

Introduced by: Mayor
Date: 09/01/15
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2015-038**

**A RESOLUTION TO FORM THE DISTRICT AND PROCEED WITH THE
IMPROVEMENT OF THE DIAMOND VIEW ESTATES UTILITY SPECIAL
ASSESSMENT DISTRICT FOR A NATURAL GAS MAIN LINE**

WHEREAS, on June 2, 2015, the assembly adopted Resolution 2015-029, A Resolution Approving the Petition Application for the Formation of the Diamond View Estates Utility Special Assessment District (USAD) for Construction of a Natural Gas Main Line; and

WHEREAS, the petition was timely submitted by the sponsor, and the borough clerk has determined that the petition received bears sufficient signatures as described in KPB 5.35.107; and

WHEREAS, the borough clerk gave notice of the public hearing for this resolution by certified mail, return receipt requested, mailed not less than 35 days before the date of the hearing, to each record owner of a parcel in the proposed district; and

WHEREAS, the clerk further gave notice by publication once a week for two consecutive weeks in a newspaper of general circulation in the borough, with the first publication appearing not less than 30 days before the date of the hearing; and

WHEREAS, more than 30 days have passed since the mailing of the notice of the public hearing to each record owner of a parcel in the proposed district, and no written objections to the necessity of formation of the district have been filed with the borough clerk; and

WHEREAS, KPB 5.35.110, in accordance with AS 29.46.020, requires the assembly to make a finding that the improvement is necessary and should be made;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That this resolution is supported by the information in the following attached exhibits which are incorporated by reference as if fully set forth herein:

- 1) The clerk's certification of the petition, dated July 24, 2015;

- 2) The estimated assessment roll for the proposed USAD containing the tax parcel identification number, legal description, assessed value, estimated assessment per parcel, owners name and mailing address, the assessed value before and after the proposed improvement, the value-to-cost ratio (which does not exceed 50 percent), maximum assessment and any prepayment needed, whether the property owners have approved the proposed district, and any tax delinquencies. The assessment roll further specifies the total costs for the proposed USAD, the number of parcels and cost of the improvement per parcel;
- 3) A map of the proposed district showing the benefited parcels, which benefited parcels are improved, and the proposed course of the mainline;
- 4) The petition form information sheet which explained to petitioners the nature of the project, its total and per-parcel estimated cost, filing and signature deadlines and requirements, the approved withdrawal prohibition, and the filing fee;
- 5) A commitment letter and map of the proposed main line from Enstar Natural Gas dated April 2, 2015, stating that \$236,602.00 is Enstar's total estimated cost of the improvement, the total linear feet of the project, cost per linear foot, and that it is prepared to construct the proposed improvement during the 2015 season at the stated construction rate;
- 6) Memo from the borough Finance Director dated May 18, 2015, stating that internal financing will be used and setting forth the number and frequency of payments.

SECTION 2. That the proposed Diamond View Estates USAD is necessary because natural gas provides a safe, economical heating alternative, and has been shown to increase the value and marketability of parcels.

SECTION 3. That the estimated cost of the project of \$246,731.51, which includes direct costs of \$236,602.00 and indirect administrative costs of \$10,129.51, is approved.

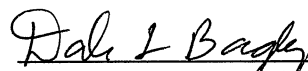
SECTION 4. That the attached Estimated Assessment Roll, Exhibit 2, which includes properties within the district to be properly included and subject to an assessment of \$4,181.89 per parcel for the improvement, is incorporated by reference herein and adopted.

SECTION 5. That the mayor is authorized to negotiate and execute such documents as are determined to be in the best interests of the borough to proceed with construction of the improvement and to accomplish this project.

SECTION 6. That the borough clerk shall cause a copy of this resolution and the estimated assessment roll to be recorded in the State of Alaska Recorder's office for the Homer District.

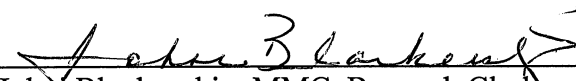
SECTION 7. That this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF SEPTEMBER, 2015.

