

124

CITY OF LACEY, WASHINGTON

ORDINANCE NO. 124

AN ORDINANCE of the City of Lacey, Washington, adopting a plan for the acquisition, construction and installation of a sanitary sewage collection system of the City; declaring the estimated cost thereof; creating a sewer system construction fund; providing for the issuance of warrants thereon, and for the payment of certain moneys therein; providing for the issuance of sewer revenue bonds in the principal amount of not to exceed \$1,436,000; and amending the provisions of any other ordinances of the City now in effect that may be in conflict with the provisions of this ordinance.

WHEREAS, the City of Lacey, Washington (hereinafter called the "City"), by Ordinance No. 123 passed and approved October 14, 1969, authorized and ordered the acquisition, construction and installation of a continuous system of sanitary trunk, lateral and subsewers with necessary appurtenances in, on, along and under certain streets, avenues, drives, places and easements; declared the estimated cost of the acquisition, construction and installation of such improvements to be \$1,436,000; and provided that approximately \$1,278,000 of such cost should be borne by and assessed against the property within Utility Local Improvement District No. 69-SS-1 of the City in accordance with the special benefits conferred by the construction of such improvements and the balance of such cost should be borne out of other funds of the City legally available therefor; and

WHEREAS, pursuant to a contract entered into between the City and the City of Olympia, a municipal corporation of the State of Washington, under the date of JUNE 26, 1969, the City has agreed to pay to Olympia the sum of approximately \$150,000 to compensate Olympia for the cost of oversizing a trunk line to be constructed to carry sewage to the Olympia sewage treatment plant in order to create capacity in said line sufficient to carry sewage

from the City; and

WHEREAS, it is necessary for the City to now pay \$50,000 of said compensation to Olympia in advance of the issuance of revenue bonds, as contemplated by the City, in the principal amount of approximately \$1,436,000 to provide funds sufficient to pay the cost of the acquisition, construction and installation of a sanitary sewer system for the City, including the cost of the above-described payments to the City of Olympia; and

WHEREAS, the public health of the citizens of the City is being endangered by the discharge of raw or untreated sewage into streams, water courses and open ditches, and such danger may be abated by the acquisition, construction, installation and maintenance of the hereinafter-described improvements;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lacey, Washington, as follows:

Section 1. The plan for the acquisition, construction and installation of a continuous system of sanitary trunk, lateral and subsewers in, on, along and under certain streets, avenues, drives, places and easements attached hereto as Exhibit "A" and by this reference incorporated herein as though fully set forth herein, is hereby specified and adopted.

Such improvements shall be installed complete with all manholes, stub sewers, necessary connecting trunk lines to the City of Olympia Treatment Plant and other equipment and appurtenances including pumping stations necessary to the proper operation of said sewer system all as more fully described in the plans therefor, prepared by Cornell, Howland, Hayes and Merryfield consulting engineers of Seattle, Washington, and now on file with the City. Said plans are hereby adopted and approved.

The City shall acquire by purchase, franchise, lease or

condemnation all property both real and personal or any interest therein and all rights of way, franchises, permits and easements which may be found necessary to acquire, construct and install the above-described improvements.

It is hereby further provided that the hereinbefore authorized plans of improvement shall be subject to such changes as to details of pipe size and location or any other details of said plans not affecting the service to be provided by the main general plan as shall be authorized by the City Council either prior to or during the actual course of construction.

Section 2. The estimated cost of acquiring, constructing and installing the above-described improvements is hereby declared to be, as near as may be, the sum of \$1,436,000, which cost shall be provided as follows:

\$1,640,000.00 - Ord 135

a. From assessments to be levied against the property within Utility Local Improvement District No. 69-SS-1 of the City, approximately \$1,278,000 - *1,453,419.24. - Ord. 135*

b. From the sale of sewer, or water and sewer, revenue bonds of the City in the principal amount of not to exceed \$1,436,000 secured, in part by such assessments as are levied in Utility Local Improvement District No. 69-SS-1 of the City and by the revenues of the sewer system of the City, or at the discretion of the City, the combined revenues of its water and sewer systems.

