

RESOLUTION NO. 2017-08

A RESOLUTION of the City Council of the City of Lakewood, Washington, declaring the intention of the City Council to order certain local improvements described herein and setting the date of a public hearing to consider the formation of Local Improvement District No. 1109 (Panattoni Woodbrook Development).

WHEREAS, it is the intention of the Council to order certain improvements described in Section 1 hereof, and

WHEREAS, the Council desires to form a local improvement district for the purpose of making the improvements described in Section 1 hereof, the cost of which improvements will borne in whole or in part by special assessments upon the property that will receive special benefit from the improvements, 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 LAKEWOOD, WASHINGTON HEREBY RESOLVES as follows:

Section 1. In accordance with Lakewood Municipal Code (LMC) 12A.17.010 and chapter 35.43 RCW, the City Council hereby declares its intention to order certain improvements, the nature and territorial extent of which are set forth as follows:

(a) Half-street improvements consisting of curb, gutter, sidewalk, asphalt pavement widening (including a two-inch half-street overlay), storm drainage, street lighting, landscaping and other associated improvements along the street frontages of portions of 150th Street SW and 146th Street SW; and

(b) A full-width two-inch asphalt pavement overlay located on portions of Spring Street SW.

All of the foregoing improvements shall be in accordance with the plans and specifications therefor prepared by the City and may be modified by the City as long as that modification does not affect the purpose of the improvements.

Section 2. The total cost and expense required to make a complete improvement, including legal, engineering, surveying, administrative, printing, acquisition and all other expenses of every kind, is estimated to be \$1,020,000.00. Upon adoption of an ordinance ordering the local improvements described in Section 1, such cost and expense shall be paid from special assessments against the property specially benefited by the local improvements and from other funds legally available to the City for such purpose, and a local improvement district to be designated "Local Improvement District No. 1109 (Panattoni Woodbrook Development)" shall be established as embracing as near as may be all the property specially benefited by such local improvements, which property shall be assessed to pay all of the cost of such local improvements under the mode of payment of bonds.

Section 3. Actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement, or street lighting, adds to the property.

Section 4. The Hearing Examiner of the City of Lakewood is hereby designated to conduct a public hearing to consider the creation of the proposed local improvement district described herein. The hearing shall be held in the Council Chambers, 6000 Main Street SW, Lakewood, Washington, on May 18, 2017 at 10:00 a.m. All persons who may desire to object to the making of the improvement or the formation of the local improvement district shall do so in writing and file such complaint with the City Clerk before 5:00 p.m. on May 11, 2017, or shall appear and present their objections at the hearing. Upon completion of the public hearing, the Hearing Examiner shall report recommendations to the City Council for final action.

Section 5. The Director of the Public Works Department shall certify to the City Council and submit to the Hearing Examiner on or at a date prior to May 11, 2017, the estimated cost and expense of the proposed improvement, a description of the boundaries of the proposed local improvement district (including a diagram or print showing the lots, tracts or parcels of lands or other property which will be specially benefited by the proposed improvement), and a statement of the portion of the total cost and expense of the proposed improvement that should be borne by the property within the proposed local improvement district.

Section 6. The City Clerk shall publish this Resolution in at least two consecutive issues of the official newspaper of the City of Lakewood, the first publication being at least 15 days before the day fixed for the public hearing to be held in accordance with this Resolution.

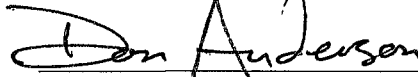
Section 7. The Director of the Public Works Department shall give notice by mail at least 15 days before the day fixed for the hearing to the owners or reputed owners of all lots, tracts and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the Pierce County Assessor, directed to the address thereon shown. The notice shall set forth the nature of the proposed improvement, the estimated cost, a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement (or street lighting) adds to the property, and the estimated benefits of the particular lot, tract or parcel.

Section 8. If any sections, sentence, clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution or its application to any other person, property or circumstance.

Section 9. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of April, 2017.

CITY OF LAKEWOOD



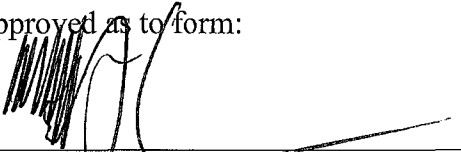
Don Anderson, Mayor

Attest:



Alice M. Bush, MMC, City Clerk

Approved as to form:



Heidi Ann Wachter, City Attorney

m. Kamm, Asst. City Atty