

ORDINANCE NO. 200

AN ORDINANCE ordering the improvement of Northeast 4th Street between 104th Avenue Northeast and 108th Avenue Northeast in Bellevue, Washington, by paving and otherwise improving the same; creating a Local Improvement District therefor; providing that payment of said improvement be made wholly by special assessments of property benefited; providing for the issuance and sale of Local Improvement District warrants and bonds and calling for bids for the purchase thereof.

WHEREAS, the City Council has passed Resolution No. 677 declaring its intention to form such improvement district and to order such improvement and held public hearings thereon following due notice thereof by mail, posting and publication, all as prescribed by statute and ordinance; and has heard objections and protests, has considered the public interest and convenience, the estimated cost and all other pertinent factors; and

WHEREAS, the City Engineer caused estimates to be made of the cost and expense of the continuous unit of the proposed improvement and has certified said estimates to the City Council, together with all papers and information touching the proposed improvement, a description of the boundaries of the District, a statement of the method of payment of the cost and expense of the improvement by assessment of the property within the proposed District, a statement in detail of the local improvement assessments outstanding or unpaid against the property in the proposed District and the statement of the aggregate assessed valuation of the real estate, including twenty-five (25%) per cent of the actual value of the improvements in the proposed District according to the valuation last placed upon it for the purposes of general taxation; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Improvements Ordered: The area described in Section 2 hereof shall be improved by the construction and installation of necessary drainage, ballasting and constructing sidewalks, curbs and aprons and paving with asphaltic or Portland cement concrete and including grading and doing such other work as may be necessary in connection therewith, all in accordance with plans and specifications prepared and submitted by the City Engineer.

Sec. 2. Local Improvement District No. 56-S-06 Established: A Local Improvement District to be known as "Local Improvement District No. 56-S-06" is hereby created and established, which district shall include an area described as follows, to-wit:

Beginning on the north line of the south half of Lot 3, Block 2, Cheriton Fruit Gardens Plat No. 1, at a point ~~228.30~~³⁰ feet west of the center line of 108th Avenue Northeast; thence west along said north line to the north line of the south half of Lot 4, Block 2 of said Cheriton Fruit Gardens Plat No. 1 to the center line of 104th Avenue Northeast; thence south along said center line to the intersection thereof with the westerly extension of the south line of the north half of Lot 1, Block 3 of said Cheriton Fruit Gardens

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Plat No. 1; thence east along the said south line to the center line of 106th Avenue Northeast; thence east along the south line of the north half of Lot 2, Block 3, Cheriton Fruit Gardens Plat No. 1 to a point thereon ~~226.80~~ feet east of the center line of 108th Avenue Northeast; thence north and parallel to the said center line of said 108th Avenue Northeast to the point of beginning.

Sec. 3. Assessment of Costs: All of the cost and expenses in connection with the installation and construction of said improvement, including the estimated cost and expense of:

- (a) The improvement within street intersections,
- (b) All engineering and surveying necessary for the improvement, whether done under the supervision of the City Engineer or otherwise,
- (c) All legal work and opinions incidental thereto,
- (d) Of ascertaining the ownership of lots or parcels of land included within the assessment district,
- (e) Of advertising, mailing, posting and publishing all necessary notices,
- (f) Of accounting, clerical labor and of books and blanks, extended or used on the part of the City Clerk or Treasurer in connection with the improvement,
- (g) Of acquisition of rights-of-way, property, easement and other facilities or rights-of-way and all other expenses incidental thereto as required or provided by laws of the State of Washington or the ordinances of the City of Bellevue

shall be levied and assessed against all of the property legally and properly assessable.

Sec. 4. Estimated Costs: The estimated cost and expense of said street, walk and sewers being a continuous unit of improvement, is hereby declared to be \$ 60,000.00.

Sec. 5. Assessment District: There is created an assessment district consisting of all of the property within Local Improvement District No. 56-S-06, specially benefited by the improvement above ordered, which property shall be assessed to pay the cost and expense thereof in accordance with the special benefits conferred thereon in proportion to areas and distances back from the marginal line of the street improved.

Sec. 6. Manner of Assessment: The nature of the improvements herein ordered is such that the special benefits conferred upon the property to be assessed is fairly reflected by the use of the termini and zone method provided by statute.

