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Ordinance No. 105583

AN ORDINANCE providing for the improvement of THE EAST-WEST ALLEY IN BLOCK 6, MONTLAKE PARK ADDITION, being the east-west alley in the block bounded by East Shelby Street, Montlake Boulevard East, The Lake Washington Ship Canal and East Montlake Park; and certain other street, alley and easements;

UNDERGROUND UTILITIES LINES

RESOLUTION NO. 24834

5-25-76 - Utilities - Pass

COMPTROLLER
FILE NUMBER

LID-6674

Council Bill No. 97440

INTRODUCED: MAY 24 1976	BY: LARKIN
REPORTED: MAY 24 1976	TO: Utilities
REPORTED:	
REPORTED: JUN 1 1976	SECOND READING: JUN 1 1976
THIRD READING: JUN 1 1976	THIRD READING: JUN 1 1976
FORWARDED TO MAYOR: JUN 2 1976	APPROVED: JUN 7 1976
SENT TO CITY CLERK: JUN 7 1976	PUBLISHED:
VERO BY MAYOR:	VERO PUBLISHED:
PASSED OVER VETO:	VERO SUSTAINED:

SEE BACK COVER

CF-284144 - CONTRACT - O'LEARY ELECTRIC Co.
RES 25713 -FIXES DATE OF HEARING ON ASSESSMENT ROLL.
ORD 107238 -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 /

ORDINANCE NO. 105583

AN ORDINANCE providing for the improvement of

THE EAST-WEST ALLEY IN BLOCK 6, MONTLAKE PARK ADDITION, being the east-west alley in the block bounded by East Shelby Street, Montlake Boulevard East, The Lake Washington Ship Canal and East Montlake Park;

and certain other street, alley and easements;

by constructing underground utilities lines;

all in accordance with Resolution No. 24834.....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

THE EAST-WEST ALLEY IN BLOCK 6, MONTLAKE PARK ADDITION, being the east-west alley in the block bounded by East Shelby Street, Montlake Boulevard East, The Lake Washington Ship Canal and East Montlake Park;

THE NORTH-SOUTH ALLEY in BLOCK 6, MONTLAKE PARK ADDITION, being the north-south alley between Lot 1 and Lot 2 in said Block 6;

EAST SHELBY STREET from Montlake Boulevard East to East Park Drive East;

EASEMENTS across East Montlake Park in the production north of East Park Drive East from East Shelby Street to the production east of the east-west alley in Block 6, Montlake Park Addition;

be improved by the construction of underground utilities lines in accordance with the provisions of Chapter 144, Laws of 1957; and Chapter 119, Laws 1967, by City forces or by competitive contract under the direction of the Board of Public Works in compliance with State Law;

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 Twenty-Five Thousand Eight Hundred and No/100 Dollars (\$25,800.00), 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, 35.44.040, 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. 6674", 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:

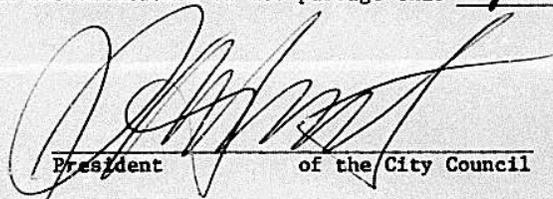
Beginning at the intersection of the east line of Lot 11, Block 6, Montlake Park Addition, produced south and the south line of East Shelby Street produced east; thence west along said south line and the production thereof to the production south of the west line of Lot 1, said block; thence north along last described produced line and said line to the north line of said addition; thence east along said north line to the east line of said Lot 11; thence south along said east line and the production south thereof 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 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 6-1/2 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.

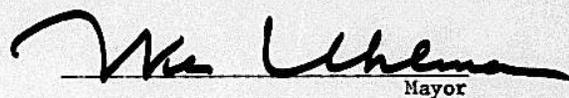
Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise, it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed by the City Council the 1 day of June, 1976,
and signed by me in open session in authentication of its passage this 1
day of June, 1976.



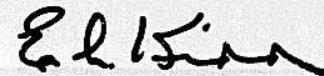
President of the City Council

Approved by me this 7 day of June, 1976.

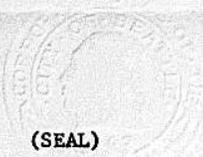


Mayor

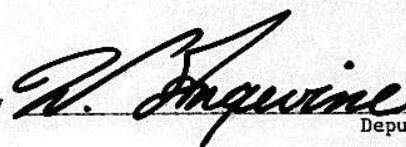
Filed by me this 7 day of June, 1976.

Attest: 

City Comptroller and City Clerk



(SEAL)

Published _____ By 

Deputy Clerk

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on UTILITIES

JUN 1 1976

to which was referred C.B. 97440

Providing for the improvement of THE EAST-WEST ALLEY IN BLOCK 6, MONTLAKE PARK ADDITION, being the east-west alley in the block bounded by East Shelby Street, Montlake Boulevard East. The Lake Washington Ship Canal and East Montlake Park; and certain other street, alley and easements; UNDERGROUND UTILITIES LINES - RESOLUTION NO. 24834.

RECOMMENDS THAT THE SAME DO PASS.

..... Chairman

Wayne D. Larkin UTIL. Chairman

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Committee

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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 105583

.....
was published on June 10, 1976

.....
B. R. Math

Subscribed and sworn to before me on

June 10, 1976

.....
Chris Stevens

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:

Wayne D. Larkin

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: Utilities

[Signature]

PRESIDENT'S SIGNATURE