

RR 34

Ordinance No. 105804

AN ORDINANCE providing for the improvement of 36th AVENUE EAST from approximately 200 feet south of East John Street to East Harrison Street; and certain other streets, avenues and easements;

UNDERGROUND UTILITIES LINES AND A RESIDENTIAL STREET LIGHTING SYSTEM

RESOLUTION NO. 25240

*3-24-76 Under Pass
LTD-6678*

COMPTROLLER
FILE NUMBER _____

Council Bill No. 97667

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|-------------------------------------|--------------------------------|
| INTRODUCED: AUG 16 1976 | BY EXECUTIVE REQUEST |
| REFERRED: AUG 16 1976 | TO: Utilities |
| REFERRED: | |
| REFERRED: | |
| REPORTED: AUG 30 1976 | SECOND READING: AUG 30 1976 |
| THIRD READING: AUG 30 1976 | SIGNED: AUG 30 1976 |
| PRESENTED TO MAYOR: AUG 31 1976 | APPROVED: SEP 10 1976 |
| RETD. TO CITY CLERK: SEP 10 1976 | PUBLISHED: |
| VETOED BY MAYOR: | VETO PUBLISHED: |
| PASSED OVER VETO: | VETO SUSTAINED: |

SEE BACK COVER

16 MAR 3 PM 4:09

CF-284144 -CONTRACT -O'LEARY ELECTRIC Co.
RES 25713 -FIXES DATE OF HEARING ON ASSESSMENT ROLL.
ORD 107239 -APPROVES/CONFIRMS ASSESSMENT ROLL.
RES 25814 -FIXES DATE -ISSUE INSTALLMENT NOTE.

PUB ✓
BLDG. (BC) ✓
ENG. ✓
B. O. X ✓
A. C. ✓
S. E. ✓
C. O. ✓
LIGHT ✓

OB

(Improvement Ordinance - Bond Form)

ORDINANCE NO. 105804

AN ORDINANCE providing for the improvement of
36th AVENUE EAST from approximately 200 feet south of East John Street to
East Harrison Street;

and certain other streets, avenues and easements;

by constructing underground utilities lines and a residential street lighting
system;

all in accordance with Resolution No. 25240 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

36th AVENUE EAST from approximately 200 feet south of East John Street to
East Harrison Street;
35th AVENUE EAST from approximately 100 feet westerly of 36th Avenue East to
36th Avenue East;
EAST JOHN STREET from approximately 100 feet west of 36th Avenue East to approxi-
mately 100 feet east of 36th Avenue East;
EAST HARRISON STREET from approximately 150 feet west of 36th Avenue East to
approximately 200 feet east of 36th Avenue East; and
EASEMENTS across private property in vacated 36th Avenue East from East Harrison
Street to East Republican Street;

be improved by constructing underground utilities lines and a residential street
lighting system in accordance with the provisions of Chapter 144, Laws of 1957;
and Chapter 119, Laws of 1967;

and that such other work be done as may be necessary in connection therewith,
all of which shall be done by City forces or by competitive contract under the
direction of the Board of Public Works in compliance with Chapter 35,
Section 43.190 R.C.W., according to the plans and specifications therefor as
prepared by the City Engineer and Superintendent of Lighting under supervision
and approved by the Board of Public Works.

Section 2. That the cost and expense of said improvement, including all necessary and incidental expenses, 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 sum of Sixty Thousand Fifty and No/100 Dollars (\$60,050.00), or so much thereof as shall be necessary shall be paid from the City Light Fund; and provided, further, that the City of Seattle shall pay from the Emergency 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.

Section 3. That by reason of the nature of this improvement the special benefits conferred on the property are not fairly reflected by the termini and zone method as specified in Sections 35.43.080, 35.44.010, 35.44.030, 35.44.040, and 35.44.050 R.C.W., or by the enlarged district method prescribed in Section 35.43.080 R.C.W. Therefore, in accordance with provisions of Section 35.43.080 R.C.W., there is hereby established a local improvement district, to be called "Local Improvement District No. 6678", 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 east line of 36th Avenue East and the south line of Coulter's Addition; thence west along the south line of said addition to a line 100 feet west of and parallel with the west line of 36th Avenue East; thence north along said parallel line and same produced to the south line of Tract 122, Replat of John J. McGilvra's Addition and Blocks 13, 14, 18, 20 to 29 inclusive, and south half of 19 of John J. McGilvra's Second Addition; thence west along the south line of said Tract 122 and the same produced to the midway line of the vacated alley adjoining said Tract 122; thence north along said midway line to a line 146.685 feet south of and parallel with the north line of said Tract 122; thence east parallel with the north line of said Tract 122 to a line 15 feet east of and parallel with the west line of said Tract 122; thence north parallel with the west line of said Tract 122 to a line 97.790 feet south of and parallel with the north line of said Tract 122; thence northerly to a point 48.895 feet south and 20 feet east of the northwest corner of said Tract 122; thence northerly to a point 10.05 feet north and 100 feet west of the southeast corner of Tract 120, said replat; thence north parallel with the east line of said Tract 120 to the southerly line of 35th Avenue East; thence northerly to a point on the northerly line of 35th Avenue East, distant 100 feet westerly of the intersection of said northerly line and the west line of 36th Avenue East; thence northerly perpendicular to the northerly line of 35th Avenue East to the south line of East Harrison Street; thence northerly to the intersection of the north line of East Harrison Street and the westerly line of portion of 36th Avenue East vacated by Ordinance No. 101459; thence northerly along the westerly line of said vacated street to the southerly line of East Republican Street as now established; thence easterly along the southerly line of East Republican Street to the southwesterly line of Washington Boulevard East; thence southeasterly along said southwesterly line to the north line of East Harrison Street; thence southerly to a point on the south line of East Harrison Street 47.55 feet east of the northeast corner of Block 123, The Pacific Coast Addition (Vol. 19, Page 79); thence south $1^{\circ}57'44''$ west 84.64'; thence south $46^{\circ}27'32''$ west to the east line of said Block 123; thence south along the east line of said Block 123 to the north line of Lot 6, said Block 123; thence east along the production east of the north line of said Lot 6 to the midway line of the alley adjoining said Block 123; thence south along the last described midway line to the north line of East Thomas Street; thence east along the north line of East Thomas Street to the production north of a line 100 feet east of and parallel with the east line of 36th Avenue East; thence south along the last described produced line,

