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Ordinance No. 105435

AN ORDINANCE providing for the improvement of OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way, by constructing or reconstructing the support for the concrete walk to be constructed or reconstructed by the City of Seattle in the above-named avenue; ALSO, YESLER WAY, south side only from Occidental Avenue South to approximately 111 feet east thereof, by constructing a decorative walk; all in accordance with Resolution No. 24848 of the City Council of the City of Seattle creating a local improvement district therefor, and providing that payment for said improvement be made by special assessments upon property in said district payable by the mode of installment notes. *3/17/76 - TRANS - Pass*

COMPTROLLER
FILE NUMBER _____

Council Bill No. 97272

INTRODUCED: MAR 15 1976	BY: BENSON
REFERRED: MAR 15 1976	TO: TRANSPORTATION
REFERRED:	
REFERRED:	
REPORTED: MAR 22 1976	SECOND READING: MAR 22 1976
THIRD READING: MAR 22 1976	SIGNED: MAR 22 1976
PRESENTED TO MAYOR: MAR 23 1976	APPROVED: MAR 26 1976
LET. TO CITY CLERK: MAR 26 1976	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

SEE BACK COVER

5

- ORD 105482 -PROVIDES FOR COMPLETION OF PLANS, SPECS, ETC. & CONSTRUCT DECORATIVE SIDE-WALKS, DECORATIVE STREET PAVING, STREET TREES & PLACING STREET FURNITURE IN NORTH OCCIDENTAL MALL, ETC.
- RES 25536 -FIXING DATE OF SPECIAL HEARING FOR LID-6668, IMPROVEMENT OF OCCIDENTAL AVE. S., ETAL, ORD 105435.
- ORD 106645 -AMENDS SEC 2 TO AUTH FUNDS FROM THE HOUSING & COMMUNITY DEVELOPMENT REVENUE SHARING FUND TO AID ; & AMENDING SEC 3 TO EXLUDE A CERTAIN PROPERTY INCLUDED IN THE LID.
- CF-285296 -CONTRACT -KLOKSTAD CONCRETE CONSTRUCTION -IMPROV OCCIDENTAL MALL NORTH BY CONSTRUCTION & LANDSCAPING.
- RES 25844 -FIXES DATE OF HEARING ON ASSESSMENT ROLL.
- ORD 107569 -APPROVES/CONFIRMS ASSESSMENT & ASSESSMENT ROLL.

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ORDINANCE NO.

105435

AN ORDINANCE providing for the improvement of OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way,

by constructing or reconstructing the support for the concrete walk to be constructed or reconstructed by the City of Seattle in the above-named avenue; ALSO,

YESLER WAY, south side only from Occidental Avenue South to approximately 111 feet east thereof,

by constructing a decorative walk;

all in accordance with Resolution No. 24848 of the City Council of the City of Seattle creating a local improvement district therefor, and providing that payment for said improvement be made by special assessments upon property in said district payable by the mode of installment notes.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way,

be improved by the construction or reconstruction of the support for the concrete walk to be constructed or reconstructed by City forces or by competitive contract under the direction of the Board of Public Works in compliance with State Law; and otherwise improving the same; and that such other work be done as may be necessary in connection therewith, according to plans and specifications therefor as prepared by the City Engineer and approved by the Board of Public Works: ALSO,

YESLER WAY, south side only, from Occidental Avenue South to approximately 111 feet east thereof,

be improved by the construction of a concrete walk and by City forces or by competitive contract under the direction of the Board of Public Works in compliance with State Law; and otherwise improving the same; and that such other work be done as may be necessary in connection therewith, according to the plans and specifications therefor prepared by the City Engineer and approved by the Board of Public Works.

AMENDED - ORWA

106645

Section 2. That the cost and expense of said improvement, including all necessary and incidental expenses, estimated in the preliminary assessment roll to be approximately at \$71,061 including those preliminary engineering costs contained in Ordinance No. 105275, shall be borne by and assessed against the property included in the assessment district hereinafter created in accordance with law. The City of Seattle shall not be liable in any manner for any portion of the cost and expense of said improvement, except as herein provided; provided, however, that the City of Seattle shall pay from the General Fund any sums which would have been levied against United States Government property within the assessment district herein created, if said property were assessable in the same manner as other property in said district.

