

Ordinance No. 101153

AN ORDINANCE providing for the improvement of ARAPAHOE PLACE WEST from West Dravus Street to approximately 166 feet north of West Prosper Street; and certain other streets and avenues;

UNDERGROUND UTILITIES LINES and a RESIDENTIAL STREET LIGHTING SYSTEM

RESOLUTION NO. 23434

6-22-72 - Pass

COMPTROLLER

FILE NUMBER

AA 24

Council Bill No. 92782

INTRODUCED: JUN 19 1972	BY: <u>Utilities</u>
REFERRED: JUN 19 1972	TO: <u>Utilities</u>
REFERRED:	
REFERRED:	
REPORTED: JUN 26 1972	SECOND READING: JUN 26 1972
THIRD READING: JUN 26 1972	SIGNED: JUN 26 1972
PRESENTED TO MAYOR: JUN 27 1972	APPROVED: JUL 3 1972
RETD. TO CITY CLERK: JUL 3 1972	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

Unanimous Vote

YES..... NO.....

SEATTLE CITY COUNCIL

JUN 8 4 33 PM '72

CF 275715-Contract

PUB

BLDG

ENG

~~E. O. X~~

A. C.

S. E.

C. O.

LIGHT

(Improvement Ordinance - Bond Form)

ORDINANCE NO. 101153

AN ORDINANCE providing for the improvement of

ARAPAHOE PLACE WEST from West Dravus Street to approximately 166 feet north of West Prosper Street;

and certain other streets and avenues;

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

all in accordance with Resolution No. 23434 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

ARAPAHOE PLACE WEST from West Dravus Street to approximately 166 feet north of West Prosper Street;

WEST BARRETT STREET from approximately 120 feet west of 42nd Avenue West to approximately 160 feet east of 42nd Avenue West;

WEST BERTONA STREET from approximately 120 feet west of 43rd Avenue West, on the south, to Arapahoe Place West;

WEST DRAVUS STREET from approximately 100 feet west of 43rd Avenue West to Arapahoe Place West;

WEST VIEWMONT WAY WEST from West Barrett Street to approximately 140 feet north of West Bertona Street;

42nd AVENUE WEST from West Barrett Street to West Viewmont Way West; and

43rd AVENUE WEST from West Barrett Street to approximately 150 feet northerly of West Bertona 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, 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 Two Hundred Forty-four Thousand Five Hundred and No/100 Dollars (\$244,500.00), or so much thereof as shall be necessary shall be paid from the City Light Fund; 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, 35.44.040, 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. 6546," 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 a line 116 feet east of and parallel with the east line of West Viewmont Way West and the center line of West Barrett Street; thence west along said center line and same produced west to a line 116 feet west of and parallel with the west line of 43rd Avenue West; thence north along said parallel line to the south line of West Bertona Street; thence northerly to a point on the north line of West Bertona Street 56.31 feet west of the most easterly corner of Lot 3, Block 8, Magnolia Heights Addition; thence northerly to a point on a line drawn westerly parallel with the northerly line of said Lot 2, from a point on the easterly line of said Lot 2, distant, 124.24 feet northerly of said most easterly corner which point is 55.20 feet westerly of said parallel line's intersection with said easterly line; thence easterly along said parallel line to said easterly line; thence easterly to a point on the easterly line of 43rd Avenue West, distant, 12.63 feet southeasterly of the most westerly corner of Lot 10, Block 7, said addition; thence northeasterly to a point on the northeasterly line of Lot 11, said Block 7, distant, 1.66 feet northwesterly of the most easterly corner thereof; thence southeasterly along said northeasterly line to the most southerly corner of Lot 12, said Block 7; thence northeasterly along the southeasterly line of said Lot 12, to the most westerly corner of Lot 7, said Block 7; thence southeasterly along the southwesterly line of said Lot 7 to a line 18 feet southeasterly of and parallel with the northwesterly line of said Lot 7; thence northeasterly along said parallel line to the southwesterly line of Lot 6, said block; thence northwesterly along said southwesterly line to the northwesterly line of Lots 3 to 6, inclusive, said Block 7; thence northeasterly along said northwesterly line to the most northerly corner of said Lot 3; thence easterly along the northerly line thereof to the northwesterly line of 42nd Avenue West; thence southerly to the most northerly corner of Lot 7, Block 2, Robertson's Addition; thence southerly to the most westerly corner of Lot 2, said Block 2; thence easterly along the northerly line of said Lot 2 to the easterly line of