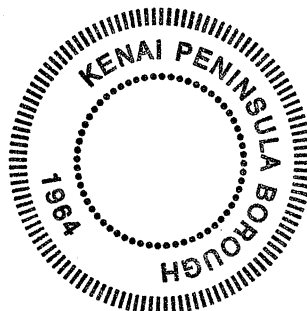


Dale Bagley, Assembly President

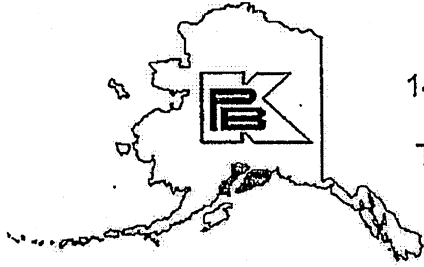
ATTEST:



John Blankenship, MMC, Borough Clerk



Yes: Cooper, Haggerty, Gilman, Johnson, McClure, Ogle, Welles, Wolf, Bagley
No: None
Absent: None



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: assemblyclerk@borough.kenai.ak.us

**JOHNI BLANKENSHIP, MMC
BOROUGH CLERK**

KENAI PENINSULA BOROUGH CERTIFICATION OF PETITION

Diamond View Utility Special Assessment District

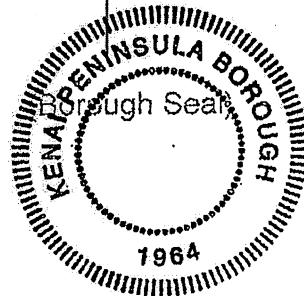
A petition for formation of the Diamond View Utility Special Assessment District (*approved by Assembly Resolution 2015-029*) was received in the Office of the Borough Clerk on July 23, 2015. I hereby certify the petition as sufficient. Signatures of property owners of 36 parcels (60% of 59 parcels) were required. Signatures of property owners of 39 parcels (66.10 %) were validated.

A Check in the amount of \$1,000.00 was received with the petition.

Dated this 24th day of July, 2015.

A handwritten signature in cursive script that reads "John Blankenship".

Johni Blankenship, MMC
Borough Clerk



cc: Boyd Walker, 40920 Solstice Drive, Homer, AK 99603 (*Petitioner*)
Marie Payfer, KPB USAD Coordinator
KPB Assembly President Bagley and Members of the Assembly
KPB Mayor Mike Navarre

EXHIBIT #1

DIAMOND VIEW ESTATES USAD - ESTIMATED ASSESSMENT ROLL

Total Assessed Value: 2015 Assessed Values (AV)
 Lien limit per parcel: Cannot exceed 50% of Assessed Value, per 5.35.070(C)
 Total Estimated Project Cost: 246,731.51

Enstar Construction Cost: 205,070.00
 Enstar Non-Standard Cost: 31,532.00

Enstar Total Estimated Cost: 236,602.00
 KPB Administration Cost: 10,129.51
 Total Estimated Cost: 246,731.51

Less any required pre-payment: 0.00
 Total Estimated Assessments: 246,731.51

Total number of parcels in district: 59
 Total number parcels in favor of project: 39
 Percentage of parcels in favor of project: 66.10% ≥ 60% - 5.35.107(C)(a)
 Percentage of parcels in favor assessed value: 74.06% ≥ 60% - 5.35.107(C)(b)
 Percentage of parcels in district delinquent: 0.00% < 10% - 5.35.070(D)

of Parcels 59
 Estimated Cost Per Parcel: 4,181.89

| PARCEL ID | LEGAL | 2015 ASSESSED VALUE | VALUE-TO-COST RATIO <50% | MAXIMUM ASSESSMENT | REQUIRED PREPAYMENT | OWNER | 2014 TAX DEL | OTHER SPECIAL ASSESSMENTS | VOTED IN FAVOR | ASSESSED VALUE IN FAVOR |
|------------|--|---------------------|--------------------------|--------------------|---------------------|---|--------------|---------------------------|----------------|-------------------------|
| 173-310-30 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0810008 SKYLINE HEIGHTS ESTATES REPLAT LTS 25-40 LOT 30 | 31,400 | 13.32% | 4,181.89 | 0.00 | ALASKA GROWTH PROPERTIES LLC | NO | NO | | 0 |
| 173-310-31 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0810008 SKYLINE HEIGHTS ESTATES REPLAT LTS 25-40 LOT 31 | 28,700 | 14.57% | 4,181.89 | 0.00 | ALASKA GROWTH PROPERTIES LLC | NO | NO | | 0 |
| 173-310-32 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0810008 SKYLINE HEIGHTS ESTATES REPLAT LTS 25-40 LOT 32 | 33,200 | 12.60% | 4,181.89 | 0.00 | ALASKA GROWTH PROPERTIES LLC | NO | NO | | 0 |
| 173-310-57 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0850030 SMURFY ACRES SUB LOT 2 | 28,900 | 14.47% | 4,181.89 | 0.00 | GLANVILLE JOHN GLANVILLE LAURIE | NO | NO | | 0 |
| 173-310-58 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0850030 SMURFY ACRES SUB LOT 3 | 180,100 | 2.32% | 4,181.89 | 0.00 | HAWKINS BRYAN HAWKINS JENNIFER | NO | NO | YES | 180,100 |
| 173-470-05 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742239 BELNAP SUB UNIT 1 BLK 1 TRACT 5 | 409,100 | 1.02% | 4,181.89 | 0.00 | FANKHAUSER ANGELA D FANKHAUSER RANDALL D | NO | NO | | 0 |
| 173-470-06 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742239 BELNAP SUB UNIT 1 BLK 1 TRACT 4 | 346,500 | 1.21% | 4,181.89 | 0.00 | CUNNINGHAM SAMANTHA ASHTON LIVING TRUST | NO | NO | YES | 346,500 |

