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Ordinance No. 105898

AN ORDINANCE providing for the improvement of FAUNTLEE CREST SOUTHWEST from California Avenue Southwest to approximately 600 feet north of Southwest Donovan Street; and a certain other street and avenue; by constructing underground utilities lines and a residential street lighting system;

9-28-76 [unclear] [unclear]

COMPTROLLER
FILE NUMBER _____

Council Bill No. 97779

INTRODUCED: SEP 27 1976	BY: EXECUTIVE REQUEST
REFERRED: SEP 27 1976	TO: Utilities
REFERRED:	
REFERRED:	
REPORTED: OCT 4 1976	SECOND READING: OCT 4 1976
THIRD READING: OCT 4 1976	SIGNED: OCT 4 1976
PRESENTED TO MAYOR: OCT 5 1976	APPROVED: OCT 5 1976
RETD. TO CITY CLERK: OCT 5 1976	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

SEE BACK COVER

CF-284430 -CONTRACT -O'LEARY ELECTRIC INC.
RES 25790 -FIXES DATE OF HEARING ON ASSESSMENT ROLL.
ORD 107381 -APPROVES/CONFIRMS ASSESSMENT & ROLL.
RES 25883 -FIXES DATE -ISSUE INSTALLMENT NOTE.

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

(Improvement Ordinance - Bond Form)

ORDINANCE NO. 105898

AN ORDINANCE providing for the improvement of

FAUNTLEE CREST SOUTHWEST from California Avenue Southwest to approximately 600 feet north of Southwest Donovan Street;

and a certain other street and avenue;

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

all in accordance with Resolution No. 24916 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

FAUNTLEE CREST SOUTHWEST from California Avenue Southwest to approximately 600 feet north of Southwest Donovan Street;
CALIFORNIA AVENUE SOUTHWEST from approximately 90 feet south of Fauntlee Crest Southwest to approximately 850 feet north of Fauntlee Crest Southwest; and
SOUTHWEST DONOVAN STREET from Fauntlee Crest Southwest to approximately 350 feet east thereof;

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, 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 Forty-Nine Thousand Fifty and No/100 Dollars (\$49,050.00), 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 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.

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, 35.43.040, 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. 6680", 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 most southerly corner of Lot 4, Block 2, Plat of Fauntlee Hills Division No. 5; thence northwesterly along the southwesterly line of said lot to the south line of Lot 3, said block; thence west along said south line to the east line of California Avenue Southwest; thence north along said east line to the northwesterly line of said plat; thence north-easterly along the northwesterly line of said plat to a line 85' south-westerly of and parallel with the northeasterly line of Lot 17, Block 1, said plat; thence northwesterly parallel with said northeasterly line 12 feet; thence northeasterly parallel with the northwesterly line of said plat 85 feet to the southwesterly line of Fauntlee Crest Southwest; thence north-erly to the most southerly corner of Lot 10, Plat of Fauntlee Crest; thence northeasterly along the southeasterly line of said Lot 10 to the production northwesterly of the northeasterly line of Lots 13 to 15 inclusive, said Block 3; thence southeasterly along said production line and along the north-easterly line of said Lots 13 to 15 inclusive to the most easterly corner of said Lot 13; thence southwesterly along the southeasterly line of Lots 10 to 13 inclusive, said Block 3 to the production north of the east line of Lot 9, said Block 3; thence south along the production north of the east line of said Lot 9 to a line 50' north of and parallel with south line of said Lot 9; thence west parallel with the south line of said Lot 9 to the east line of Fauntlee Crest Southwest; thence south along the east line of Fauntlee Crest Southwest 10 feet; thence east parallel with the south line of said Lot 9 and the production east thereof 220 feet; thence south parallel with the east line of Lots 8 and 9, said Block 3, to the north line of Lot 4, said Block 3; thence east and southeasterly along the north and northeasterly line of Lots 1 to 4 inclusive, said Block 3 to the most easterly corner of Lot 1, said Block 3; thence southwesterly along the southeasterly line of said Lot 1 to the easterly line of Southwest Donovan Street; thence south-westerly to the most easterly corner of Lot 14, said Block 2; thence south-westerly along the southeasterly line of said Block 2 to the point of 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 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.

