2384-RES
9/16/2010

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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8141

A RESOLUTION of the City Council of the City of Bellevue, Washington, declaring the intent of the City Council to consider the formation of a local improvement district, to be known as the Wilburton Connections Local Improvement District (LID), for the purpose of constructing an extension to NE 4th Street between 116th and 120th Avenues NE and constructing improvements to 120th Avenue NE between the NE 4th Street Extension and NE 8th Street; and setting a public hearing date to consider the formation of the Wilburton Connections LID.

WHEREAS, the City Council of the City of Bellevue intends to order the improvements described in Exhibit A, attached hereto and incorporated by this reference; and

WHEREAS, the Council desires to form a local improvement district (LID) for the purpose of making said improvements described in Exhibit A; and

WHEREAS, the date, time and place of a public hearing to consider the proposed local improvement district and improvements should be established; now, therefore,

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

Section 1. Declaration of Intent to Form LID. The City Council hereby declares its intent to form a local improvement district pursuant to the resolution method established in RCW 35.43.140 for the NE 4th Street Extension and the 120th Avenue NE (Segment 1) improvements, more particularly described in Exhibit A, attached hereto and incorporated by this reference. All of the foregoing improvements shall be in accordance with the plans and specifications therefore prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements. Pursuant to RCW 35.43.140, the nature and territorial extent of the improvements are set forth on Exhibit A.

Section 2. Cost of Improvements. The cost and expense of all labor and material required to make a complete improvement, including legal, engineering, administrative, printing, costs of acquisition, financing, and all other expenses of every kind, is approximately $47,495,000.00, and shall be paid from the special assessments against the property specially benefited by the improvements and from other funds legally available to the City for such improvements. A local improvement district shall be established embracing as near as may be all the property specially benefited by such improvements and such specially benefited property shall be assessed to pay a proportionate share of the cost of such improvements under the mode of payment of bonds.

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Section 3. Public Hearing. A public hearing shall be conducted before the city of Bellevue hearing examiner, previously designated by the City Council, in the City Council Chambers located at City Hall, 450 110th Avenue NE, Bellevue, Washington, on the 21st day of October, 2010 at the hour of 7:00 p.m., then and there to present their objections thereto, if any they have. NOTICE IS HEREBY GIVEN THAT THE ACTUAL ASSESSMENTS FOR THE LOCAL IMPROVEMENT DISTRICT MAY VARY FROM ASSESSMENT ESTIMATES SO LONG AS THEY DO NOT EXCEED A FIGURE EQUAL TO THE INCREASED TRUE AND FAIR VALUE THE IMPROVEMENTS ADD TO THE PROPERTY ASSESSED.

Section 4. Benefit Area. The Director of the Transportation Department of the City of Bellevue is hereby directed to submit to the hearing examiner at or prior to the day of the hearing, the estimated cost and expense of the proposed improvements together with a diagram or print showing thereon the lots, tracts, or parcels of lands or other property which will be especially benefited thereby. The benefit area identified for purposes of the public hearing is depicted on Exhibit B and legally described in Exhibit C.

Section 5. Notices. The City Clerk is hereby directed to have this resolution published in two consecutive issues of the official newspaper of the City, with the first publication to be at least 15 days before the day fixed for the hearing. In addition, the City Clerk is hereby directed to give notice of the hearing upon formation of the Local Improvement District by mail at least 15 days before the day fixed for the hearing to the owners of all lots, tracts, and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the County Assessor, direct to the address thereon shown. The notice shall set forth the nature of the proposed improvements, the estimated cost, the estimated benefits to the particular lot, tract or parcel, and the method of assessment described in Section 3 of this resolution.

Passed by the City Council this 20th day of September, 2010, and signed in authentication of its passage this 20th day of September, 2010.