| PARCEL ID | LEGAL | 2015 ASSESSED VALUE | VALUE-TO-COST RATIO <50% | MAXIMUM ASSESSMENT | REQUIRED PREPAYMENT | OWNER | 2014 TAX DEL | OTHER SPECIAL ASSMPTS | VOTED IN FAVOR | ASSESSED VALUE IN FAVOR |
|------------|---|---------------------|--------------------------|--------------------|---------------------|--|--------------|-----------------------|----------------|-------------------------|
| 173-470-07 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0742239 BELNAP SUB UNIT 1 BLK 1 TRACT 1 | 68,600 | 6.10% | 4,181.89 | 0.00 | CUNNINGHAM SAMANTHA ASHTON LIVING TRUST | NO | NO | YES | 68,600 |
| 173-740-01 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 8 | 238,300 | 1.75% | 4,181.89 | 0.00 | HEATHER CARLOS HEATHER DERETA | NO | NO | | 0 |
| 173-740-02 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 9 | 218,200 | 1.92% | 4,181.89 | 0.00 | ROSE ANDREW P | NO | NO | YES | 218,200 |
| 173-740-03 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 10 | 292,200 | 1.43% | 4,181.89 | 0.00 | JACKINSKY SARA L JONES KENNETH M SPRINGER EMILIE S | NO | NO | | 0 |
| 173-740-05 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 13 | 168,600 | 2.48% | 4,181.89 | 0.00 | CREAMER, KAYLA M OWEN, KENNETH SCOTT | NO | NO | YES | 168,600 |
| 173-740-06 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 14 | 54,200 | 7.72% | 4,181.89 | 0.00 | WIBBENMEYER LYNN E DECLARATION OF TRUST WIBBENMEYER MERLIN J DECLARATION OF TRUST | NO | NO | YES | 54,200 |
| 173-740-08 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 15 | 60,000 | 6.97% | 4,181.89 | 0.00 | REDMON KENTON F | NO | NO | | 0 |
| 173-740-09 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 16 | 250,300 | 1.67% | 4,181.89 | 0.00 | REDMON KENT | NO | NO | | 0 |
| 173-740-10 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 17 | 292,100 | 1.43% | 4,181.89 | 0.00 | WILLMANN RONALD D | NO | NO | YES | 292,100 |
| 173-740-13 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 20 | 189,900 | 2.20% | 4,181.89 | 0.00 | WILSON ROY JAMES RATCLIFFE SUSANNE | NO | NO | YES | 189,900 |

