



ORDINANCE NO. 28174

L.I.D. No. 5729

1 AN ORDINANCE approving and confirming the Assessment Roll for Local
2 Improvement District No. 5729 for the construction of a 12-inch water main
3 and related appurtenances to serve the Harold E. LeMay Museum
4 development.

4 WHEREAS the assessment roll for Local Improvement District No. 5729 has
5 been prepared and filed with the City Clerk on or about June 3, 2013, and a public
6 hearing thereon has been held before the Hearing Examiner of the City on
7 August 20, 2013, as required by law, and
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9 WHEREAS the Hearing Examiner has reported her recommendation to the
10 City Council that any objections presented at the public hearing be overruled and
11 that the assessment and assessment roll be confirmed, and the City Council
12 hereby adopts the Hearing Examiner's recommendation; Now, Therefore,
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14 BE IT ORDAINED BY THE CITY OF TACOMA:

15 Section 1. That any objections to said assessment or assessment roll be
16 and the same are hereby overruled, as more fully set forth in the Findings of Fact,
17 Conclusions of Law and Recommendation of the Hearing Examiner, filed with the
18 City Clerk under cover of the Examiner's letter, dated August 30, 2013.
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20 Section 2. That the assessment and assessment roll filed in the office of
21 the City Clerk on June 3, 2013, for the installation of a 12-inch water main crossing
22 East D Street, being approximately 15 feet south of the easterly extension of the
23 northerly line of Parcel B, Boundary Line Adjustment MPD 2004-40000137475,
24 recorded under Pierce County Auditor's File No. 2010-05-11-5001, from the
25 existing 12-inch water main east of East D Street, thence west to a point
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1 approximately 40 feet west of East D Street, together with all work necessary
2 pursuant to the provisions of Ordinance No. 27992, passed June 7, 2011, and the
3 levy and charge of the cost of said improvements, as shown on said assessment
4 roll and thereby apportioned upon said parcels of land specially benefited in
5 accordance with the laws of the state of Washington and the ordinances of the
6 City of Tacoma, are hereby approved and confirmed in all respects to the
7 assessment; and the City Treasurer is hereby directed to collect said assessments
8 which may be paid without interest or penalty within 30 days after due notice shall
9 have been given to the owners of the property within said assessment district, all
10 in the manner provided by law, and if assessment be not paid within 30 days from
11 the date of first publication of said notice, the same shall thereafter bear interest at
12 the estimated rate of 7% per annum, the actual interest rate to be fixed by the
13 ordinance authorizing the issuance and sale of bonds for the district.
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15 Section 3. That the moneys collected upon said assessment approved and
16 confirmed by this ordinance are hereby ordered to be placed in Fund District
17 No. 5729, the special fund created by Ordinance No. 27992. Under provisions of
18 the laws of the state of Washington and amendments thereto, and this ordinance,
19 there shall be issued an installment note, or notes, in payment of the cost and
20 expense of Local Improvement District No. 5729 payable out of said local
21 improvement district fund. Such notes shall bear interest at the estimated rate of
22 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the
23 issuance and sale of bonds for this district; and shall be redeemed in cash from
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said local improvement district fund or by other notes, and the notes shall be sold, as provided by law, by the proper officers of the City of Tacoma to repay the loans heretofore made to said Fund 4600, Cost Center 581200, in order to defray expenses of said construction heretofore paid, and further, to pay such additional costs and expenses of said improvement as may exist, all in accordance with and pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney