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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2268

AN ORDINANCE ordering the installation of underground electric distribution lines, underground telephone transmission lines and ornamental street lights within the area of 156th Avenue N.E. from N.E. 8th to Bellevue-Redmond Road; creating Local Improvement District No. 218 to pay costs thereof; providing that payment for such improvements be made by special assessments against property benefited; and, providing for the issuance and sale of local improvement district warrants and bonds or installment notes.

WHEREAS, by Resolution No. 2603, adopted October 13, 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 herein described area and fixed the 17th day of November, 1975, at the hour of 8:00 P.M., Pacific Standard 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 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. 2603 was given in the manner provided by law and said hearing was held by the City Council on November 17, 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 hereof shall be improved by the construction and installation of underground electric distribution lines, underground telephone transmission lines, street lights on ornamental poles, together with necessary handholes, manholes, vaults, transformers, switchgear, trenching, backfill and restoration all in accordance with plans and specifications to be approved by the Department of Public Works.

Section 2. Local Improvement District No. 218 established. Local Improvement District No. 218 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 the 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 centerline 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 Department of Public Works 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 be 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 funds provided for such purposes by the City shall not be allocated to and be borne by said properties. The improvements shall be paid for by means of assessments against the various properties as aforesaid, and through the use of bonds (or in lieu thereof, installment notes), all as provided by statute and ordinance for local improvement districts.

Section 4. Estimated Costs. The total estimated costs and expense of the improvements herein ordered is hereby declared to be \$204,742.00, and the work hereby ordered constitutes a continuous unit of improvement.

Section 5. Assessment District. There is hereby created an assessment district, consisting of all of the property within Local Improvement District No. 218 especially benefited by the improvements 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 above.

Section 6. Fund Created. There is hereby created and established, for Local Improvement District No. 218, a special fund to be known and designated as "Local Improvement Fund, District No. 218," into which funds 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 funds 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 or Installment Notes. 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. 218," to bear interest from the date thereof at a rate to be hereafter fixed 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 20 years from the date of issuance may be issued in exchange for and redemption of any and all revenue warrants issued hereunder

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not redeemed and cashed within a period of not to exceed 60 days after the first publication by the City Treasurer of notice that the assessment rolls for Local Improvement District No. 218 is in his hands for collection. In lieu of such bonds installment note(s) may be issued as provided by statute. Said bonds or installment notes shall be redeemed by the collection of special assessments to be levied and assessed upon the property within said district, payable in 20 equal installments, with interest at a rate to be hereafter fixed by ordinance levying the assessment. 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 shall be accomplished in the manner provided by law and the ordinances of the City of Bellevue. The exact amount, form, date, and denomination of said bonds shall be fixed hereafter by ordinance of the City of Bellevue.

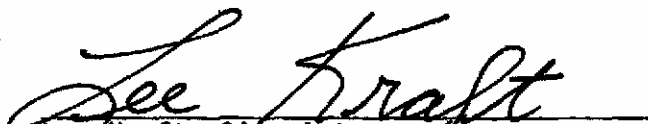
Section 8. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 24 day of November, 1975, and signed in authentication of its passage this 24 day of November, 1975.


(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published Dec 4, 1975