



# ORDINANCE NO. 28731

L.I.D. No. 3970

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AN ORDINANCE providing for the extension of an eight-inch wastewater main within North 48th Street from Lexington Street east 150 feet, thence south in Lexington Street, approximately 680 feet; creating Local Improvement District No. 3970; 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. 3970 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. 3970; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there shall be constructed an extension of an eight-inch wastewater main with tees and/or risers for wastewater laterals, utility access maintenance points within North 48th Street from Lexington Street east 150 feet, thence south in Lexington Street, approximately 680 feet, 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. 3970, which shall embrace as nearly as practicable all the



property specially benefited by the improvements described above, which property  
 1 is described as follows:

2                   Unplatted Property:

3                   The South 250 feet of the North 450 feet of the following  
 4 described property;

5                   Commencing at the Southwest corner of the Five Views  
 6 Addition to Tacoma, Washington, according to Plat recorded  
 7 in Volume 12, at page 28, records of the Pierce County  
 8 Auditor, said corner being 819.5 feet North of the Southwest  
 9 corner of the Northwest Quarter of the Southwest Quarter of  
 10 Section 23, Township 21 North, Range 02 East, W.M.;  
 11 Thence East 165 feet to the True Point of Beginning; Thence  
 South 03°50'17" East 551.84 feet; Thence East 120 feet;  
 Thence North 03°50'17" West 551.84 feet; Thence West  
 120 feet to the Point of Beginning.

12                   Together with the South 100 feet of the North 200 feet  
 13 (measured at right angles to North 48th Street) of the  
 following described property;

14                   All of that part of the Northwest Quarter of the Southwest  
 15 Quarter of said Section 23, lying South of North 48th Street  
 16 and East of Lexington Street as said streets were conveyed  
 17 to the City of Tacoma by Deeds recorded under Pierce  
 18 County Auditor No.'s 1267285 and 1658301 and West of a  
 19 line beginning at a point 130 feet East of the intersection of  
 20 the South line of North 48th Street and the East line of  
 21 Lexington Street; Thence Southerly in a straight line to the  
 22 City monument located at the intersection of North 46th  
 Street and Lexington Street, as shown on the Plat of  
 Wiborg's Narrows View Addition to Tacoma, Washington,  
 according to Plat recorded in Volume 12, at page 47, records  
 of Pierce County Auditor;

23                   All situate in the City of Tacoma, County of Pierce, State of  
 24 Washington;

25                   and,

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Short Platted Property:

1           Lots 1 & 2, City of Tacoma Short Plat No. 76-661, recorded  
2           in Book 13, at page 31, records of the Pierce County Auditor,  
3           Washington.

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

6           Section 3. That the estimated cost and expense of the improvement is  
7           \$342,650.52; that \$255,643.77 of the cost thereof shall be contributed by the  
8           Environmental Services Wastewater Fund; and that the balance of \$87,006.75  
9           shall be borne and assessed against the property included in the L.I.D.

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

18           Section 4. That a special fund is hereby created, to be called Local  
19           Improvement Fund, District No. 3970, which shall consist in the aggregate of the  
20           several amounts assessed, levied, and collected upon the several lots and parcels  
21           of land in the local improvement district for the purpose of defraying the cost and  
22           expense of the improvement to be borne by the property within the district, and into  
23           which fund shall be deposited the proceeds of the sale of warrants, installment  
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1 notes, bond anticipation notes, or other short-term obligations drawn against the  
2 fund which may be sold by the City. Out of the fund shall be paid the warrants,  
3 installment notes, bond anticipation notes, or other short-term obligations, interest  
4 thereon, and the cost of the improvement to be borne by the property included in  
5 the district.

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

10 In case no bid is accepted, the Director of Public Works is hereby  
11 authorized to proceed and complete the improvement by the method of day labor  
12 or force account and by use of materials, supplies, and equipment, as authorized  
13 by the City Charter and ordinances of the City. The Director of Public Works shall  
14 keep a separate account of the expenditures as made and the exact cost of the  
15 improvements separately computed. Upon certification by the Director of Public  
16 Works that any sums are due to any person for labor or materials for the  
17 improvements, the proper officers shall issue a warrant therefor drawn upon the  
18 L.I.D. Fund, District No. 3970. The Director of Public Works shall certify to the City  
19 Council the assessment roll on the property as provided by law.  
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23 Section 6. Under the provisions of the laws of the state of Washington,  
24 amendments thereto, and this ordinance, there shall be issued warrants, installment  
25 notes, bond anticipation notes, or other short-term obligations, issued pursuant to  
26 Ordinance No. 23412, as it may be amended, in payment of the cost and expense



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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 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  
Public Works Department

Property description approved:  
  
\_\_\_\_\_  
Chief Surveyor