(SEAL)

Don Davidson, DDS
Mayor

Attest:

Myrna L. Basich, City Clerk

EXHIBIT A
PROJECT DESCRIPTION
NE 4TH STREET EXTENSION AND 120TH AVENUE NE IMPROVEMENTS (SEGMENT 1) OF THE WILBURTON CONNECTIONS MOBILITY IMPROVEMENTS

The NE 4th Street Extension project will extend the roadway from 116th Avenue NE to 120th Avenue NE and includes an at-grade crossing of the Burlington Northern-Santa Fe railroad corridor. The new five-lane arterial road consists of two travel lanes in each direction and a center turn lane where needed. The project will include bike lanes, curb, gutter and sidewalk on both sides, illumination, landscaping and irrigation, storm drainage and detention. The project will accommodate other utility infrastructure as needed. The project will include a new signalized intersection at NE 4th Street and 120th Avenue NE and will modify the existing signalized intersection at NE 4th Street and 116th Avenue NE.

The 120th Avenue NE (Segment 1) improvement project consists of widening the roadway to five lanes, including two travel lanes in each direction with a center turn lane, turn pockets, and medians from south of NE 4th Street to south of NE 8th Street. The project will improve, or install where missing, bike lanes, curb, gutter and sidewalk on both sides, a traffic signal at the NE 6th Street intersection, illumination, landscaping and irrigation, and storm drainage systems. The project will be designed and constructed to accommodate intersections with the NE 4th Street Extension, the planned extension of NE 6th Street, and other utility infrastructure.

