



Legislation Text

File #: 2004-0396, **Version:** 2

Clerk 08/18/2004

A MOTION declaring the intention of the King County council to create Road Improvement District No. 133 to improve Northeast 52nd Street from Ames Lake-Carnation Road Northeast to 298th Avenue Northeast, to confirm the final assessment roll for Road Improvement District No. 133, and set the date for a public hearing.

WHEREAS, a petition has been filed with the King County council requesting formation of the road improvement district for the improvement of Northeast 52nd Street from Ames Lake-Carnation Road Northeast to 298th Avenue Northeast. The petition requests that the payment for the improvement be made by special assessment payable in five annual installments, and

WHEREAS, the clerk of the King County council referred the petition to the manager of the road services division, department of transportation, for checking and recommendation and to determine the sufficiency of the petition, and

WHEREAS, the manager of the road services division, department of transportation, has certified that the petition has been signed by owners representing 76.72 percent of the linear front footage upon the proposed improvement, and 72.13 percent of the area within the boundary of the proposed improvement district, and

WHEREAS, property within the proposed improvement is sufficiently developed to establish the proposed road improvement district, and

WHEREAS, the total costs and expenses of the project can be predicted with reasonable accuracy, and

WHEREAS, the manager of the road services division has determined the total to be assessed against all

parcels therein to be \$461,066.94, and

WHEREAS, the manager of the road services division has prepared and filed the assessment roll;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. It is the intention of the council to establish pursuant to the petition and pursuant to chapter 36.88 RCW, a road improvement district in King County to be known and designated as "King County Road Improvement District No. 133" ("RID 133"). It is intended that RID 133 shall include all the territory within the boundaries as shown on Attachment A to this motion.

B. It is the intention of the county council to create RID 133 for the purposes of improving of Northeast 52nd Street from Ames Lake - Carnation Road Northeast to 298th Avenue Northeast approximately 5,525 feet in total length. It is intended that the improvements shall consist of clearing, grubbing, grading, drainage, surfacing with asphalt concrete and any such other work as may be incidental thereto, in accordance with the request on the petition. The improvements are referred to in this motion collectively as the "project." "Costs and expenses" of the project are those costs and expenses described in RCW 36.88.300. The costs and expenses of accomplishing the project are estimated to be \$922,133. Fifty percent of the estimated cost for the improvement of Northeast 52nd Street will be borne by and assessed against property within the proposed RID 133. King County shall contribute the remaining balance of the costs to construct Northeast 52nd Street.

It is further the intention of the council that the property owners' share of the actual costs and expenses shall be assessed \$5,299.62 per parcel, all located within the boundary of RID 133. Actual assessments do not exceed a figure equal to the increased true and fair value the improvement adds to the property.

The actual amount of final assessment against each parcel of property within RID 133 shall include the actual total of such costs and expenses incurred in completing the project and shall become a lien against each parcel of land within RID 133, upon confirmation of the assessment roll by the council. The assessments may be paid in full within thirty days following confirmation of the final assessment roll, or at the option of the owner thereof, in five annual installments, together with interest on the diminishing principal at a rate that is

one-half of one percent higher than the net effective interest rate on the loan obtained to pay the cost of the improvements in RID 133.

Interest on the assessment amount due shall be based on the interest bearing warrant rate established by the county's service bank, currently eighty percent of the bank's prime borrowing rate, at the time of confirmation of the final assessment roll. Interest will be added annually to the assessed amount due, beginning from the end of the thirty-day prepay period. The estimated net effective interest rate plus one-half of one percent is seven percent.

C. All persons who wish to object to or to otherwise be heard on the creation of proposed Road Improvement District No. 133 described in this motion, on the accomplishment of the project described in this motion or on the assessment of their property for the costs and expenses of accomplishing the project in the manner described herein, and pursuant to RCW 36.88.090 for the purpose of considering the RID 133 assessment roll that is on file with the clerk of the council, are hereby notified to appear and present their objections or testimony at an open public meeting of the King County council to be held in Room 1001 of the King County Courthouse, Seattle, Washington, at 1:30 p.m. on the 8th day of November, 2004. At such time and place, the council intends to hear such objections and testimony and to act on the intentions set forth in this motion.

D. At the hearing, the council will sit as a board of equalization for the purpose of considering the assessment roll and will consider such written objections as made thereto, or any part thereof. The council may correct, revise, raise, lower, change or modify the roll or any part thereof, or may set aside the roll and make the assessments de novo so that they are just and equitable, and then will proceed to confirm the same by ordinance.

E. The clerk of the council is hereby authorized and directed to give notice of the public hearing by publication and by mailing at the times and in the manner described in RCW 36.88.050 and 36.88.090.

F. The manger of the road services division, department of transportation is hereby directed to submit to

the council at, or before, the date fixed for the hearing, a diagram or print showing thereon the lots, tracts and parcels of land and other property that will be specially benefited by proposed RID 133, and the amount of the cost and expense of the improvement to be borne by each lot, tract or parcel of land or other property, and also designating thereon all property that is being purchased under contract from the county.

none