

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2246

AN ORDINANCE ordering street improvements, including curbs, gutters, walkways, signalization and storm drainage facilities within the area of 156th Avenue N.E. from N.E. 8th to Bellevue-Redmond Road; creating Local Improvement District No. 186 to pay the costs thereof; providing that payment for such improvements be made by special assessments against property benefitted; and providing for the issuance and sale of local improvement district warrants and bonds.

WHEREAS, by Resolution No. 2579 adopted August 18, 1975, the City Council of the City of Bellevue, declared its intention to order the formation of a local improvement district for the construction of improvements within the area of 156th Avenue N.E. from N.E. 8th to Bellevue-Redmond Road, and fixed the 29th day of September, 1975, at the hour of 8:00 p.m., Pacific Daylight Time, at the Municipal Building of the City, Bellevue, Washington, before the City Council or a committee thereof, as the time and place for a public hearing on all legal matters relating to such proposed improvement and all objections thereto; and

WHEREAS, the City Manager has caused an estimate to be made of the costs and expense of the proposed improvement, and has certified it to the City Council, together with all papers and information in his possession touching the proposed improvement, a description of the boundaries of the district, a statement of the costs and expense of the improvement to be borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, a statement of the aggregate actual valuation of the real estate including 25% of the actual valuation of the improvements in the proposed district according to the valuation last placed upon it for the purpose of general taxation; and

WHEREAS, said estimate is accompanied by a detailed copy of the preliminary assessment roll showing thereon the lots, tracts, parcels of land, and other property, together with plans and assessment maps of the proposed improvement; and

WHEREAS, due notice of hearing upon said Resolution No. 2579 was given in the manner provided by law and said hearing was held by the City Council, on September 29, 1975, and all persons appearing at such hearing were heard, and all written protests were duly considered; and

WHEREAS, the City Council has determined that it is in the best interests of the City and of the owners of property within the local

improvement district that the said improvement, as hereinafter described, be carried out and that a local improvement district be created in connection therewith; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Improvements ordered. The area described in Section 2 shall be improved by providing for:

- A. N.E. 8th to N.E. 10th (approximately): Four lanes of through travel with the addition of a southbound right turn lane next to the Washington Natural Gas Co. site and a northbound right turn only lane from N.E. 9th to N.E. 10th between the two southernmost entrances to the Crossroads Shopping Center.
- B. N.E. 10th to N.E. 13th (existing traffic signal): Four lanes for through traffic.
- C. N.E. 13th to Bellevue-Redmond Road: Transition from four lanes for through traffic to two lanes for through traffic plus a continuous two-way left turn lane.

All lanes will be a minimum of 11 feet in width. Walkways of varying types will be provided throughout the project limits. In the areas where four and five lane roadway sections are to be provided, walking areas will be a combination of concrete sidewalks next to an integral curb and gutter or painted walking areas to be differentiated on existing paved areas of private property. In the areas of three lane roadways, paved roadway shoulders will provide a walkway and will be suitably delineated from the traveled portion of the road. All walkways will be a minimum of 6 feet in width. All existing signals will be upgraded and certain new signals installed to improve pedestrian safety and allow better ingress and egress at certain primary locations. A system of closed storm drains will be used with catchbasins and other appurtenances. Street lights will be attached to the existing wooden power and telephone poles. Included herein shall be the construction of other appurtenances consistent with good street construction practice and including the securing of necessary easements and rights-of-way. All of the foregoing shall be in accordance with plans and specifications to be submitted by the City Engineer.

Section 2. Local Improvement District No. 186 established. Local Improvement District No. 186 is hereby established, which District shall include the property and boundaries of an area within the City, comprised of the following described continuous unit of improvement:

Beginning at the intersection of the South margin of N.E. 8th Street and a line 330 feet West of and parallel with the center-line of 156th Avenue N.E.; thence Northerly along said parallel line 3,630 feet more or less to an intersection with a line 330

feet Southerly of and parallel with the centerline of Northup Way (N.E. 20th); thence Westerly along said parallel line to an intersection with a line that is 330 feet Southeasterly of and parallel with the centerline of the Bellevue-Redmond Road; thence Northeasterly along said parallel line to an intersection with a line that is mid-way between the centerlines of the Bellevue-Redmond Road and 156th Avenue N.E.; thence continuing North-easterly and Northerly along said mid-way line to the intersection of said centerlines; thence Northeasterly along the centerline of the Bellevue-Redmond Road to a line that is 330 feet Easterly of and parallel with the centerline of 156th Avenue N.E.; thence Southerly along said parallel line 5,700 feet more or less to an intersection with the South margin of N.E. 8th Street; thence Westerly along said South margin to the point of beginning.