EXHIBIT B
LID BOUNDARY MAP
WILBURTON CONNECTIONS LOCAL IMPROVEMENT DISTRICT

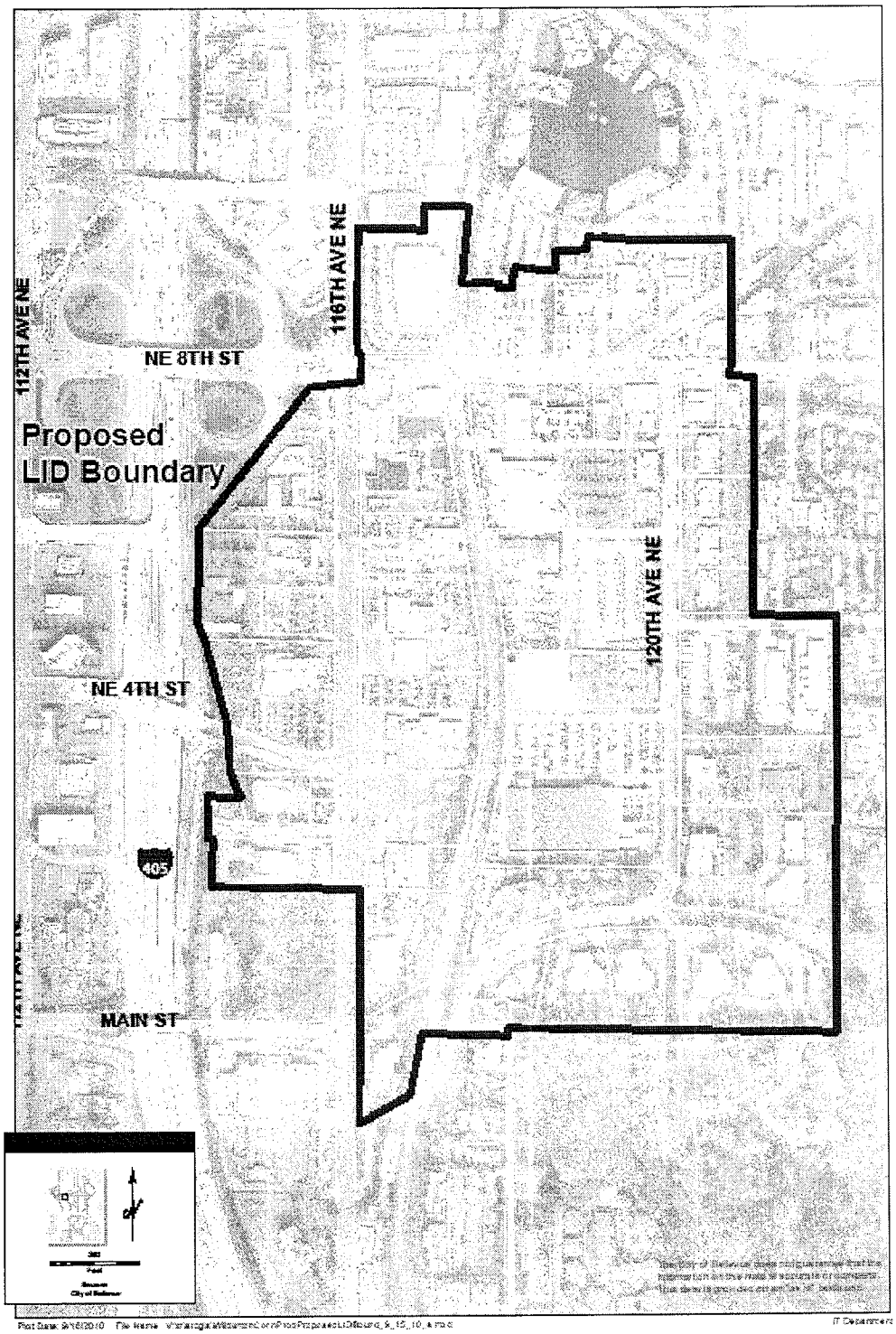

EXHIBIT C
LID BOUNDARY – LEGAL DESCRIPTION
WILBURTON CONNECTIONS LOCAL IMPROVEMENT DISTRICT

That portion of the Southwest quarter of Section 28, the Northeast quarter of Section 32, the Northwest quarter of Section 33 and the Southwest quarter of Section 33, all in Township 25 North, Range 5 East of the Willamette Meridian in King County, Washington, described as follows:

Beginning at the Southwest corner of Section 28;

Thence Easterly along the South line thereof to the East line of the West 30.00 feet of the Southwest quarter of Section 28;

Thence Northerly along said East line, the same also being the Easterly right of way margin of 116th Avenue N.E., to a point being 567.85 feet North of the Southwest corner of Section 28 as measured along the West line thereof and referenced in deeds recorded in King County Auditor's File Nos. 20040622001748 and 20010517002010 and 199804160180;

Thence North 88°38'49" East a distance of 273.72 feet;

Thence North 0°57'40" West a distance of 93.80 feet;

Thence South 89°10'30" East to the Westerly margin of the Burlington Northern Railroad right of way and continuing South 89°10'30" East to the Easterly margin of the Burlington Northern Railroad right of way;

Thence Southerly along said Easterly margin to the Southwest corner of Nine Lake Bellevue a Condominium, recorded in Volume 58 of Condominiums, Pages 82-86;

Thence Easterly along the South line thereof to the Westerly line of Lot 3, Lake Bellevue Division 3, recorded in Volume 117 of Plats, pages 67-68;

Thence southerly along said Westerly line to the most southerly Southwest corner of Lot 3;

Thence easterly along the South lines thereof to the most easterly Southeast corner of Lot 3, the same also being along the West line of Parcel "X", City of Bellevue Boundary Line Adjustment No. 02-149105 LW, recorded in King County Auditor's File No. 20030206900008;

Thence Northerly along the East line of Lot 3 and common with the West line of Parcel "X" to the Northwest corner of Parcel "X";

Thence Easterly along the North lines of Parcel "X", to the most easterly Northeast corner thereof, the same also being along the West line of Lot 1, Lake Bellevue Division 4, recorded in Volume 122 of Plats, pages 53-54;

Thence Southerly along the East line of Parcel "X and common with the West line of Lot 1 to the Southwest corner of Lot 1, also being the Northwest corner of Lot 84, Brierwood Park, recorded in Volume 17 of Plats, page 18;

Thence Easterly along the South line of said Lot 1 to the Southeast corner thereof, the same also being along the Westerly margin of 120th Avenue N.E. (60.00 feet wide right of way);

Thence Southerly along said Westerly margin and the southerly prolongation thereof to the southerly margin of N.E. Bellevue Redmond Road – Rev. No. 1387 (60.00 feet wide right of way);

Thence Northeasterly along the Southerly margin of N.E. Bellevue Redmond Road – Rev. No. 1387 to a point along the centerline of vacated 120th Avenue N.E. (vacated under City of Bellevue Vacation Ordinance No. 2154);

Thence Southerly along said centerline to the North line of the South 40.00 feet of the Southwest quarter of Section 28, the same also being the Northerly right of way margin of N.E. 8th Street;

Thence Easterly along said North line and Northerly margin to the northerly prolongation of the East line of City of Bellevue Short Plat No. 77-55R, recorded in King County Auditor's File No. 8106179004;

