

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4918

AN ORDINANCE approving and confirming the final reassessment and reassessment roll of Local Improvement District No. 280 which has been created and established for the purpose of widening and reconstructing Northeast 10th Street from 100th Avenue Northeast to 106th Avenue Northeast plus related improvements as specifically described in Ordinance No. 3961 and levying and assessing a portion of the costs thereof against the several lots, tracts, and parcels of land shown on said roll; and approving a Settlement Agreement with the owners of Parcels 71 and 72.

WHEREAS, on July 18, 1994 the City Council of the City of Bellevue passed Ordinance No. 4672 which confirmed the final assessment roll against properties located in Local Improvement District No. 280; and

WHEREAS, the owners of Parcel Nos. 71 and 72 appealed said assessment to the King County Superior Court; and

WHEREAS, The Superior Court ordered that the City conduct reassessment proceedings on said Parcel Nos. 71 and 72; and

WHEREAS, the City staff prepared a reassessment roll for Parcel Nos. 71 and 72; and

WHEREAS, after due notice a hearing was held before the Office of Hearing Examiner on July 15, 1996 to consider the reassessment roll for Parcel Nos. 71 and 72; and

WHEREAS, during the course of the hearing the property owners and the City reached an agreement on the amount of the assessment for Parcel Nos. 71 and 72; and

WHEREAS, this settlement agreement was reflected in a document from the Hearing Examiner dated September 4, 1996; now, therefore,

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

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Section 1. The reassessments and reassessment roll for Local Improvement district No. 280, which has been created and established pursuant to Ordinance No. 3961, is hereby confirmed as follows:

Parcel 71	\$376,482.00
Parcel 72	\$398,518.00

Section 2. Each of the lots, tracts, parcels of land and other property specified above is hereby determined and declared to be specially benefitted by said improvement by at least the amount charged against the same. The assessments appearing on the above-referenced properties are found to be in proportion to the several assessments appearing on said roll. There is hereby levied and assessed against each lot, tract, parcel of land and other property set forth above the amount finally charged against the same thereon.

Section 3. The reassessment roll as approved and confirmed shall be filed with the Finance Director of the City of Bellevue, Washington, for collection and said Finance Director is hereby authorized and directed to publish notice as is required by law, stating that the roll is in his hands for collection and that payment of any reassessment thereon or any portion thereof may be paid at any time within 30 days from the date of the first publication of the notice that the reassessment roll has been placed in his hands for collection without penalty, interest or costs, and thereafter the sum remaining unpaid, if any, may be paid in twenty (20) equal annual installments with interest on the whole unpaid sum at the rate to be established by ordinance which shall not be greater than one-half of one percent in excess of the net effective interest rate fixed on local improvement bonds hereafter issued for LID No. 280. Any installment not paid prior to the annual anniversary of said 30 day period shall be deemed delinquent. All delinquent installments shall be subject to a charge for interest at the above established rate per annum and an additional charge of 5 percent penalty levied upon the principal due upon such installments will be enforced in the manner provided by law.

Section 4. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. That certain Settlement Agreement with the owners of Parcels 71 and 72, a copy of which has been given Clerk's Receiving No. 23598, is hereby approved.

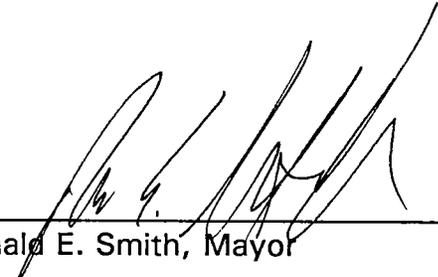
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Section 6. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

PASSED by the City Council this 7th day of October, 1996, and signed in authentication of its passage this 7th day of October, 1996.

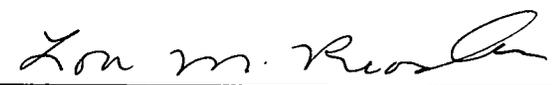
(SEAL)



Ronald E. Smith, Mayor

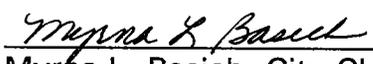
Approved as to form:

Richard L. Andrews, City Attorney



Lori Riordan, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published October 11, 1996