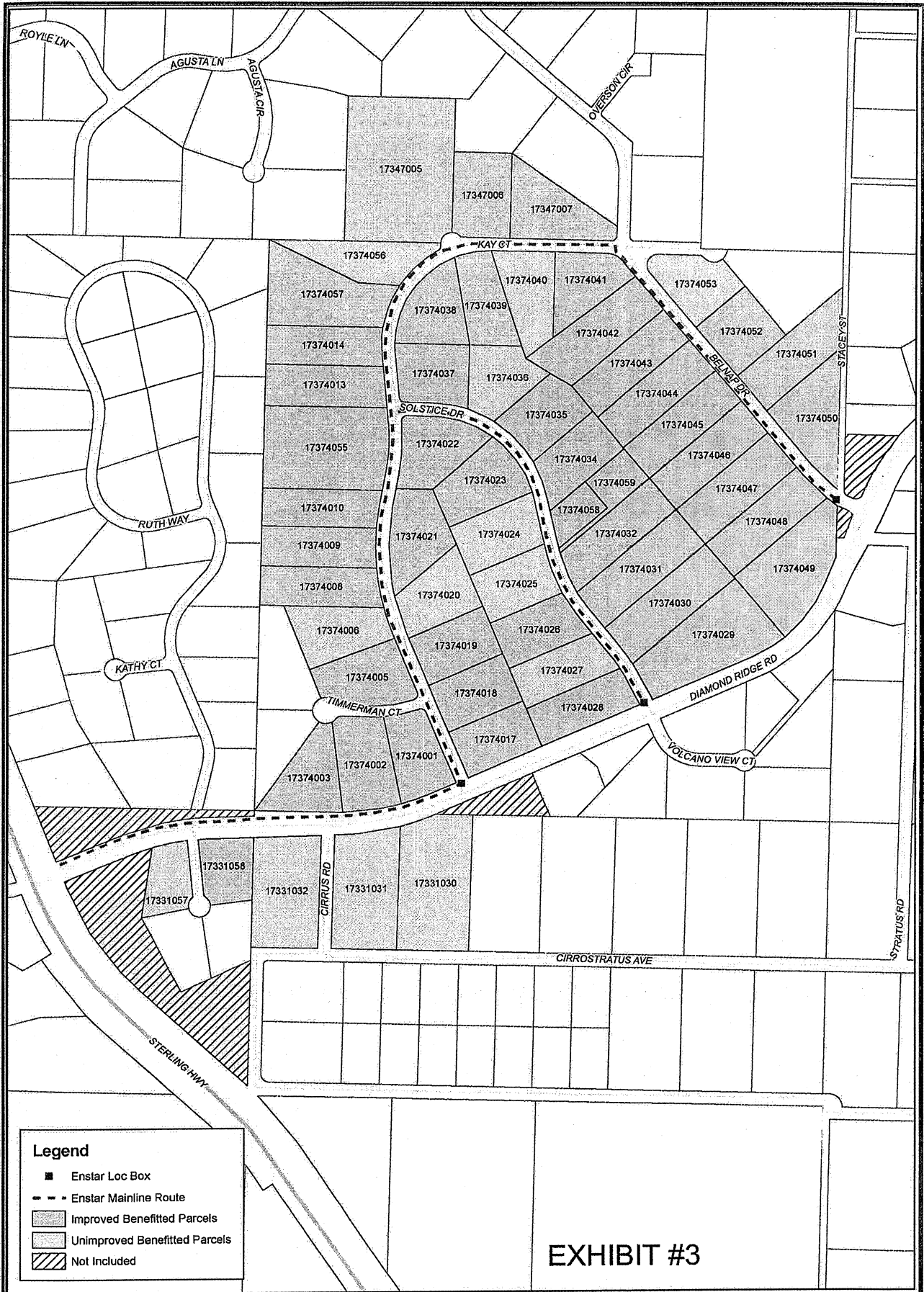
| PARCEL ID | LEGAL | 2015 ASSESSED VALUE | VALUE-TO-COST RATIO <50% | MAXIMUM ASSESSMENT | REQUIRED PREPAYMENT | OWNER | 2014 TAX DEL | OTHER SPECIAL ASSMNTS | VOTED IN FAVOR | ASSESSED VALUE IN FAVOR |
|------------|---|---------------------|--------------------------|--------------------|---------------------|---|--------------|-----------------------|----------------|-------------------------|
| 173-740-14 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 21 | 289,400 | 1.45% | 4,181.89 | 0.00 | BROWNE STEWART W BROWNE ELAINE | NO | NO | YES | 289,400 |
| 173-740-17 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 24 | 306,700 | 1.36% | 4,181.89 | 0.00 | PELKEY LIVING TRUST | NO | NO | YES | 306,700 |
| 173-740-18 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 25 | 245,800 | 1.70% | 4,181.89 | 0.00 | TRACY MICHAEL S | NO | NO | | 0 |
| 173-740-19 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 26 | 509,300 | 0.82% | 4,181.89 | 0.00 | KUKLIS KIMBERLY A KUKLIS JOHN F | NO | NO | YES | 509,300 |
| 173-740-20 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 27 | 53,900 | 7.76% | 4,181.89 | 0.00 | PIETSCH TIA PIETSCH JOEL | NO | NO | YES | 53,900 |
| 173-740-21 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 28 | 261,700 | 1.60% | 4,181.89 | 0.00 | GEAGEL MICHELLE GEAGEL MIKE GEAGEL CONNIE GEAGEL MIKIE | NO | NO | YES | 261,700 |
| 173-740-22 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 29 | 382,500 | 1.09% | 4,181.89 | 0.00 | ROOKER GARY A ROOKER SHARLENE | NO | NO | YES | 382,500 |
| 173-740-23 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 30 | 204,100 | 2.05% | 4,181.89 | 0.00 | BACHRACH DAVID | NO | NO | | 0 |
| 173-740-24 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 31 | 55,100 | 7.59% | 4,181.89 | 0.00 | HUFFORD GARY L HUFFORD JOAN M | NO | NO | YES | 55,100 |
| 173-740-25 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 32 | 53,000 | 7.89% | 4,181.89 | 0.00 | PURSELL RAOUL | NO | NO | YES | 53,000 |