\$1,640,000 - Ord 135

As an integral part of the plan for acquiring, constructing and installing the above-described improvements the City shall issue and sell such revenue bonds in such amount or amounts and at such time or times as the Council may determine to be to the best interest of the City. The exact date or dates, form, terms, maturities and covenants of such bonds shall be as hereafter fixed by ordinance or ordinances of the City.

Section 3. There is hereby created a special fund of the City to be known as the "Sewer System Construction Fund." The following described moneys shall be paid into and credited to such Fund and shall be used first for redeeming the warrant or warrants drawn thereon, and second for paying costs of acquiring, constructing and installing the improvements hereinbefore authorized.

a. All proceeds of sale of the above-authorized revenue bonds (except for accrued interest) shall be paid into and credited to such Construction Fund.

b. All proceeds from the sale of any general obligation bonds of the City issued to pay part of the costs of acquiring, constructing and installing the improvements hereinbefore authorized.

c. In the event that the sources of funds set forth in subparagraphs "a" and "b" above are insufficient to pay and redeem, within the calendar year 1970, all warrants drawn on such Construction Fund, together with all accrued interest on said warrants to the date of redemption thereof, ^{there} shall be paid into said Construction Fund out of the general funds of the City, any moneys therein properly budgeted and appropriated for such purpose.

The City covenants that it will provide in its budget for the calendar year 1970, and appropriate the sum of \$54,667, for the purpose of paying and redeeming Construction Fund warrants in the event that the bonds referred to in subparagraphs "a" and "b" above are not issued in the calendar year 1970, in amounts sufficient to pay and redeem such warrants.

Section 4. A warrant bearing interest at the rate of 8³/₁₀₀ per annum payable from date of issue to date of redemption, in the principal amount of \$50,000, shall be issued to the City of Olympia against such Construction Fund for the purpose of paying part of the obligation of the City to the City of Olympia pursuant to the

aforesaid contract. Such warrant shall be credited against such obligation at its par value.

Section 5. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED UNANIMOUSLY by the City Council of Lacey, Washington, at a regular meeting of said Council held this 23rd day of October, 1969, and signed in authentication thereof on said date.

LACEY, WASHINGTON

By *A. B. Homann*
Mayor

ATTEST:

C. R. Kestach
City Clerk

APPROVED AS TO FORM:

Raymond P. Chynell
City Attorney

DATE OF PUBLICATION : *October 29, 1969*

PHYSICAL DESCRIPTION OF SEWERAGE SYSTEM

IMPROVEMENTS FOR THE CITY OF LACEY

<u>SIZE</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
<u>SECTION 17, T 18 N, R 1 W, W. M.</u>			
8"	Pacific Ave.	S. section line	Approx. 741' W.N.W. thereof
8"	Winston St.	N.E. 41st St.	Approx. 610' W. thereof
12"	Robbins Rd.	N.E. 41st St.	Approx. 2,248' E. thereof
18"	N.E. 41st St.	S. section line	Robbins Rd.
21"	N.E. 41st St.	Robbins Rd.	Martin Way
30"	Martin Way	N.E. 41st St.	N.E. 36th St. (Lilly Rd.)
<u>SECTION 20, T 18 N, R 1 W, W. M.</u>			
8"	Cindy Ave.	S.E. 44th St.	Approx. 1,126' E. thereof
8"	Apple Ave.	S.E. 44th St.	Approx. 1,129' E. thereof
8"	Richard Ave.	S.E. 46th St.	Approx. 1,123' W. thereof
8"	Rosalie Ave.	S.E. 44th St.	Approx. 530' E. thereof
8"	S.E. 44th St.	Cindy Ave.	Approx. 1,171' N. thereof
8"	S.E. 44th St.	Cindy Ave.	Approx. 140' S. thereof (to S. section line)
8"	Alpha St.	S. section line	Approx. 872' N. thereof
8"	S.E. 43rd St.	S. section line	Approx. 890' N. thereof
8"	S.E. 41st St.	S. section line	Approx. 759' N. thereof
8"	S.E. 39th St.	Griffith Ave.	Approx. 961' S.S.E. thereof (to S. section line)

