> Ave S Auburn, WA 98002	Lot 25 - 26 - 27, Block 71, Jovita Addition	\$2,016.50
375060-3697-05 Richard & Elaine Waterman 3821 S 376 <sup>th</sup> St Auburn, WA 98001	Lot 28, Block 71, Jovita Addition	\$671.49
375060-3702-08 Richard & Elaine Waterman 3821 S 376 <sup>th</sup> St Auburn, WA 98001	Lot 29 & Lot 30, Block 71, Jovita Addition	\$1,345.01
375060-3708-02 John & Diane Mulvaney 3911 S 376 <sup>th</sup> St Auburn, WA 98002	Lot 1 & Lot 2, Block 72, Jovita Addition	\$2,016.50
375060-3712-06 Gary & Cynthia Neiffer 37614 - 39 <sup>th</sup> Ave S Auburn, WA 98001	Lot 3 & Lot 4, Block 72, Jovita Addition	\$2,016.50
375060-3716-02 Sheryl & Leshler Hall 37620 - 39 <sup>th</sup> Ave S Auburn, WA 98001	Lot 5 - 6, Block 72, Jovita Addition	\$2,016.50



PRELIMINARY ASSESSMENT ROLL  
 KING COUNTY ROAD IMPROVEMENT DISTRICT NO. 28

**14066**

<u>Name of Owner</u>	<u>Legal Description</u>	<u>Assessment</u>
375060-3720-06 David & Carolyn Sturtz 37628 – 39 <sup>th</sup> Ave S Auburn, WA 98002	Lot 7 - 8, Block 72, Jovita Addition	\$2,016.50
375060-3732-02 Ronald & Darlene Parks 37636 – 39 <sup>th</sup> Ave S Auburn, WA 98002	Lot 9 & Lot 10, Block 72, Jovita Addition less w 10 ft of lot 10	\$2,016.50
375060-3736-08 Lorraine Varvel 37646 – 39 <sup>th</sup> Ave S Auburn, WA 98001	Lot 11 - 12, Block 72, Jovita Addition less w 10 ft	\$2,016.50
375060-3744-08 Kathryn Little 37656 – 39 <sup>th</sup> Ave S Auburn, WA 98001	Lot 13 – 14 - 15, Block 72, Jovita Addition less w 10 ft of lots 14 - 15	\$2,016.50
Sub Total		\$26,214.50
Balance (King County Participation)		\$26,214.50
TOTAL		\$52,429.00