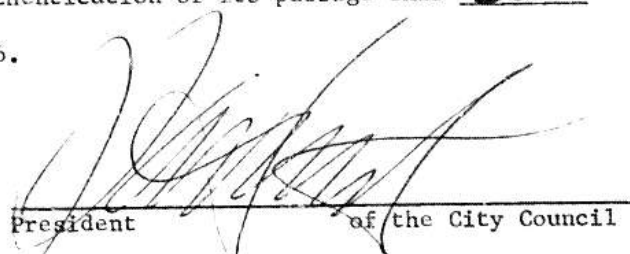
said parallel line and the production south thereof to the northwesterly line of 37th Avenue East; thence southwesterly along said northwesterly line to the easterly line of 36th Avenue East; thence northerly along the easterly line of 36th Avenue East to the beginning.

Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6½ percent per annum, payable within 12 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 10 equal annual installments, with interest at the rate of 6½ percent per annum. These notes, and the warrants issued on the local improvement fund of said district or 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 the City Council the 30 day of August, 1976,
and signed by me in open session in authentication of its passage this 30
day of August, 1976.



President of the City Council

Approved by me this 10 day of September, 1976.



Mayor

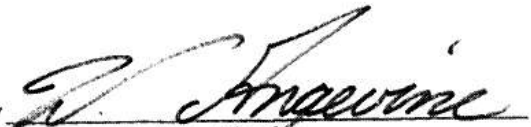
Filed by me this 10 day of September, 1976.

Attest: 

City Comptroller and City Clerk

(SEAL)

Published _____

By 

Deputy Clerk

ORDINANCE 108804

ORDINANCE providing for
the improvement of

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by constructing underground utilities lines and a residential street lighting system; all in accordance with Resolution No. 25240 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.

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EAST HARRISON STREET from approximately 150 feet west of 36th Avenue East to approximately 200 feet east of 36th Avenue East; and

EASEMENTS across private property in vacated 36th Avenue East from East Harrison Street to East Republican Street;

be improved by constructing underground utilities lines and a residential street lighting system in accordance with the provisions of Chapter 144, Laws of 1957; and Chapter 119, Laws of 1967;

and that such other work be done as may be necessary in connection therewith, all of which shall be done by City forces or by competitive contract under the direction of the Board of Public Works in compliance with Chapter 35, Section 43.190 R. C. W., according to the plans and specifications therefor as prepared by the City Engineer and Superintendent of Lighting under supervision and approved by the Board of Public Works.

Section 2. That the cost and expense of said improvement, including all necessary and incidental expenses, 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 sum of Sixty Thousand Fifty and

No/100 Dollars (\$60,050.00), or so much thereof as shall be necessary shall be paid from the City Light Fund; and provided, further, that the City of Seattle shall pay from the Emergency 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.

Section 3. That by reason of the nature of this improvement the special benefits conferred on the property are not fairly reflected by the term and zone method as specified in Sections 35.43.080, 35.44.010, 35.44.030, 35.44.040, and 35.44.050 R. C. W., or by the enlarged district method prescribed in Section 35.43.080 R. C. W. Therefore, in accordance with provisions of Section 35.43.080 R. C. W., there is hereby established a local improvement district, to be called "Local Improvement District No. 6678," 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:

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Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6½ per cent per annum, payable within 12 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 10 equal annual installments, with interest at the rate of 6½ per cent per annum. 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.

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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 the City Council the 30th day of August, 1976, and signed by me in open session in authentication of its passage this 29th day of August, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 10th day of September, 1976.

WES UHLMAN,
Mayor.

Filed by me this 10th day of September, 1976.

Attest: **E. L. KIDD,**
City Comptroller and
City Clerk.

(Seal) By **W. ARGEVINE,**
Deputy Clerk.

Publication ordered by **E. L. KIDD,** Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, September 11, 1976.
(C-648)

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

AUG 30 1976

Your Committee on UTILITIES

to which was referred C.B. 97667

Providing for the improvement of 36th AVENUE EAST from approximately 200 feet south of East John Street to East Harrison Street; and certain other streets, avenues and easements; UNDERGROUND UTILITIES LINES AND A RESIDENTIAL STREET LIGHTING SYSTEM.

RECOMMEND THAT THE SAME DO PASS

Wayne D. Larkin UTIL.

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 105804

was published on Sept 11, 1976

ME Brown

Subscribed and sworn to before me on

Sept 11, 1976

E. Anderson

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