<u>SIZE</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
8"	Griffith Ave.	S.E. 39th St.	Approx. 140' E. thereof
8"	Griffith Ave.	S.E. 41st St.	Approx. 507' W. thereof
8"	Griffith Ave.	S.E. 41st St.	Approx. 113' E. thereof
8"	Griffith Ave.	End of Right-of-Way 380' E. of intersection of Griffith and 41st St.	Approx. 193' E. thereof
8"	S.E. 41st St.	Griffith Ave.	Approx. 781' N. thereof
8"	S.E. 39th St.	South End of 39th St.	Approx. 680' N. thereof
8"	S.E. 40th St.	Approx. 308' S. of Camelia Ave.	Approx. 678' N. thereof (to end of right-of-way)
8"	S.E. 38th St.	Elizabeth Ave.	Approx. 547' S. thereof
8"	S.E. 40th St.	Elizabeth Ave.	Approx. 647' N. thereof
8"	Elizabeth Ave.	S.E. 41st St.	Approx. 341' E. thereof
8"	Elizabeth Ave.	S.E. 41st St.	S.E. 38th St.
8"	Right-of-Way S. of S.E. 38th St.	S. end of S.E. 38th St.	Approx. 250' W. thereof
8"	S.E. 38th St.	Russell Ave.	Approx. 614' S. thereof
8"	S.E. 39th St.	Russell Ave.	Approx. 410' S. thereof
8"	S.E. 40th Ave.	Russell Ave.	Approx. 482' S. thereof (to end of right-of-way)
8"	Russell Ave.	S.E. 41st St.	Approx. 949' W. thereof
8"	S.E. 44th St.	Lewis Ave.	Approx. 1,196' S. thereof
8"	S.E. 44th St.	Lewis Ave.	Lacey Blvd.
8"	Lewis Ave.	S.E. 44th St.	S.E. 43rd St.
8"	S.E. 43rd St.	Lewis Ave.	Approx. 358' S. thereof

SIZEONFROMTO

8"	S.E. 43rd St.	Elizabeth Ave.	Approx. 88' S. thereof
8"	Elizabeth Ave.	S.E. 43rd St. southbound	Approx. 249' W. thereof
8"	Elizabeth Ave.	S.E. 43rd St. southbound	Approx. 305' E. thereof
8"	S.E. 43rd St.	Elizabeth Ave.	Lacey Blvd.
8"	Rey Ave.	S.E. 43rd St.	Approx. 268' E. thereof
8"	Right-of-Way approx. 492' S. of Lacey Blvd.	S.E. 43rd St.	Approx. 268' E. thereof
8"	S.E. 42nd St.	Lacey Blvd.	Approx. 1,244' S. thereof
8"	Lacey Blvd.	S.E. 44th St.	S.E. 41st St.
8"	S.E. 43rd St.	Pacific Ave.	Approx. 482' N. thereof
8"	Pacific Ave.	S.E. 43rd St.	N.E. 41st St.
8"	Pacific Ave.	S.E. 41st St.	Approx. 551' W.N.W. thereof (to N. section line)
10"	S.E. 41st St. (Pressure Line)	S. section line	Approx. 951' N. of Griffith Ave. (A total of 1,884')
15"	S.E. 41st St.	Elizabeth Ave.	Approx. 1,437' S. thereof
15"	S.E. 41st St.	Elizabeth Ave.	Lacey Blvd.
15"	S.E. 41st St.	Lacey Blvd.	Pacific Ave.
18"	S.E. 41st St.	Pacific Ave.	Approx. 178' N. thereof (to N. section line)

EASEMENTS

8"	Along W. side of Chehalis Western R.R.	Griffith Ave.	Approx. 1,010' N.N.W. thereof
8"	W. of S.E. 39th St.	S. end of S.E. 39th St.	Approx. 407' W. thereof
8"	N. of S.E. 40th St.	N. end of S.E. 40th St.	Approx. 130' N. thereof
8"	W. of S.E. 41st St. Approx. 552' S. of Elizabeth Ave.	S.E. 41st St.	Approx. 355' W. thereof