the westerly 25 feet of said Lot 2; thence southerly along said easterly line to the north line of the south 5 feet of said Lot 2; thence east along said north line to the westerly line of West Viewmont Way West; thence southeasterly to the intersection of the easterly line of West Viewmont Way West and the north line of the south 43 feet of Lot 1, Block 1, said addition; thence east along said north line to the west line of Arapahoe Place West; thence northeasterly to the intersection of the east line of Arapahoe Place West and the north line of the south 15 feet of Lot 8, Block 40, Bluff Park Addition; thence east along said north line to the east line of Lots 6 to 8, inclusive, said Block 40; thence south along said east line to the north line of West Bertona Street; thence southwesterly to the intersection of the south line of West Bertona Street and the east line of the west 83 feet of the southwest one-quarter of the southeast one-quarter of Section 15, Township 25 North, Range 3 East, W.M.; thence south along said east line to the north line of Lot 6, Block 1, Parkhurst Addition; thence west along said north line to a line 52.04 feet east of and parallel with the east line of Arapahoe Place West; thence south along said parallel line to the north line of West Prosper Street; thence southeasterly to the intersection of the south line of West Prosper Street and a line 102.5 feet east of and parallel with the east line of Arapahoe Place West; thence south along said parallel line to a line 90 feet north of and parallel with the north line of West Dravus Street; thence west along said parallel line to a line 57.5 feet east of and parallel with the east line of Arapahoe Place West, and same produced south; thence south along said parallel line to the south line of West Dravus Street; thence west along said south line to a line 116 feet east of and parallel with the east line of West Viewmont Way West; thence south along said parallel line to the beginning.

(To be used for all Ordinances except Emergency.)

Section 4. Local improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 6 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 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. 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 26 day of June, 1972

and signed by me in open session in authentication of its passage this 26 day of

June, 1972.

Wm B. Iwai
President of the City Council.

Approved by me this 3 day of

July, 1972

Wm B. Iwai
Mayor.

Filed by me this 3 day of

July, 1972.

(SEAL)

Attest: A. H. Grandson
City Comptroller and City Clerk.

Published

By J. F. Fenton
Deputy Clerk.

ORDINANCE 101153

AN ORDINANCE providing for the improvement of

ARAPAHOE PLACE WEST from West Dravus Street to approximately 146 feet north of West Prosper Street;

and certain other streets and avenues; by constructing underground utilities lines and a residential street lighting system; all in accordance with Resolution No. 23434 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

ARAPAHOE PLACE WEST from West Dravus Street to approximately 146 feet north of West Prosper Street;

WEST BARRETT STREET from approximately 120 feet west of 42nd Avenue West to approximately 150 feet east of 42nd Avenue West;

WEST BERTONA STREET from approximately 126 feet west of 43rd Avenue West, on the south, to Arapahoe Place West;

WEST DRAVUS STREET from approximately 140 feet west of 43rd Avenue West to Arapahoe Place West;

WEST VIEWMONT WAY WEST from West Barrett Street to approximately 146 feet north of West Bertona Street;

42nd AVENUE WEST from West Barrett Street to West Viewmont Way West; and

43rd AVENUE WEST from West Barrett Street to approximately 150 feet northerly of West Bertona Street;

be improved by constructing underground utilities lines and a residential street lighting system in accordance with the provisions of Chapter 154, Laws of 1957; and Chapter 119, Laws of 1957;

