



ORDINANCE NO. 28775

L.I.D. No. 7732

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AN ORDINANCE providing for the conversion of overhead utilities to underground along Cascade Avenue from North 13th Street to the Cul-De-Sac north of North 17th Street; the alley between Cascade Avenue and Fir Street from North 13th Street north to 1528 Cascade Avenue; Fir Street from North 15th Street to the Cul-De-Sac north of North 17th Street; North 13th Street from Cascade Avenue to the alley between Cascade Avenue and Fir Street; North 15th Street from Jackson Avenue to Fir Street; and North 17th Street from Jackson Avenue to Juniper Street; creating Local Improvement District No. 7732; providing for a special fund for the payment of the improvement by special assessment upon the property within the district benefited thereby, for the issuance of warrants, installment notes, bond anticipation notes, or other short-term obligations to pay that part of the cost and expense of the improvement assessed against the property in the district, and for the payment of the remainder of the cost thereof.

WHEREAS all of the preliminary proceedings for the establishment of Local Improvement District ("L.I.D.") No. 7732 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held, has recommended to the City Council the formation of L.I.D. No. 7732; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there shall consist of a conversion of the existing overhead electrical distribution, telephone distribution, and cable television distribution lines to underground along:

- Cascade Avenue from North 13th Street to the Cul-De-Sac north of North 17th Street;
- The alley between Cascade Avenue and Fir Street from North 13th Street north to 1528 Cascade Avenue;
- Fir Street from North 15th Street to the Cul-De-Sac north of North 17th Street;
- North 13th Street from Cascade Avenue to the alley between Cascade Avenue and Fir Street;



- North 15th Street from Jackson Avenue to Fir Street; and
- North 17th Street from Jackson Avenue to Juniper Street;

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2 together with all other work necessary to complete the project in accordance with
3 the maps, plans, and specifications to be prepared by the Director of the
4 Department of Public Utilities, which maps, plans, and specifications are hereby
5 adopted.

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7 Section 2. That there is hereby created a local improvement district, to be
8 known as L.I.D. No. 7732, which shall embrace as nearly as practicable all the
9 property specially benefited by the improvements described above, which property
10 is described as follows:

11 Those portions of the Southeast Quarter of the Northwest
12 Quarter, and the Northeast Quarter of the Southwest Quarter, in
13 Section 34, Township 21 North, Range 02 East, W.M. described
14 as follows:

15 Platted Property:

16 Lot 2, Lot 6 through Lot 29, inclusive of **Miller's Panorama**
17 **Park** (Replat of Olympic Highlands recorded in Volume 12,
18 Page 40, filed September 29, 1941 & also part of NW Quarter of
19 Section 34, Township 21 North, Range 02 East, W.M.)
according to the plat thereof recorded in Volume 18, Page 20,
filed July 18, 1957, records of Pierce County Auditor;

20 Together with Lots 1 through 20, Block 1; Lots 1 through 20,
21 Block 2; Lots 1 through 20, Block 3; Lots 1 through 20, Block 4;
22 **Narrows Bridge Addition to Tacoma, Washington**, according
to the plat thereof recorded in Volume 12, Page 41, filed
October 3, 1941, records of Pierce County Auditor;

23 And together with the Westerly portion of Jackson Avenue
24 vacated per City of Tacoma Ordinance No. 26406 recorded
25 under Recording Number 9906280445, records of Pierce
26 County Auditor lying between a line extended easterly of the
North line of the South 40 feet of Lot 4, and the South line



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of the North 25 feet of Lot 5 extended easterly, all in Block 1 of said **Narrows Bridge Addition to Tacoma, Washington**, lying West of a line 2 feet Westerly of the West line of the sidewalk constructed by City of Tacoma Project BP0344.

And together with the East 135 feet of Lot 1 of City of Tacoma Short Plat recorded under Recording Number 8407100395, records of Pierce County Auditor.

All situate in the City of Tacoma, County of Pierce, State of Washington.

Unplatted Property:

The West 135 feet of the following described property; Beginning 30 feet West and 30 feet South of the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., thence West 270 feet; thence South 120 feet, thence East 270 feet, thence North 120 feet to the Point of Beginning.

Together with the East 175 feet of the following described property; Beginning 360 feet West of Northeast Corner of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., thence West 299.93 feet, thence South 90 feet, thence East 299.68 feet, thence North 90 feet to the Point of Beginning.

And together with the following described property; Beginning 30 feet West & 30 feet South of Northeast Corner of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., thence South 120 feet, thence West 269.65 feet, thence North 120 feet, thence East 270 feet to Point of Beginning.

And together with the following described property; Beginning 30 feet West & 270 feet South of the Northeast Corner of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., thence running parallel with the East line of said subdivision South 300 feet, thence West 135 feet, thence North 300 feet, thence East 135 feet to the Point of Beginning.