<u>SIZE</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
8"	Continuation of Griffith Ave.	Griffith Ave. right-of-way	Approx. 267' W. to Griffith Ave. right-of-way
<u>SECTION 21, T 18 N, R 1 W, W. M.</u>			
8"	S.E. 46th St.	Wood Haven Drive	Approx. 1,037' N. thereof
8"	Richard Ave.	S.E. 46th St.	Approx. 1,221' E. thereof
8"	Apple Ave.	S.E. 46th St.	S.E. 51st Place
8"	S.E. 51st Pl.	Apple Ave.	Approx. 338' S. thereof
<u>SECTION 28, T 18 N, R 1 W, W. M.</u>			
8"	Catalina Dr.	S. end of Catalina Dr.	Bel Air Dr.
8"	Bel Air Dr.	Cataline Dr.	S.E. 46th St.
8"	S.E. 46th St.	Bel Air Dr.	Wood Haven Dr.
8"	S.E. 46th St.	Bel Air Dr.	Approx. 845' S. thereof
8"	Alpine Terrace	S.E. 46th St.	Approx. 1,151' E. thereof
8"	Wood Haven Dr.	S.E. 46th St.	S.E. 50th St.
8"	S.E. 50th St.	Wood Haven Dr.	Approx. 516' S. thereof
<u>SECTION 29, T 18 N, R 1 W, W. M.</u>			
8"	Montclair Ave.	Approx. 110' W. of S.E. 46th St.	End of Montclair Ave. (Approx. 688')
8"	North Montclair Court	Montclair Ave.	Approx. 220' N.E. thereof
8"	South Montclair Court	Montclair Ave.	Approx. 152' S.W. thereof
8"	Signa Ave.	S.E. 46th St.	Approx. 538' W. thereof
8"	Lake Shore Drive	Redwood Lane	Approx. 150' S. thereof
8"	Oakwood Drive	Redwood Lane	Approx. 876' E. thereof
8"	S.E. 44th St.	Oakwood Dr.	Lake View Drive

<u>SIZE</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
8"	S.E. 44th St.	N. section line	Approx. 94' S. thereof (to pump station)
8"	Lake View Drive	S.E. 44th St.	Delta Drive
8"	Lake View Drive	Delta Drive	Approx. 422' S.W. thereof to end of right-of-way
8"	Alpha St.	Lake View Drive	Approx. 318' N. thereof (to N. section line)
8"	S.E. 43rd St.	Lake View Drive	Approx. 280' N. thereof (to N. section line)
8"	Delta Drive	Lake View Drive	Approx. 428' N. thereof
8"	S.E. 41st St.	Delta Drive	Approx. 358' N. thereof (to N. section line)
8"	S.E. 39th St.	South End S.E. 39th St.	Approx. 826' N.W. thereof (to N. section line)
10"	Oakwood Drive	S.E. 46th St.	Approx. 290' W. thereof
10"	Redwood Lane	Oakwood Drive	Lakeshore Drive
10"	S.E. 44th St. (Pressure Line)	Oakwood Drive	Lake View Drive
10"	Lake View Drive (Pressure Line)	S.E. 44th St.	Delta Drive
10"	Delta Drive (Pressure Line)	Lake View Drive	S.E. 41st St.
10"	S.E. 41st St. (Pressure Line)	Delta Drive	Approx. 358' N. thereof (to N. section line)
12"	Redwood Lane	Lake Shore Drive	Oakwood Drive
12"	Oakwood Drive	Redwood Lane	S.E. 44th St.
15"	S.E. 44th St.	Oakwood Drive	Approx. 65' N. thereof (to pump station)

EASEMENTS

4"	W. of S.E. 39th St. (Pressure line)	S. end of S.E. 39th St.	Approx. 445' N.W. thereof (to Lake View Dr.)
8"	W. of Montclair Ave.	W. end of Montclair Ave.	Approx. 779' W. thereof
8"	S. of Lake Shore Dr.	S. end of Lake Shore Dr.	Approx. 1,610' S.S.W. thereof