

ORDINANCE 806

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, PROVIDING FOR THE IMPROVEMENT OF A CERTAIN AREA BY THE CONSTRUCTION AND INSTALLATION OF WATER TRANSMISSION LINES AND RELATED IMPROVEMENTS AND FIRE HYDRANTS, ALL PURSUANT TO RESOLUTION 612 OF THE CITY, PASSED AND APPROVED MAY 28, 1987; ORDERING THE FORMATION OF UTILITY LOCAL IMPROVEMENT DISTRICT NO. 10 AND PROVIDING FOR THE COST OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS UPON THE PROPERTY OF SAID DISTRICT SPECIALLY BENEFITTED BY SAID IMPROVEMENTS

WHEREAS, on May 28, 1987, the city council of the City of Lacey, Washington, adopted its Resolution 612, declaring its intention to order the improvement of a certain area by the construction and installation of water transmission lines and related improvements and fire hydrants in said area and by doing all work required in connection therewith; and

WHEREAS, said resolution was duly published and notice of said hearing was duly given by mailing as required by law; and

WHEREAS, said hearing was held on July 23, 1987, as provided in said notice and after discussion of said improvements and due consideration thereof and after being informed that the legal description contained in said Resolution and notice encompassed a slightly larger area than was intended by the council in passing said resolution and that the legal description contained on Exhibit "A" attached hereto accurately reflects the area which, at all times, has been under consideration, the council has determined to order the construction and installation of the improvements herein-after more particularly described and to create a utility local improvement district therefor; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, as follows:

Section 1. That certain area within the utility local improvement district hereinafter formed shall be improved by the construction and installation of water transmission lines and related improvements and fire hydrants as described in Exhibit "B" attached hereto and incorporated by reference herein.

This improvement is part of the overall comprehensive water plans of the city and is an addition to and an extension of the existing water system of the city.

Such improvements shall be installed completely with all water trunk lines, fire hydrants and other related improvements, all as more fully described in the plans therefor now on file with the city's Department of Public Works.

The city shall acquire by purchase, franchise, lease or condemnation, any and all property both real and personal or any interest therein and all rights-of-way, franchises, permits and easements which may be found necessary for the purpose of constructing and installing the above-described improvements.

It is further provided that the 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.

Section 2. There is hereby established a utility local improvement district of the city to be known as "Utility Local Improvement District No. 10," which district shall include all of

the property described in Exhibit "A" attached hereto and incorporated by reference herein.

Section 3. The estimated cost of the improvements is \$607,168.00. The City of Lacey intends to pay for the costs of said improvements attributable to oversizing the water transmission lines in excess of 12 inches, which oversizing cost is estimated to be \$149,000.00. The remainder of the estimated costs shall be borne by and assessed against the property within Utility Local Improvement District No. 10. The estimated aggregate amount of said assessment is \$458,168.00.

Section 4. By reason of the nature of the improvements, the special benefits conferred on the property are not in all cases accurately and fairly reflected by the use of the zone and termini method of assessment. Therefore, the portion of the cost of said improvement which is to be borne by assessments against the property within the district shall be distributed in accordance with the special benefits derived therefrom by assessing those properties abutting the transmission lines by use of a combination of a front foot and area charge and by assessing those properties not abutting the transmission lines with an area charge only. The council finds that this method of setting assessments more fairly reflects the special benefits to the properties being assessed than would the zone and termini method. The council further finds that dedicated public rights-of-way and dedicated storm drainage lands will not be benefitted by the improvements and therefore will not be assessed.

Section 5. All of the assessments levied, including

interest and penalties thereon, shall be paid into such fund or funds as shall hereafter be designated by the city council and used solely to pay for the improvements ordered herein or to pay and secure such revenue bonds, warrants, installment notes or such other evidences of indebtedness as shall be issued to pay part or all of the costs of said improvements together with interest thereon.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, this 23rd day of July, 1987.

CITY COUNCIL

BY Kay M. Boyd  
Mayor

Attest:

Timothy McGuire  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Published: 7-30-87

HAWKS PRAIRIE WATER MAIN ULID  
DESCRIPTION

The south ~~one-half~~ of Section 35, Township 19 North, Range 1 West, W.M.

Also the east one-half of the northeast one-quarter of Section 3, Township 18 North, Range 1 West, W.M.

Also all of Section 2, Township 18 North, Range 1 West, W.M., excepting therefrom the following described parcels:

Except the east 275 feet of the southeast one-quarter of the northeast one-quarter of said Section 2, lying southerly of county road known as Hogum Bay Road.

Also except the south one-half of the north one-half of the southwest one-quarter of said Section 2, lying southwesterly of county road known as Marvin Road.

Also except the north one-half of the southwest one-quarter of the southwest one-quarter of said Section 2.

Also except the southeast one-quarter of the southwest one-quarter of said Section 2 lying northeasterly of county road known as Marvin Road.

Also except that portion of the southeast one-quarter of the southwest one-quarter of said Section 2, described as beginning at the southwest corner of the northwest one-quarter of said southeast one-quarter of the southwest one-quarter; thence N  $1^{\circ}13'46''$  E along the west line thereof 667.69 feet to the northwest corner of said southeast one-quarter of the southwest one-quarter; thence S  $88^{\circ}06'36''$  E along the north line thereof 311.33 feet to the westerly right-of-way line of county road known as Marvin Road; thence along said westerly right-of-way line S  $29^{\circ}23'48''$  E, 547.70 feet; thence S  $73^{\circ}08'32''$  W, 621.01 feet to the True Point of Beginning.

EXHIBIT "A"

UTILITY LOCAL IMPROVEMENT DISTRICT  
HAWKS PRAIRIE WATER MAIN

Improvement Description:

1. A 16-inch water transmission line and related appurtenances on Hogum Bay Road from the south line of Section 2, Township 18N, Range 1W, WM, northward to 31st Avenue N.E.
2. A 14-inch water line on Marvin Road from the south line of said Section 2 to 32nd Avenue N.E.
3. A 12-inch water transmission line on Marvin Road from 32nd Avenue N.E. northward to Hawks Prairie Road and the northwest corner of said Section 2.
4. Fire hydrants spaced as required for commercial/light industrial zoning where ULID abuts the improvement.