And together with the East 130 feet of the following described property: Beginning at a point 30 feet West & 570 feet South of



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the Northeast Corner of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., thence South parallel with the East line of said Northwest Quarter of the Northeast Quarter of the Southwest Quarter 63.28 feet to a point 30 feet North of the South boundary of said subdivision, thence West parallel with the South boundary of said subdivision 270 feet, thence North 63.24 feet, thence East 270 feet to Point of Beginning.

Together with that portion of vacated North 15th Street lying between North Fir Street and North Juniper Street per City of Tacoma Ordinance No. 27802 recorded under Recording Number 200908250640 and amended under Recording Number 201007290474, records of Pierce County Auditor, more particularly described as follows: Commencing at the center line of the intersection of North 15th and North Fir Streets; thence North 87°54'58" West along the westerly extension of the center line of North 15th Street a distance of 30.00 feet to the Westerly margin of North Fir Street and True Point of Beginning; thence North 87°54'58" West along the Southerly margin of North 15th Street, a distance of 130 feet; thence North 01°09'34" East 30 feet to the Northerly margin of said street; thence South 87°54'58" East along said Northerly margin, 130 feet to the Westerly margin of North Fir Street; thence South 01°09'34" West along said Westerly margin 30 feet to the True Point of Beginning.

And together with that portion more particularly described as beginning at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., with said Northeast Corner being 1.88 feet North of the monument at the centerline of North 15th & Fir Streets in **Narrows Bridge Addition to Tacoma, Washington** according to the plat thereof recorded in Volume 12, Page 41, filed October 3, 1941, records of Pierce County Auditor; thence on the North line of said subdivision West 165 feet, thence parallel with the East line of said subdivision South 75.5 feet, thence parallel with the North line of said subdivision East 165 feet, thence North 75.5 feet to beginning except the East 30 feet.

All situate in the City of Tacoma, County of Pierce, State of Washington.



1 Section 3. That the estimated cost and expense of the improvement is
2 \$1,965,125; that \$137,970 of the cost thereof shall be contributed by Tacoma
3 Power, through its 4700-Power Current Fund Capital; and that the balance of
4 \$1,827,155 shall be borne and assessed against the property included in the L.I.D.

5 The assessments levied against the property described above shall become
6 due and payable at the option of the property owners in cash, without interest,
7 within 30 days after publication of the notice of assessment, or in 20 equal annual
8 installments with interest on deferred payments at a rate to be hereafter fixed, but
9 in no event greater than .05 percent above the rate of interest fixed upon sale of
10 bonds for the district; and each year one of such installments, together with interest
11 due thereon and on all installments thereafter to become due, shall be collected in
12 the manner provided by law.

14 Section 4. That a special fund is hereby created, to be called Local
15 Improvement Fund, District No. 7732, which shall consist in the aggregate of the
16 several amounts assessed, levied, and collected upon the several lots and parcels
17 of land in the local improvement district for the purpose of defraying the cost and
18 expense of the improvement to be borne by the property within the district, and into
19 which fund shall be deposited the proceeds of the sale of warrants, installment
20 notes, bond anticipation notes, or other short-term obligations drawn against the
21 fund which may be sold by the City. Out of the fund shall be paid the warrants,
22 installment notes, bond anticipation notes, or other short-term obligations, interest
23 thereon, and the cost of the improvement to be borne by the property included in
24 the district.
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Section 5. The Director of the Department of Public Utilities is hereby ordered to call for bids for said improvements, and to proceed and complete the improvements and to make out and certify to the City Council an assessment roll, all as provided by law.

In case no bid is accepted, the Director of Public Utilities is hereby authorized to proceed and complete the improvement by the method of day labor or force account and by use of materials, supplies, and equipment, as authorized by the City Charter and ordinances of the City. The Director of Public Utilities shall keep a separate account of the expenditures as made and the exact cost of the improvements separately computed. Upon certification by the Director of Public Utilities that any sums are due to any person for labor or materials for the improvements, the proper officers shall issue a warrant therefor drawn upon the L.I.D. Fund, District No. 7732. The Director of Public Works shall certify to the City Council the assessment roll on the property as provided by law.

Section 6. Under the provisions of the laws of the state of Washington, amendments thereto, and this ordinance, there shall be issued warrants, installment notes, bond anticipation notes, or other short-term obligations, issued pursuant to Ordinance No. 23412, as it may be amended, in payment of the cost and expense of the district, payable out of the Local Improvement District Fund. Such warrants, installment notes, bond anticipation notes, or other short-term obligations shall bear interest from the date of their issuance at a rate to be hereafter fixed by the Director of the Department of Finance in accordance with the Ordinance No. 23412, and shall be redeemed from the Local Improvement District



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Fund or by other warrants, installment notes, bond anticipation notes, or other short-term obligations, or from the proceeds of local improvement bonds hereafter issued.

Section 7. Pursuant to the provisions of the laws of the state of Washington, the City Council hereby directs that the improvements be paid for by the City in cash and that the warrants, installment notes, bond anticipation notes, or other short-term obligations authorized to be issued under the provisions of this ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department