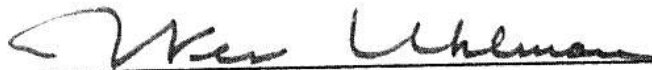
Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise, it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed by the City Council the 4 day of October, 1976,
and signed by me in open session in authentication of its passage this 4
day of October, 1976.



President of the City Council

Approved by me this 5 day of October, 1976.



Mayor

Filed by me this 5 day of October, 1976.


ATTEST: 

City Comptroller and City Clerk

(SEAL)

Published _____

By



Deputy Clerk

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted
OCT 4 1976

Your Committee on
to which was referred

UTILITIES

C.B. 97779

Providing for the improvement of FAUNTLEE CREST SOUTH-
WEST from California Avenue Southwest to approximately 600
feet north of Southwest Donovan Street; and a certain other
street and avenue; by constructing underground utilities lines
and a residential street lighting system;

RECOMMEND THAT THE SAME DO PASS

Wayne D. Larkin

UTIL.
Chairman

Chairman

Committee

Committee

ORDINANCE 105898

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by constructing underground utilities lines and a residential street lighting system; all in accordance with Resolution No. 24916 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

FAUNTLEE CREST SOUTHWEST from California Avenue Southwest to approximately 600 feet north of Southwest Donovan Street;

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SOUTHWEST DONOVAN STREET from Fauntlee Crest Southwest to approximately 350 feet east thereof;

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, 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 Forty-Nine Thousand Fifty and No/100 Dollars (\$49,050.00), 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 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.

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, 35.44.020, 35.43.040, 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. . . ." 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 most southerly corner of Lot 4, Block 2, Plat of Fauntlee Hills Division No. 5; thence northwesterly along the southwesterly line of said lot to the south line of Lot 3, said block; thence west along said south line to the east line of California Avenue Southwest; thence north along said east line to the northwesterly line of said plat; thence northeasterly along the northwesterly line of said plat to a line 85' southwesterly of and parallel with the north-easterly line of Lot 17, Block 1, said plat; thence northwesterly parallel with said north-easterly line 12 feet; thence northeasterly parallel with the northwesterly line of said plat 55 feet to the southwesterly line of Fauntlee Crest Southwest; thence northerly to the most southerly corner of Lot 10, Plat of Fauntlee Crest; thence northeasterly along the southeasterly line of said Lot 10 to the production northwesterly of the northeasterly line of Lots 13 to 15 inclusive, said Block 3; thence southeasterly along said production line and along the northeasterly line of said Lots 13 to 15 inclusive to the most easterly corner of said Lot 13; thence southwesterly along the southeasterly line of Lots 10 to 13 inclusive, said Block 3 to the production north of the east line of Lot 9, said Block 3; thence south along the production north of the east line of said Lot 9 to a line 50' north of and parallel with south line of said Lot 9; thence west parallel with the south line of said Lot 9 to the east line of Fauntlee Crest Southwest; thence south along the east line of Fauntlee Crest Southwest 10 feet; thence east parallel with the south line of said Lot 9 and the production east thereof 220 feet; thence

south parallel with the east line of Lots 8 and 9, said Block 3, to the north line of Lot 4, said Block 3; thence east and southeasterly along the north and northeasterly line of Lots 1 to 4 inclusive, said Block 3 to the most easterly corner of Lot 1, said Block 3; thence southwesterly along the south-easterly line of said Lot 1 to the easterly line of Southwest Donovan Street; thence southwesterly to the most easterly corner of Lot 14, said Block 2; thence southwesterly along the southeasterly line of said Block 2 to the point of beginning;

Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6 1/2 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 6 1/2 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.

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. 192560, 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 4th day of October, 1976, and signed by me in open session in authentication of its passage this 4th day of October, 1976.

SAM SMITH,
President of the City Council.

Approved by me this 5th day of October, 1976.

WES UHLMAN,
Mayor.

Filed by me this 5th day of October, 1976.

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

(Seal) By W. ANGEVINE,
Deputy Clerk.

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

Date of Official Publication in the Daily Journal of Commerce, Seattle, October 6, 1976, (C-679)

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.....

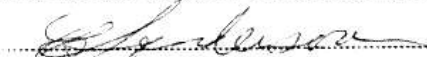
ORDINANCE NO 105393

was published on Oct 6, 1976



Subscribed and sworn to before me on

Oct 6, 1976



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