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 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 Two Hundred Forty-four Thousand Five Hundred and No/100 Dollars (\$244,500.00), or so much thereof as shall be necessary shall be paid from the City Light Fund; 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, 35.44.040, and 35.44.050 R. C. W., or by the enlarged district method prescribed in Section 35.43.040 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. 4548", 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 a line 116 feet east of and parallel with the east line of West Viewmont Way West and the center line of West Barrett Street; thence west along said center line and same produced west to a line 116 feet west of and parallel with the west line of 43rd Avenue West; thence north along said parallel line to the south line of West Bertona Street; thence northerly to a point on the north line of West Bertona Street 56.31 feet west of the most easterly corner of Lot 1, Block 8, Magnolia Heights Addition; thence northerly to a point on a line drawn westerly parallel with the northerly line of said Lot 2, from a point on the easterly line of said Lot 2, distant, 124.2 feet northerly of said most easterly corner, which point is 55.20 feet westerly of said parallel line's intersection with said easterly line; thence easterly along said parallel line to said easterly line; thence easterly to a point on the easterly line of 43rd Avenue West, distant, 12.62 feet southeasterly of the most easterly corner of

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 in 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 101153

was published on July 6, 1972

M. E. Brown

Subscribed and sworn to before me on

July 6, 1972

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

(Note: RCW 42.28.060 states—"It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")

said Lot 12, to the most westerly corner of Lot 7, said Block 7; thence southeasterly along the southwesterly line of said Lot 7 to a line 13 feet southeasterly of and parallel with the northwesterly line of said Lot 7; thence northeasterly along said parallel line to the southwesterly line of Lot 6, said block; thence northwesterly along said southwesterly line to the northwesterly line of Lots 4 to 6, inclusive, said Block 7; thence northeasterly along said northwesterly line to the most northerly corner of said Lot 3; thence easterly along the northerly line thereof to the northwesterly line of 42nd Avenue West; thence southerly to the most northerly corner of Lot 7, Block 2, Robertson's Addition; thence southerly to the most westerly corner of Lot 2, said Block 2; thence easterly along the northerly line of said Lot 2 to the easterly line of the westerly 25 feet of said Lot 2; thence southerly along said easterly line to the south line of the south 5 feet of said Lot 2; thence east along said north line to the westerly line of West Viewmont Way West; thence southeasterly to the intersection of the easterly line of West Viewmont Way West and the north line of the south 42 feet of Lot 1, Block 1, said addition; thence east along said north line to the west line of Arapahoe Place West; thence northeasterly to the intersection of the east line of Arapahoe Place West and the north line of the south 15 feet of Lot 8, Block 40, Bluff Park Addition; thence east along said north line to the east line of Lots 6 to 8, inclusive, said Block 40; thence south along said east line to the north line of West Berton Street; thence southwesterly to the intersection of the south line of West Berton Street and the east line of the west 82 feet of the southwest one-quarter of the southeast one-quarter of Section 15, Township 25 North, Range 2 East, W. M.; thence south along said east line to the north line of Lot 6, Block 1, Parkhurst Addition; thence west along said north line to a line 52.04 feet east of and parallel with the east line of Arapahoe Place West; thence south along said parallel line to the north line of West Prosper Street; thence southeasterly to the intersection of the south line of West Prosper Street and a line 102.5 feet east of and parallel with the east line of Arapahoe Place West; thence south along said parallel line to a line 90 feet north of and parallel with the north line of West Dravus Street; thence west along said parallel line to a line 57.5 feet east of and parallel with the east line of Arapahoe Place West, and same produced south; thence south along said parallel line to the south line of West Dravus Street; thence west along said south line to a line 156 feet east of and parallel with the east line of West Viewmont Way West; thence south along said parallel line to the beginning.

Section 4. Local Improvement installment notes, substantially in the form provided by ordinance and bearing interest at the rate of 4 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 105, 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 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. This ordinance shall take effect and be in force thirty days after approval 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 26th day of June, 1972, and signed by me in open session in authentication of its passage this 26th day of June, 1972.

LIEM E. TUAL,
President of the City Council.

Approved by me this 3rd day of July, 1972.

WES UHLMAN,
Mayor.

Filed by me this 3rd day of July, 1972.

Attest: C. G. ERLANDSON,
City Comptroller and
City Clerk.

(Seal) By J. F. FENTON,
Deputy Clerk.

Publication ordered by C. G. ERLANDSON, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, July 6, 1972. (C-729)