



## Legislation Text

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**File #:** 2002-0139, **Version:** 2

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A MOTION declaring the intention of the King County council to create road improvement district 131 to improve Northeast 138th Place and 64th Place Northeast, to confirm the final assessment roll for road improvement district 131, and set the date for a public hearing.

WHEREAS, a petition has been filed with the King County council requesting formation of the road improvement district for the improvement of Northeast 138th Place and 64th Place Northeast. The petition requests that the payment for the improvement be made by special assessment payable in five annual installments, and

WHEREAS, the clerk of the King County council referred the above said petition to the manager of the road services division, department of transportation, for checking and recommendation and to determine the sufficiency of the petition, and

WHEREAS, the manager of the road services division, department of transportation, has certified that said petition has been signed by owners representing 79.37 percent of the linear front footage upon the proposed improvement, and 65.42 percent of the area within the boundary of the proposed improvement district, and

WHEREAS, property within the proposed improvement is sufficiently developed to establish the proposed road improvement district, and

WHEREAS, the total costs and expenses of the project can be predicted with reasonable accuracy, and

WHEREAS, the manager of the road services division has determined the total to be assessed against all parcels therein to be \$25,746.50, and

WHEREAS, the manager of the road services division has prepared and filed said assessment roll;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. It is the intention of the council to establish pursuant to the aforesaid petition and pursuant to chapter 36.88 RCW, a road improvement district in King County to be known and designated as "King County Road Improvement District 131" (hereinafter "RID 131"). It is intended that RID 131 shall include all the territory within the boundaries described as follows:

Lot 4 through lot 10 and Tract A of King County Short Plat 214125, volume 130 pages 41 and 42, together with lot 1 through lot 3 of King County Short Plat 382040, recording 8308170826, together with lot 1 and lot 3 through lot 4 of King County Short Plat 682031, recording 8404240701, together with lot 1 of King County Short Plat S89S0226, recording 8908311935, together with lot 1 through lot 3 of King County Short Plat 376072, recording 7607290790, together with lot 1 through lot 3 of King County Short Plat 976051, recording 7703160480, together with lot 1 through lot 3 of King County Short Plat 1076081, recording 7908020899, together with lot 1 through lot 3 of King County Short Plat 1176042, recording 7908020900, together with lot 1 through lot 3 of King County Short Plat 1182053, recording 8308170827, together with lot 1 through lot 3 of King County Short Plat 382039, recording 8308170825, together with tract 6 of Wight's Lake Front Acre Tracts Unrecorded a.k.a. lot A of King County Lot Line Adjustment #8708007, all records of King County, Washington.

B. It is the intention of the King County council to create RID 131 for the purposes of improving of Northeast 138th Place, from 62nd Avenue Northeast to 65th Avenue Northeast; and 64th Place Northeast, from Northeast 138th Place south to the end of the road; approximately 1,625 feet in total length. It is intended that the improvements shall consist of brushing encroaching vegetation, sidewalk repair, drainage work, square cutting for pavement repair, asphalt patching and any such other work as may be incidental thereto, in accordance with the request on the petition. The improvements are hereafter sometimes referred to collectively as the "project." "Costs and expenses" of the project are those costs and expenses described in RCW 36.88.300.

The costs and expenses of accomplishing the project are estimated to be \$51,493. Fifty percent of the estimated cost for the improvement of Northeast 138th Place and 64th Place Northeast will be borne by and assessed against property within the proposed RID 131. King County shall contribute the remaining balance of the costs to construct Northeast 138th Place and 64th Place Northeast.

It is further the intention of the council that the property owners' share of the actual costs and expenses shall be assessed \$757.25 per parcel within the boundary of RID 131. Actual assessments do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

The actual amount of final assessment against each parcel of property within RID 131 shall include the actual total of such costs and expenses incurred in completing the project and shall become a lien against each parcel of land within RID 131, upon confirmation of the assessment roll by the council. The assessments may be paid in full within thirty days following confirmation of the final assessment roll, or at the option of the owner thereof, in five annual installments, together with interest on the diminishing principal at a rate which is one-half of one percent higher than the net effective interest rate on the loan obtained to pay the cost of the improvements in RID 131.

Interest on the assessment amount due shall be calculated on an annual basis based on the interest bearing warrant rate established by the county's service bank, currently ninety percent of the bank's prime borrowing rate, at the time of confirmation of the final assessment roll. Interest will be added annually to the assessed amount due, beginning from the end of the thirty day prepay period. (The estimated net effective interest rate plus one-half of one percent is seven percent).

C. All persons who wish to object to or to otherwise be heard on the creation of proposed road improvement district 131 described in this motion, on the accomplishment of the project described in this motion, or on the assessment of their property for the costs and expenses of accomplishing the project in the manner described in this motion, and pursuant to RCW 36.88.090 for the purpose of considering the RID 131 assessment roll which is on file with the clerk of the council, are hereby notified to appear and present their

objections or testimony at an open public meeting of the King County council to be held in Room 1001 of the King County Courthouse, Seattle, Washington, at 1:30 p.m. on the 13<sup>th</sup> day of May, 2002. At such time and place, the council intends to hear such objections and testimony and to act on the intentions set forth in this motion.

D. At the hearing, the council will sit as a board of equalization for the purpose of considering said assessment roll and will consider such written objections as made thereto, or any part thereof. The council may correct, revise, raise, lower, change or modify said roll or any part thereof, or may set aside said roll and make the assessments de novo so that they are just and equitable, and then will proceed to confirm the same by ordinance.

E. The clerk of the council is hereby authorized and directed to give notice of the public hearing by publication and by mailing at the times and in the manner described in RCW 36.88.050 and 36.88.090.

F. The manager of the road services division, department of transportation is hereby directed to submit to the council at, or prior to, the date fixed for said hearing, a diagram or print showing thereon the lots, tracts, and parcels of land and other property which will be specially benefited by proposed RID 131, and the amount of the cost and expense of said improvement to be borne by each lot, tract or parcel of land or other property, and also designating thereon all property which is being purchased under contract from the county.