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|------------|---|---------------------|--------------------------|--------------------|---------------------|--|--------------|-----------------------|----------------|-------------------------|
| 173-740-26 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 33 | 183,700 | 2.28% | 4,181.89 | 0.00 | NEESE MICHAEL W SPENCER HEIDI M | NO | NO | YES | 183,700 |
| 173-740-27 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 34 | 53,200 | 7.86% | 4,181.89 | 0.00 | MASON DEBORAH L MASON DONALD D | NO | NO | | 0 |
| 173-740-28 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 35 | 197,500 | 2.12% | 4,181.89 | 0.00 | GORDON AMY | NO | NO | YES | 197,500 |
| 173-740-29 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 36 | 574,100 | 0.73% | 4,181.89 | 0.00 | DWYER SHARAN JEANNINE DWYER JOSEPH DENNIS | NO | NO | YES | 574,100 |
| 173-740-30 | T 6S R 14W SEC 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 37 | 295,400 | 1.42% | 4,181.89 | 0.00 | MEANS ROBERT S | NO | NO | YES | 295,400 |
| 173-740-31 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 38 | 240,600 | 1.74% | 4,181.89 | 0.00 | CHASE TIMOTHY | NO | NO | | 0 |
| 173-740-32 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 39 | 284,000 | 1.47% | 4,181.89 | 0.00 | LIEBERS LYNN M LIEBERS WARREN L | NO | NO | YES | 284,000 |
| 173-740-34 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 41 | 254,900 | 1.64% | 4,181.89 | 0.00 | PRATT PAT PRATT LARRY | NO | NO | | 0 |
| 173-740-35 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 42 | 378,400 | 1.11% | 4,181.89 | 0.00 | WALKER REVOCABLE TRUST | NO | NO | YES | 378,400 |
| 173-740-36 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 43 | 53,100 | 7.88% | 4,181.89 | 0.00 | DAVIS CATHY L DAVIS J MARK | NO | NO | YES | 53,100 |

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|------------|---|---------------------|--------------------------|--------------------|---------------------|--|--------------|-----------------------|----------------|-------------------------|
| 173-740-37 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 44 | 316,100 | 1.32% | 4,181.89 | 0.00 | DAVIS MARK J DAVIS CATHY L | NO | NO | YES | 316,100 |
| 173-740-38 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 45 | 232,400 | 1.80% | 4,181.89 | 0.00 | GRICE TUREA ANDERSON DENNIS | NO | NO | | 0 |
| 173-740-39 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 46 | 328,800 | 1.27% | 4,181.89 | 0.00 | FRALEY JOSHUA N | NO | NO | YES | 328,800 |
| 173-740-40 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 47 | 55,300 | 7.56% | 4,181.89 | 0.00 | HAMERSMA HERBERT P & JANIS L LIVING TRUST | NO | NO | | 0 |
| 173-740-41 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 48 | 253,300 | 1.65% | 4,181.89 | 0.00 | HALSTEAD MICHAEL E HALSTEAD GRACE E A | NO | NO | YES | 253,300 |
| 173-740-42 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 49 | 282,700 | 1.48% | 4,181.89 | 0.00 | BEGICH ROBERT N MODLA KELLY D | NO | NO | YES | 282,700 |
| 173-740-43 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 50 | 378,900 | 1.10% | 4,181.89 | 0.00 | NOLLAR BRIAN DAVID NOLLAR JANE LOUISE | NO | NO | YES | 378,900 |
| 173-740-44 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 51 | 264,100 | 1.58% | 4,181.89 | 0.00 | JACKSON SCOTT R JACKSON BARBARA A | NO | NO | | 0 |
| 173-740-45 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 52 | 271,500 | 1.54% | 4,181.89 | 0.00 | ROSENCRANS RANDAL G ROSENCRANS MICHELLE S | NO | NO | YES | 271,500 |
| 173-740-46 | T 65 R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 53 | 274,800 | 1.52% | 4,181.89 | 0.00 | BEEKER DARRELL K BEEKER LYWNE E | NO | NO | YES | 274,800 |