AMENDED - ORWA

106645

Section 3. That by reason of the nature of this improvement the special benefits conferred on the property are not fairly reflected by the terminal and zone method as specified in Sections 35.43.080, 35.44.010, 35.44.040, and 35.44.050 of the Revised Code of Washington, or by the enlarged district method prescribed in Section 35.43.080 of the Revised Code of Washington; therefore, in accordance with provisions of Section 35.43.080 of the Revised Code of Washington, there is hereby established a local improvement district, to be called "Local Improvement District No. 6668," the property of which district shall be assessed in accordance with the special benefits to be derived from the improvement. The boundaries of said district are described as follows:

Beginning at the intersection of the south line of Yesler Way and the west line of the alley east of Occidental Avenue South; thence west along said south line to a line 81 feet west of and parallel with the west line of Occidental Avenue South; thence south along said parallel line to a line 60 feet south of and parallel with said south line; thence west along the last described parallel line to the east line of the alley west of said avenue; thence south along said east line to the north line of South Washington Street; thence east along said north line to the east line of Occidental Avenue South; thence north along the last described east line to a line 120 feet north of and parallel with the north line of South Washington Street; thence east along the last described parallel line to the west line of said alley lying east of Occidental Avenue South; thence north along the last described west line to the beginning.

Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6-1/2 percent per annum, payable within seventeen years in annual installments beginning with the date of issue thereof, shall be issued to the City Employees Retirement Fund, pursuant to Chapter 165 Laws of Washington, 1961 (Ch. 35.45.R.C.W.) in lieu of local improvement bonds, to pay the cost and expense of this local improvement, which notes shall be paid from the special assessments to be levied and assessed upon the property within said district payable in fifteen equal annual installments, with interest at the rate of 6-1/2 percent per annum, and it is hereby declared that the period during which said notes are payable will not exceed the life of the improvement provided for herein. These notes, and the warrants issued on the local improvement fund of said district on estimates by the City Engineer, shall be sold and delivered to the City Employees' Retirement Fund at not less than face value and accrued interest, and the funds obtained therefrom shall be used to pay the contractor in cash.

Section 5. The collection of any assessment levied by this local improvement district created by this ordinance may be deferred pursuant to the provisions of Chapter 137, Laws of 1972, First Extraordinary Session, in accordance with Ordinance No. 102560, which provides general terms and conditions for such deferral to implement the policy therefor adopted by Resolution No. 24262, and in accordance with Ordinance No. 104953 which amends Section 2 of said ordinance.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise, it shall take effect at the time it shall become a law under the provisions of the City Charter.

PASSED by unanimous vote of all members of the City Council present, in accordance with Article VII, Section 14, as amended, of the City Charter and Section 35.45.020 R.C.W., the 22 day of March, 1976 and signed by me in open session in authentication of its passage this 22 day of March, 1976.



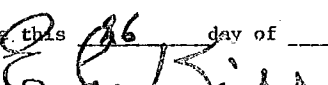
President of the City Council

Approved by me this 26 day of March, 1976.



Mayor

Filed by me this 26 day of March, 1976.

ATTEST: 

City Comptroller and City Clerk

(SEAL)

Published _____

By 

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

MAR 22 1976

Your Committee on TRANSPORTATION

to which was referred C.B. 97272

Providing for the improvement of OCCIDENTAL AVENUE SOUTH from South Washington Street to Yesler Way, by constructing or reconstructing the support for the concrete walk to be constructed or reconstructed by the City of Seattle in the above-named avenue; ALSO, YESLER WAY, south side only from Occidental Avenue South to approximately 111 feet east thereof, by constructing a decorative walk; all in accordance with Resolution No. 24848 of the City Council of the City of Seattle creating a local improvement district therefor, and providing that payment for said improvement be made by special assessments upon property in said district payable by the mode of installment notes.

RECOMMEND THAT THE SAME DO PASS
TRANS.

[Handwritten signature]

Chairman

Chairman

Committee

Committee

Affidavit of Publication


STATE OF WASHINGTON,
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a.....

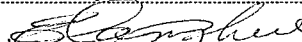
ORDINANCE NO 105435

was published on March 30, 1976



Subscribed and sworn to before me on

March 30, 1976



Notary Public for the State of Washington,
residing in Seattle.

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Eric J. Benson

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

Transp.

[Signature]

PRESIDENT'S SIGNATURE