Thence Southerly along said prolongation and continuing along the East line thereof to the Southeast corner of Lot 4;

Thence Westerly along the South line thereof, the same also being the North line of Lot 1, City of Bellevue Short Plat No. 80-27 recorded in King County Auditor's File No. 8111199007, to the Northwest corner of said Lot 1;

Thence Southerly along the West line thereof to the Southwest corner of Lot 1;

Thence Easterly along the South line thereof, the same also being the Northerly margin of N.E. 5th Street (60.00 feet wide right of way) to the East line of the West Half of the East Half of the Northwest quarter of Section 33;

Thence Southerly along the East line of said subdivision to the South line of the North 30.00 feet of the Southwest quarter of Section 33, the same also being the Southerly right of way margin of Main Street;

Thence westerly along said South line and Southerly margin to the Westerly margin of the Burlington Northern Railroad right of way;

Thence Southerly along said Westerly margin to the Northerly margin of S.E. 1st Street (60.00 feet wide right of way);

Thence Southwesterly along said northerly margin to the East line of the West 50.00 feet of the Southwest quarter of Section 33;

Thence Northerly along said East line, and continuing along the East line of the West 50.00 feet of the Northwest quarter of Section 33, the same also being the Easterly right of way margin of 116th Avenue N.E., to the easterly prolongation of the South line of Fir Creek, recorded in Volume 44 of Plats, page 89;

Thence North 88°40'27" West along said prolongation to the Southeast corner of Lot 1, Fir Creek;

Thence continuing along the South line of Fir Creek a distance of 494.04 feet as described in deed recorded in King County Auditor's File No. 8702020652;

Thence along the West line of said parcel North 01°49'32" East a distance of 192.83 feet to the South margin of N.E. 2nd Street, as described in City of Bellevue Vacation Ordinance No. 344;

Thence Westerly along said South margin to the centerline of vacated 114th Avenue N.E.

Thence Northerly along said centerline to the Westerly prolongation of the North line of Lot 21, Fir Creek;

Thence Easterly along said prolongation and continuing along the North line thereof to the Northeast corner of Lot 21, the same also being referenced as DOT Station 320+33.54 (328.80 feet RT.) in the State of Washington Department of Transportation (DOT) right of way plans titled SR 405 S.E. 30TH ST. VIC. TO N.E. 40TH ST. VIC. (sheets 19 and 21 of 36) approved February 11, 2005, and also referenced in Record of Survey filed in King County Auditor's File No. 20041230900005;

Thence Northwesterly along said DOT plans and the Easterly margin thereof to DOT Station 321+34.99 (288.33 feet RT.), the same also being the Northwest corner of Lot 23, Fir Creek;

Thence Northwesterly to DOT Station 323+27.21 (273.75 feet RT.);

Thence Northwesterly continuing along said Easterly margin to DOT Station 326+67.00 (182.30 feet RT.);

Thence Northwesterly along said Easterly margin to DOT Station 327+31.25 (152.01 feet RT.);

Thence Northerly along said Easterly margin to DOT Station 328+25.80 (147.00 feet RT.);

Thence Northerly along said Easterly margin to DOT Station 330+81.08 (166.89 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station 331+03.79 (179.06 feet RT.);

Thence Northwesterly along said Easterly margin to DOT Station 331+09.85 (168.55 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station 331+45.66 (177.21 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station 331+68.98 (194.59 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station 333+08.00 (305.73 feet RT.); **Excepting therefrom** those parcels lying between DOT Stations 327+00 and 331+50 dedicated to the State of Washington Department of Transportation and described in deeds recorded in King County Auditor's File Nos. 20080930001534 and 20080930001583;

Thence Southeasterly continuing along said Easterly margin to DOT Station 332+98.64 (317.45 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station 335+32.96 (504.78 feet RT.);

Thence Northwesterly along said Easterly margin to DOT Station 335+42.32 (493.07 feet RT.);

Thence Northeasterly along said Easterly margin to DOT Station NE 8TH 13+45.82 (75 feet RT.), the same being along the South line of the North 75.00 feet of the Northeast quarter of Section 32;

Thence Easterly along said South line to the East line of said subdivision;

Thence Northerly along said East line to the **Point of Beginning**, and there ending, all in King County, Washington.