



ORDINANCE NO. 28276

L.I.D. No. 8661

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AN ORDINANCE providing for the removal of existing asphalt surface and placing new asphalt over the existing structural section between the existing concrete curbs and brick gutters, and modifying the existing storm drain lines and storm water catch basins, where needed, on Proctor Street from North 38th Street northerly to the dead end; creating Local Improvement District No. 8661; and providing for a special fund for the payment of the improvements 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 improvements 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. 8661 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held on November 17, 2014, has recommended to the City Council the formation of L.I.D. No. 8661; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the improvements shall consist of grinding the existing asphalt surface and placing new asphalt over the existing structural section between the existing concrete curbs and brick gutters, and modifying the existing storm drain lines and storm water catch basins, where needed, on Proctor Street from North 38th Street north to the dead end, 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.



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Section 2. That there is hereby created a local improvement district, to be known as L.I.D. No. 8661, which shall embrace as nearly as practicable all the property specially benefited by the improvements described above, which property is described as follows:

That portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 4 through 9, Block 12; Lots 1 through 4, Block 13; Map of Law's Addition To Tacoma City, as per plat recorded in Volume 1, Page 23, filed January 3, 1870, records of Pierce County Auditor.

That portion of the Northeast Quarter of the Northeast Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

That portion of Wallace's Addition to Tacoma City, as per plat recorded in Volume 1, Page 61, filed July 11, 1883, records of Pierce County Auditor, lying southerly of the following described line;

Commencing at the Southwest corner of said plat; Thence North $01^{\circ}34'54''$ East along west line of said Wallace's Addition, a distance of 60.00 feet to the Point of Beginning of this described line;

Thence North $66^{\circ}38'20''$ East, 217.41 feet, to a point on the northwesterly line of Lot 10, Block 10, of aforementioned Wallace's Addition, said point being 54.83 feet northeasterly of the Southwest corner of said Lot 10;

Thence South $57^{\circ}51'59''$ East, 296.69 feet to the intersection of the northerly line of Block 10 of said plat and the South line of the Northeast quarter of the Northeast quarter of said Section 25 and the Terminus of this described line.

Together with vacated streets lying southerly of the above described line and the northerly line of Map of Law's Addition of Tacoma City;



1 Also together with that portion of land lying between the northerly line
2 of Map of Law's Addition to Tacoma City and the southerly line of
3 Wallace's Addition to Tacoma City.

4 All land Situate in the City of Tacoma, County of Pierce, state of
5 Washington.

6 Section 3. That the estimated cost and expense of the improvements is
7 \$27,851.65, which shall be borne and assessed against the benefitted real property
8 included in the L.I.D.

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

17 Section 4. That a special fund is hereby created, to be called Local
18 Improvement Fund, District No. 8661, which shall consist in the aggregate of the
19 several amounts assessed, levied, and collected upon the several lots and parcels
20 of land in the local improvement district for the purpose of defraying the cost and
21 expense of the improvements to be borne by the real property within the district,
22 and into which fund shall be deposited the proceeds of the sale of warrants,
23 installment notes, bond anticipation notes, or other short-term obligations drawn
24 against the fund which may be sold by the City. Out of the fund shall be paid the
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1 warrants, installment notes, bond anticipation notes, or other short-term obligations,
2 interest thereon, and the cost of the improvements to be borne by the real property
3 included in the district.

4 Section 5. The Director of Environmental Services is hereby authorized to
5 proceed and complete the improvements and to make out and certify to the City
6 Council an assessment roll, all as provided by law.

7 The Director of Environmental Services shall keep a separate account of the
8 expenditures made and the exact cost of the improvements separately computed.
9 Upon certification by the Director of Environmental Services that any sums are due
10 to any person for labor or materials for the improvements, the proper officers shall
11 issue a warrant therefor drawn upon the L.I.D. Fund, District No. 8661. The
12 Director of Environmental Services shall certify to the City Council the assessment
13 roll on the real property as provided by law.

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

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property Description Approved:

Chief Surveyor