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|------------|--|---------------------|--------------------------|--------------------|---------------------|--------------------------------------|--------------|-----------------------|----------------|-------------------------|
| 173-740-47 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 54 | 232,000 | 1.80% | 4,181.89 | 0.00 | ABELDGAARD MARION S | NO | NO | | 0 |
| 173-740-48 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 55 | 300,800 | 1.39% | 4,181.89 | 0.00 | MORGAN MORGIEL J MORGAN LINDA B | NO | NO | YES | 300,800 |
| 173-740-49 | T 6S R 14W SEC 4 & 9 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 56 | 314,500 | 1.33% | 4,181.89 | 0.00 | BROCKHOFF TIMOTHY A | NO | NO | YES | 314,500 |
| 173-740-50 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 57 | 206,500 | 2.03% | 4,181.89 | 0.00 | GANN JILL M | NO | NO | YES | 206,500 |
| 173-740-51 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 58 | 61,500 | 6.80% | 4,181.89 | 0.00 | JONES CHAD | NO | NO | YES | 61,500 |
| 173-740-52 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 59 | 218,800 | 1.91% | 4,181.89 | 0.00 | EASTHAM MICHEL W | NO | NO | YES | 218,800 |
| 173-740-53 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 0830115 DIAMOND VIEW ESTATES SUB UNIT 2 LOT 60 | 52,800 | 7.92% | 4,181.89 | 0.00 | ISABELLE GARY R | NO | NO | | 0 |
| 173-740-55 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 2004096 DIAMOND VIEW ESTATES SHELTON REPLAT LOT 18-A | 160,100 | 2.61% | 4,181.89 | 0.00 | SHELTON WILLIAM RUSSELL LIVING TRUST | NO | NO | YES | 0 |
| 173-740-56 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 2007125 DIAMOND VIEW ESTATES NO 5 LOT 23-A | 54,500 | 7.67% | 4,181.89 | 0.00 | OSGOOD FAMILY TRUST | NO | NO | YES | 54,500 |
| 173-740-57 | T 6S R 14W SEC 4 SEWARD MERIDIAN HM 2007125 DIAMOND VIEW ESTATES NO 5 LOT 22-A | 393,100 | 1.06% | 4,181.89 | 0.00 | SCHNEIDER MARY J SCHNEIDER KARL B | NO | NO | YES | 393,100 |

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|------------|--|---------------------|--------------------------|--------------------|---------------------|---|--------------|-----------------------|----------------|-------------------------|
| 173-740-58 | T 6S R 14W SEC 4 AND 9 SEWARD MERIDIAN HM 2010004 DIAMOND VIEW ESTATES NO. 6 LOT 40-A | 318,700 | 1.31% | 4,181.89 | 0.00 | HOUGH GREGORY HUNTER | NO | NO | YES | 318,700 |
| 173-740-59 | T 6S R 14W SEC 4 AND 9 SEWARD MERIDIAN HM 2010004 DIAMOND VIEW ESTATES NO. 6 LOT 40-B | 244,800 | 1.71% | 4,181.89 | 0.00 | WHITE DAN WHITE GEORGIANA WHITE ALLEN | NO | NO | YES | 244,800 |
| 59 | # Parcels | \$12,982,700 | | \$246,731.51 | \$0.00 | | 0 | 0 | 39 | \$9,615,300 |



Legend

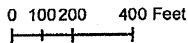
- Enstar Loc Box
- - - Enstar Mainline Route
- ▨ Improved Benefitted Parcels
- ░ Unimproved Benefitted Parcels
- ▩ Not Included

EXHIBIT #3



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

DIAMOND VIEW ESTATES USAD



Date: 5/19/2015

UTILITY SPECIAL ASSESSMENT DISTRICT INFORMATION SHEET

DIAMOND VIEW ESTATES USAD

This petition proposes a utility special assessment district (USAD) be formed for the purpose of providing natural gas to the area of Diamond Ridge, including that portion of Diamond Ridge Road, Kay Court, Solstice Drive, and that portion of Belnap Drive. A map showing the parcels to be assessed is attached.

The project proposes to lay approximately 9,090 feet of 2-inch gas line. The proposed method of cost allocation is by equal assessment to each of the 59 benefited parcels. The total estimated project cost is \$246,731.51 which includes Enstar's 2015 construction cost of \$236,602.00 (installation cost of \$205,070.00 and additional cost of \$31,532.00 for non-standard construction cost items for extensive brushing, two bores, and a Storm Water Pollution Preventive Plan (SWPPP)), plus the Kenai Peninsula Borough administrative cost of \$10,129.51. The allocated cost per parcel is estimated at \$4,181.89. The final assessment will be determined after the project is completed.

This estimated assessment will only cover the cost to install the extension of the utility's main line of services, KPB 5.35.020. Property owners will need to contact the utility company for any additional costs associated with the service connection from the utility's main line to their private structures or facilities on the benefited parcels. Private hookups or service connections costs are NOT included in the assessment.

