

ORIGINAL

WPO054C-ORD
11/18/92

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4434

AN ORDINANCE approving and confirming the amended final assessment roll of Local Improvement District No. 267 which has been created and established for the improvement of 140th Avenue NE between NE 24th Street and Bel-Red Road within the City of Bellevue.

WHEREAS, the assessment roll levying the special assessments against the property located in Local Improvement District No. 267 in the City of Bellevue, Washington, created under Ordinance No. 3720, has been filed with the City Clerk of Bellevue as provided by law; and

WHEREAS, notice of the time and place of hearing and of making objections and protests to said roll were duly published at and for the time and in the manner provided by law, fixing the time and place of hearing thereon for the 7th day of February, 1992, at the hour of 2:15 p.m. in the City Hall, at Bellevue, Washington, and further notice thereof was duly mailed by the City Clerk to each property owner shown on said roll; and

WHEREAS, said hearing was held on February 7, 1992 and continued to July 22, 1992 upon proper notice; and

WHEREAS, at the time and place fixed and designated in said notices a hearing was duly held and the Hearing Examiner took under consideration all protests made in writing and submitted to the Examiner and gave due consideration to the increase in the fair market value of the properties resulting from said improvement and recommended confirmation of the assessment roll, and

WHEREAS, at its regular meeting on November 9, 1992, the City Council heard the appeal by the owner of certain property from the recommendation of the Hearing Examiner; and

WHEREAS, at its regular meeting on November 16, 1992, the City Council amended the assessment roll by reducing the assessments for parcels 12, 13, 15 and 16; and

WHEREAS, the City Council has determined that the assessments as shown on the amended assessment roll are fair and do not exceed the benefit from the improvement, and the appeal should be denied; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

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Section 1. The assessments and the amended assessment roll of Local Improvement District No. 267, which has been created and established for the improvement of 140th Avenue NE between NE 24th Street and Bel-Red Road within the City of Bellevue, all as provided by and in accordance with Ordinance No. 3720, are hereby in all things and respects approved and confirmed.

Section 2. Each of the lots, tracts, parcels of land and other property shown upon said amended roll is hereby determined and declared to be specially benefitted by said improvements in at least the amount charged against the same, and the assessment appearing against the same is in proportion to the several assessments appearing upon said roll. There is hereby levied and assessed against each lot, tract, parcel of land and other property appearing upon said roll the amount finally charged against the same thereon.

Section 3. The amended assessment roll as approved and confirmed shall be filed with the City Treasurer of the City of Bellevue, Washington, for collection and said Treasurer is hereby authorized and directed to publish notice as required by law stating that said roll is in his hands for collection, and payment of any assessment thereon or any portion of any assessment can be made at any time within 30 days from the date of first publication of said notice without penalty, interest or costs and thereafter the sum remaining unpaid may be paid on 10 equal annual installments with interest thereon at 1/4 percent above the bond (or installment note) rate of interest. The first installment of assessments on said amended assessment roll shall become due and payable within the 30-day period succeeding the date one year after the date of first publication by the City Treasurer of notice that the amended assessment roll is in his hands for collection and annually thereafter each succeeding installment shall become due and payable in like manner. If the whole or any portion of the assessment remains unpaid after the first 30-day period, interest upon the whole unpaid sum shall be charged at 1/4 percent above the bond (or installment note) rate of interest, and each year thereafter one of said installments, together with interest due on the whole of the unpaid balance shall be collected. Any installment not paid prior to the expiration of said 30-day period during which such installment is due and payable shall thereupon become delinquent. All delinquent installments shall be subject to a charge for interest at 1/4 percent above the bond (or installment note) rate of interest, and for an additional 5 percent charge levied upon both principal and interest due upon such installment or installments. The collection of such delinquent installments will be enforced in the manner provided by law. Foreclosure shall be accomplished in the manner provided by law and the ordinances of the City of Bellevue.

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Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 16th day of November, 1992,
and signed in authentication of its passage this 16th day of
November, 1992.

(SEAL)



Cary Bozeman, Mayor

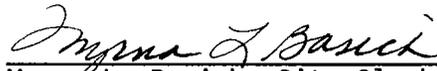
Approved as to form:

Richard L. Andrews, City Attorney



Scott McKee, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published November 21, 1992