



# ORDINANCE NO. 28738

L.I.D. No. 3971

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

AN ORDINANCE providing for the extension of an eight-inch wastewater main within East 48th Street from East “D” Street west to East “C” Street, thence north in East “C” Street approximately 390 feet; creating Local Improvement District No. 3971; 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. 3971 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. 3971; 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 East 48th Street from East “D” Street west to East “C” Street, thence north in East “C” Street approximately 390 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. 3971, 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 Those portions of the Southwest Quarter of the Southeast Quarter,  
3 Section 16, Township 20 North, Range 03 East, W.M., described  
4 as follows:

5 Platted Property:

6 West 204.247 feet of the North 100 feet of the South 392.265 feet  
7 of Block 54, Amended Map of First School Land Addition to the  
8 City of Tacoma, as per plat recorded in Volume 7, Pages 77 &  
77A, records of the Pierce County Auditor;

9 Together with the West 214.242 feet of the South 42.265 feet of  
10 the North 256.015 feet of said Block 54;

11 And Together with West 214 feet of the North 10 feet of the  
12 South 250 feet of said Block 54;

13 And Together with West 214 feet of the North 140 feet of the  
14 South 240 feet of said Block 54; Except the West 120 feet of the  
South 50 feet thereof;

15 And Together with the South 50 feet of the North 100 feet of the  
16 South 150 feet of said Block 54; Except the West 100 feet thereof;

17 And Together with the South 50 feet of said Block 54; Except the  
18 West 150 feet thereof;

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

20 Section 3. That the estimated cost and expense of the improvement is  
21 \$278,961.38; that \$181,992.23 of the cost thereof shall be contributed by the  
22 Environmental Services Wastewater Fund; and that the balance of \$96,969.15  
23 shall be borne and assessed against the property included in the L.I.D.

24 The assessments levied against the property described above shall become  
25 due and payable at the option of the property owners in cash, without interest,  
26



1 within 30 days after publication of the notice of assessment, or in 20 equal annual  
2 installments with interest on deferred payments at a rate to be hereafter fixed, but  
3 in no event greater than .05 percent above the rate of interest fixed upon sale of  
4 bond for the district; and each year one of such installments, together with interest  
5 due thereon and on all installments thereafter to become due, shall be collected in  
6 the manner provided by law.

7           Section 4. That a special fund is hereby created, to be called Local  
8 Improvement Fund, District No. 3971, which shall consist in the aggregate of the  
9 several amounts assessed, levied, and collected upon the several lots and parcels  
10 of land in the local improvement district for the purpose of defraying the cost and  
11 expense of the improvement to be borne by the property within the district, and into  
12 which fund shall be deposited the proceeds of the sale of warrants, installment  
13 notes, bond anticipation notes, or other short-term obligations drawn against the  
14 fund which may be sold by the City. Out of the fund shall be paid the warrants,  
15 installment notes, bond anticipation notes, or other short-term obligations, interest  
16 thereon, and the cost of the improvement to be borne by the property included in  
17 the district.

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

22           In case no bid is accepted, the Director of Public Works is hereby  
23 authorized to proceed and complete the improvement by the method of day labor  
24



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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 Works 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 Works 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. 3971. 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 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



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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