This cost will be assessed in the form of a lien on the benefited parcel, KPB 5.35.150(A). It will be payable over a ten (10) year period. At your option, it may be paid at any time prior to the ten (10) year period. Failure to pay the assessment during any assessment year will be cause for foreclosure proceedings. Interest will be added to any assessments not paid within 30 days of the assessment statement. The rate of interest will be equal to the prime rate at the date of assessment plus 2%.

The legal description of parcels within the proposed district as of the date of the assembly's approval of the petition application, on June 2, 2015, established the parcels for assessment. No further subdivision, reversion of acreage, or lot line adjustment will be recognized for USAD assessment purposes.

This petition proposes to assess all of the benefited parcels. In order to qualify, the petition must have the signatures of (a) owners of record of at least 60% of the total number of parcels subject to assessment within the proposed district, and (b) the owners of at least 60% in value of the property to be benefited, KPB 5.35.107(C). Approval of the project is signified by properly signing the petition signature page. Failure to secure enough signatures to meet these thresholds will cause the petition to fail.

All signatures must be dated and the petition must be filed with the assessing department within 45 days of the date on which the assessing department distributes the petition to the sponsor, KPB 5.35.107(B). For lots with joint ownership, each owner of record must sign and date the petition. If

the joint owner is deceased, a copy of the death certificate must be provided. If the owner is a trust, copies of articles of the trust must be included verifying signature authority. If the owner is a corporation or other business entity, the borough will only accept the signature(s) of those with the authority to bind the business entity. If signatures are signed with Power of Attorney, notarized verification must be provided verifying signature authority. Signature by Proxy will not be accepted. Please see the 2nd page of the Petition Signature Page for additional information.

A signature on a petition may be withdrawn only by written notice from the signer submitted to the assessing department prior to the final filing of the petition signatures by the sponsor. A withdrawal is effective only if notice of the withdrawal is submitted before the completed petition is filed, KPB 5.35.107(E). Note that this restriction does not preclude the property owner(s) from filing an objection to the necessity of formation of the district as provided in KPB 5.35.110(D).

A non-refundable filing fee in the amount listed in the most current KPB Schedule of Rates, Charges and Fees must be paid at the time the sponsor submits this petition to the assessing department. This filing fee is for the whole project, not a per parcel fee.

This petition consists of:

- (1) Petition Signature Page;
- (2) this Petition Information Sheet;
- (3) a map of the geographic area encompassing the benefited parcels;
- (4) ENSTAR's commitment letter to construct the gas main line, dated April 2, 2015;
- (5) an estimated assessment roll spreadsheet which includes:
 - (a) the total estimated cost of the improvement and total number of parcels included in the district;
 - (b) details on each respective parcel including the name of the record owner(s), tax parcel number, legal description, assessed valuation, estimated amount to be assessed, and other special assessments liens;
 - (c) parcels which exceed the 50% lien limit on the fair market value of the property, and parcels which violate the percentage restrictions for tax delinquency of 10% of the total estimated costs of the improvement; and
- (6) a memo from the Finance Director stating method of financing, interest rate to be paid and setting forth the number and frequency of payments.

Only the Petition Signature Page needs to be returned to the petition sponsor(s). Signatures may be original or electronic (via email or fax, for example).

Submit signed petitions to:

Boyd Walker, *Petition Sponsor*
Mail: 40920 Solstice Drive
Homer, AK 99603
Phone: 907-299-3973
Email: alaskanglastar@gmail.com

Questions regarding this petition:

Marie Payfer, *Special Assessment Coordinator*
(907) 714-2230, Or
1-800-478-4441 within the Borough
mpayfer@kpb.us



3000 Spenard Road
P.O. Box 190288
Anchorage, AK 99519-0288
www.enstarnaturalgas.com

April 2, 2015

Ms. Marie Payfer, USAD Coordinator
Kenai Peninsula Borough
144 N. Binkley
Soldotna, Alaska 99669

RE: *Diamond View Estates Utility Special Assessment District*

Dear Ms. Payfer:

The Diamond View Estates engineering estimate has been completed. The project design requires 9,090 feet of 2-inch pipe. ENSTAR's 2015 construction rate for 2-inch pipe is \$22.56 per foot; therefore the cost to install the main line will be \$205,070. The project will also require a number of Non-standard construction cost items. There will be some extensive brushing, two bores, as well as, a SWPPP at a total cost of \$31,532. ENSTAR's total estimated cost for pipe installation in 2015 would be \$236,602.

This is a non-refundable project and a Contribution in Aid Agreement will be used for this project. The cost of service lines to individual lots is not included in this estimate. Service lines are to be paid by individual property owners, as they desire service.