Section 3. Assessment of Costs. All of the costs and expense in connection with the installation and construction of said improvements, including the estimated costs 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) ascertaining the ownership of lots or parcels of land included within the assessment district; (e) appraisals; (f) advertising, mailing, posting and publishing all necessary notices; (g) 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; (h) 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 law of the State of Washington and ordinances of the City of Bellevue shall be allocated to and borne by the properties within the improvement district, in accordance with the special benefits conferred, and the costs assessed against the individual properties in accordance with an assessment method which will fairly reflect the special benefits conferred, provided, however, that such portion of said costs and expenses, if any, which are paid with grant funds obtained for such purposes by the City shall not be allocated to and be borne by said properties. The improvement shall be paid for under the mode of "Payment by Bonds," by means of assessments against the various properties as aforesaid, all as provided by statute and ordinance for local improvement districts.

Section 4. Estimated Cost. The total estimated cost and expense of the improvements herein ordered is hereby declared to be \$659,100.00, and the work hereby ordered constitutes a continuous unit of improvement. The City anticipates receiving \$429,600.00 from a grant to assist in the payment of the costs and expense of the improvements herein ordered. The City shall contribute all funds received by it from such grant towards such costs and expense. The balance of the costs and expense of the improvements herein ordered shall be borne by the properties within the improvement district as provided in section 3 of this Ordinance.

Section 5. Assessment District. There is hereby created an assessment district, consisting of all of the property within Local Improvement District No. 186 specially benefited by the improvement above ordered, which property shall be assessed for all of the costs and expense of the improvements in accordance with the special benefits conferred thereon as provided in Section 3 and Section 4 above.

Section 6. Fund Created. There is hereby created and established, for Local Improvement District No. 186, a special fund to be known and designated as "Local Improvement Fund, District No. 186", into which fund shall be deposited (a) the proceeds from the sale of revenue warrants drawn against said fund which may be issued and sold by the City, (b) collections pertaining to assessments and against which fund shall be issued cash warrants to pay contractor or contractors in payment for the work to be done by them in connection with said improvement, and against which fund cash warrants shall be issued in payment of all other items of expense in connection with said improvement.

Section 7. 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 or from which to obtain funds with which to pay the costs and expense of the improvement herein ordered. Such warrants shall be designated and payable out of the "Local Improvement Fund, District No. 186," to bear interest from the date thereof at a rate to be hereafter fixed by ordinance and to be redeemed in cash or by local improvement district bonds herein authorized to be issued, said interest bearing warrants to be hereafter referred to as "revenue warrants." Bonds payable on or before 12 years from the date of issuance shall be issued in exchange for and redemption of any and all revenue warrants issued hereunder not redeemed in cash within a period of not to exceed 60 days after the first publication by the City Treasurer of notice that the assessment roll for Local Improvement District No. 186 is in his 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 10 equal installments, with interest at a rate to be hereafter fixed by the ordinance levying the assessment, fixed 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, the delinquent installments, in addition to the interest payable as provided in this ordinance, shall be subject to a penalty charge of 5% levied upon both principal and interest due on such installment or installments; foreclosure

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shall be accomplished in the manner provided by law and the ordinances of the City of Bellevue. The exact amount, form, date, rate of interest and denomination of said bonds shall be fixed hereafter by ordinance of the City of Bellevue.

Section 8. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 29 day of September, 1975, and signed in authentication of its passage this 29 day of September, 1975.

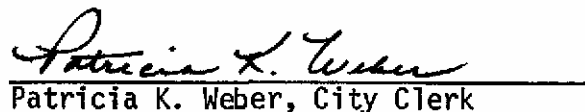
(SEAL)

  
Richard M. Foreman, Mayor

Approved as to form:

  
Lee Kraft, City Attorney

Attest:

  
Patricia K. Weber, City Clerk

Published October 9<sup>th</sup>, 1975