Sec. 7. **Bids and Contract:** All of the work necessary to be done in connection with the making of said improvement shall be done by and made by contract upon competitive bids and the City of Bellevue shall have and reserve the right to reject any and all bids. The call for bids for work authorized pursuant to this ordinance shall include a statement that payment for said work will be paid in cash warrants drawn upon the "Construction Fund" of Local Improvement District No. 56-5-06 in the City of Bellevue. No contracts for such improvement shall be let until the expiration of a period of thirty days following the effective date of this ordinance, or if such contracts are entered into prior to such date, no liability or obligation shall be imposed upon the City in the event jurisdiction of the Council to proceed with construction is divested by protest of property owners as provided by RCW 35.43.180, as amended by Chapter 144, Laws of 1957.

Sec. 8. **Funds Created:** There hereby are created in the office of the City Treasurer of the City of Bellevue for Local Improvement District No. 56-5-06, the following funds, to-wit:


- (a) "Local Improvement Fund, District No. 56-5-06," into which fund shall be deposited all payments made by assessments in said District, for the redemption of all warrants and bonds herein authorized; and
- (b) "Construction Fund," into which fund shall be deposited the principal amount plus accrued interest received from the sale of Local Improvement District warrants of said District herein authorized, and against which fund warrants shall be issued to the contractor or contractors in payment of the work to be done by them in connection with said improvements and against which fund warrants shall be issued in payment of all other items of expense in connection with said improvement.

Sec. 9. **Issuance and Sale of Local Improvement District Warrants and Bonds:** Local Improvement District Warrants shall be issued from time to time in such amounts as the City may determine in payment of or from which to obtain funds with which to pay the cost and expense of the improvement herein ordered. Such warrants shall be designated and payable out of the "Local Improvement Fund, District No. 56-5-06," to bear interest from date thereof at a rate to be determined, not in excess of eight (8%) per cent per annum, and to be redeemed in cash or by Local Improvement District Bonds herein authorized to be issued. Bonds bearing the same rate of interest, payable on or before twelve years from the date of issuance, shall be issued in exchange for and in redemption of any and all warrants issued hereunder not redeemed in cash within a period of not to exceed sixty days after the first publication by the City Treasurer of notice that the assessment roll for Local Improvement District No. 56-5-06 is in her hands for collection. Said bonds shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said District, payable in ten equal installments, with interest at the rate of 6 % per annum, and not less than the said bonds shall bear, under the mode of "Payment by Bonds" as defined by law and the ordinances of the City of Bellevue. In case of default in the payment of any assessment when the same shall become due, there shall be added interest at the rate of 8% and a penalty of 5% which shall be collected. The exact amount form, date and denominations of said bonds shall be fixed hereafter by ordinance of the City Council.

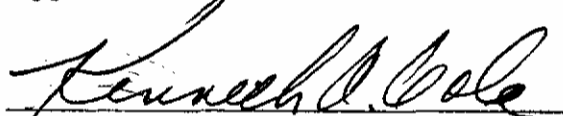
Sec. 10. Call for Bids on Warrants: The City Treasurer is hereby directed to cause to be published ~~once~~ in the Daily Journal of Commerce of Seattle, Washington, and ~~once~~ in the Bellevue American of Bellevue, Washington, at least ten days prior to the bid opening date, a notice of warrant sale calling for sealed bids for the purchase of said Local Improvement District Warrants, redeemable in cash, and Bonds as herein provided, to be received by the City Treasurer at her office in the City Hall, Bellevue, Washington, until 8:00 o'clock p. m., Pacific Standard Time, on the 23rd day of July, 1957, at which time all bids received will be publicly opened by said Treasurer and the City Council. The bids submitted shall specify either (a) the lowest rate of interest and premium, if any, above par, at which said bidder will purchase said warrants, or (b) the lowest rate of interest at which the bidder will purchase said warrants at par. The City reserves the right to reject any and all bids submitted. The City shall furnish the warrants and bonds issued in redemption thereof, together with the approving legal opinion of Weter, Roberts & Shefelman, bond counsel of Seattle, Washington, without cost to the purchaser.

Sec. 11. This Ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council this ~~28th~~^{4th} day of ~~May~~^{June}, 1957, and signed in authentication thereof this ~~28th~~^{4th} day of ~~May~~^{June}, 1957.

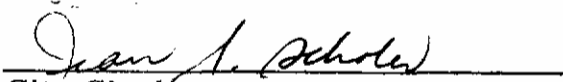

MAYOR

Approved as to Form:


City Attorney

(SEAL)

Attest:


City Clerk

Date of Publication: June 13, 1957.

FILED
CITY OF BELLEVUE
DATE June 4, 1957
CITY CLERK Jean S. Scholer