



ORDINANCE NO. 28749

L.I.D. No. 8663

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AN ORDINANCE providing for the construction of upgraded permanent pavement with structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, on the following streets: North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street; Mullen Street from North 48th Street north to the dead end; Mullen Street from North 47th Street to North 48th Street; and the alley between Mullen Street and Ferdinand Street, from North 36th Street to North 37th Street, creating Local Improvement District No. 8663; 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. 8663 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. 8663; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there shall be constructed upgraded permanent pavement with structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, on the following streets: North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street; Mullen Street from North 48th Street north to the dead end; Mullen Street from North 47th Street to North 48th Street; and the alley between Mullen Street and Ferdinand Street, from North 36th Street



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to North 37th Street, together with all other work necessary to complete the project in accordance with the maps, plans, and specifications prepared and now on file in the office of the Director of the Department of Public Works, which maps, plans, and specifications are hereby adopted.

Section 2. That there is hereby created a local improvement district, to be known as L.I.D. No. 8663, which shall embrace as nearly as practicable all the property specially benefited by the improvements described above, which property is described as follows:

**North 43rd Street from Frace Avenue to Lexington Street, also
Lexington Street from North 43rd Street to North 45th Street**

Those portions of the Southwest Quarter of the Southwest Quarter of Section 23, Township 21 North, Range 02 East, W.M., described as follows:

The South 35 feet of Lot 5, all of Lots 6 through 9, inclusive, Lots 11 and 12, Block 1; The West 90 feet of Lots 1 through 7, Block 3; The East 191.4 feet of the North 120 feet of Block 'A'; all in **Wiborg's Narrows View Addition to Tacoma**, Washington, according to the plat thereof recorded in Volume 12, Page 47, filed April 8, 1942, records of Pierce County Auditor.

Together with the East 140 feet of Parcel 'B', City of Tacoma Boundary Line Adjustment, recorded under Recording Number 9906035005, records of Pierce County Auditor.

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

Mullen Street from North 48th Street north approximately 240 feet

Those portions of the Northwest Quarter of the Southwest Quarter of Section 24, Township 21 North, Range 02 East, W.M., described as follows:



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Lots 11 through 16, Block 1, and Lots 2 through 8, Block 2, **West Tacoma, W.T.**, according to the plat recorded in Volume 1, Page 24, filed September 13, 1871, records of Pierce County Auditor;

Together with the Northerly 20 feet of North 48th Street vacated per City of Tacoma Ordinance No. 17056, recorded under Recording Number 1853653, records of Pierce County Auditor, abutting said Lot 16, Block 1;

EXCEPT those portions of said Lots 11 through 14, lying North of the following described line; Beginning on the West line of Lot 11, 26.5 feet North of the Southwest corner of said Lot 11, thence Southeasterly to a point on the South line of Lot 11, 15.6 feet East of said Southwest corner, thence Southeasterly to a point on the South line of Lot 12, 39 feet East of the Southwest corner of said Lot 12, thence Southeasterly to a point on the South line of Lot 13, 95 feet East of the Southwest corner of said Lot 13, thence Southeasterly to the Southeast corner of Lot 14, and the terminus of herein described line in Block 1;

Also EXCEPT that portion of said Lot 2, lying Northerly of the following described line; Beginning at a point on the West line of said Lot 2, 38 feet South the Northwest corner of said lot, thence East parallel to the South line of said Lot 2, 55 feet, thence Northeasterly to a point on the North line of said Lot 2 70 feet East of the Northwest Corner of said lot, thence Southeasterly to a point on the East line of said Lot 2 30 feet South of the Northeast corner said lot, and the terminus of herein described line in Block 2;

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

Mullen Street from North 47th Street to North 48th Street

Those portions of the Northwest Quarter of the Southwest Quarter of Section 24, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 8, Block 7 and Lots 9 through 16, Block 8, **West Tacoma, W.T.** according to the plat recorded in Volume 1, Page 24, filed September 13, 1871, records of Pierce County Auditor;



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Together with the Southerly 10 feet of North 48th Street vacated per City of Tacoma Ordinance No. 17056, abutting said Lot 9, Block 8;

And together with the Northerly 10 feet of North 47th Street vacated per City of Tacoma Ordinance No. 16173, abutting said Lot 16, Block 8;

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

Alley between Mullen Street and Ferdinand Street from North 36th Street to North 37th Street

Those portions of the Southwest Quarter of the Northwest Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 18, Blocks 11 and 12, **Glen's First Addition to Tacoma, W.T.**, according to the plat recorded in Volume 4, Page 2, filed October 12, 1889, records of Pierce County Auditor;

EXCEPT the West 80 feet of said Lots 1 and 2, Block 12.

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

Section 3. That the estimated cost and expense of the improvement is \$2,487,958.60; that \$1,837,581 of the cost thereof shall be contributed by the L.I.D. Streets Initiative and Surface Water Funds; and that the balance of \$650,377.60 shall be borne and assessed against the property included in the L.I.D.

The assessments levied against the property described above shall become due and payable at the option of the property owners in cash, without interest, within 30 days after publication of the notice of assessment, or in 20 equal annual



1 installments with interest on deferred payments at a rate to be hereafter fixed, but
2 in no event greater than .05 percent above the rate of interest fixed upon sale of
3 bond for the district; and each year one of such installments, together with interest
4 due thereon and on all installments thereafter to become due, shall be collected in
5 the manner provided by law.

6 Section 4. That a special fund is hereby created, to be called Local
7 Improvement Fund, District No. 8663, which shall consist in the aggregate of the
8 several amounts assessed, levied, and collected upon the several lots and parcels
9 of land in the local improvement district for the purpose of defraying the cost and
10 expense of the improvement to be borne by the property within the district, and into
11 which fund shall be deposited the proceeds of the sale of warrants, installment
12 notes, bond anticipation notes, or other short-term obligations drawn against the
13 fund which may be sold by the City. Out of the fund shall be paid the warrants,
14 installment notes, bond anticipation notes, or other short-term obligations, interest
15 thereon, and the cost of the improvement to be borne by the property included in
16 the district.

17 Section 5. The Director of the Department of Public Works is hereby
18 ordered to call for bids for said improvements, and to proceed and complete the
19 improvements and to make out and certify to the City Council an assessment roll,
20 all as provided by law.

21 In case no bid is accepted, the Director of Public Works is hereby
22 authorized to proceed and complete the improvement by the method of day labor
23 or force account and by use of materials, supplies, and equipment, as authorized
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1 by the City Charter and ordinances of the City. The Director of Public Works shall
2 keep a separate account of the expenditures as made and the exact cost of the
3 improvements separately computed. Upon certification by the Director of Public
4 Works that any sums are due to any person for labor or materials for the
5 improvements, the proper officers shall issue a warrant therefor drawn upon the
6 L.I.D. Fund, District No. 8663. The Director of Public Works shall certify to the City
7 Council the assessment roll on the property as provided by law.

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

20 Section 7. Pursuant to the provisions of the laws of the state of
21 Washington, the City Council hereby directs that the improvements be paid for by
22 the City in cash and that the warrants, installment notes, bond anticipation notes,
23 or other short-term obligations authorized to be issued under the provisions of this
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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