In the event the Diamond View Estates Utility Special Assessment District is approved by the Kenai Peninsula Borough on or before September 8, 2015, ENSTAR will construct the project in 2015. If the project is delayed and is constructed in 2015, the rate will increase to an undetermined 2016 construction rate.

Please do not hesitate to call should you need any assistance or have any questions.

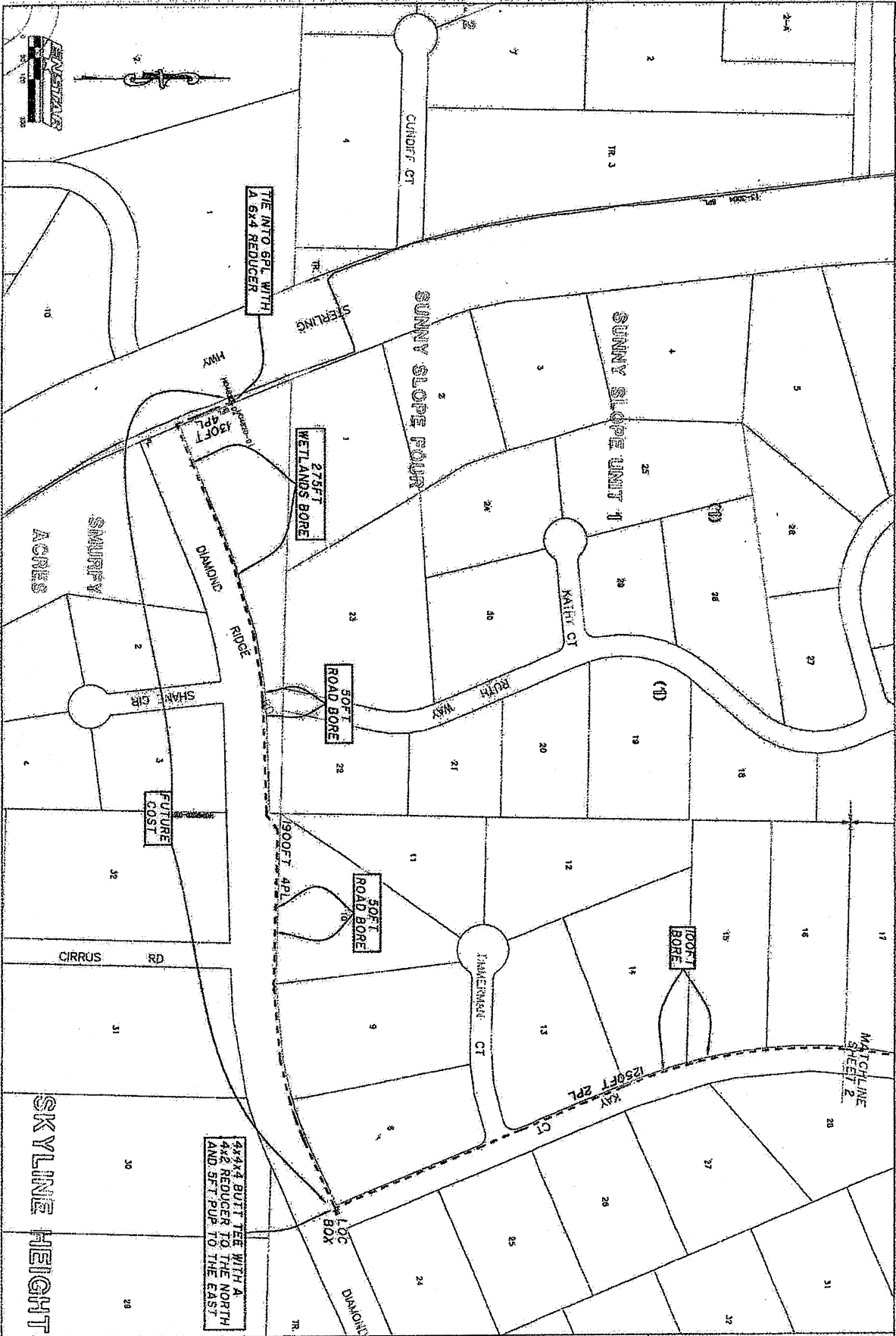
Respectfully,

Charlie Pierce
Southern Division Manager

EXHIBIT #5 (page 1 of 4)

Anchorage: 907-277-5551 • Kenai Peninsula Office: 907-262-9334 • Mat-Su Office: 907-376-7979

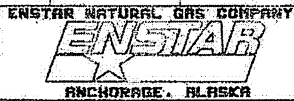
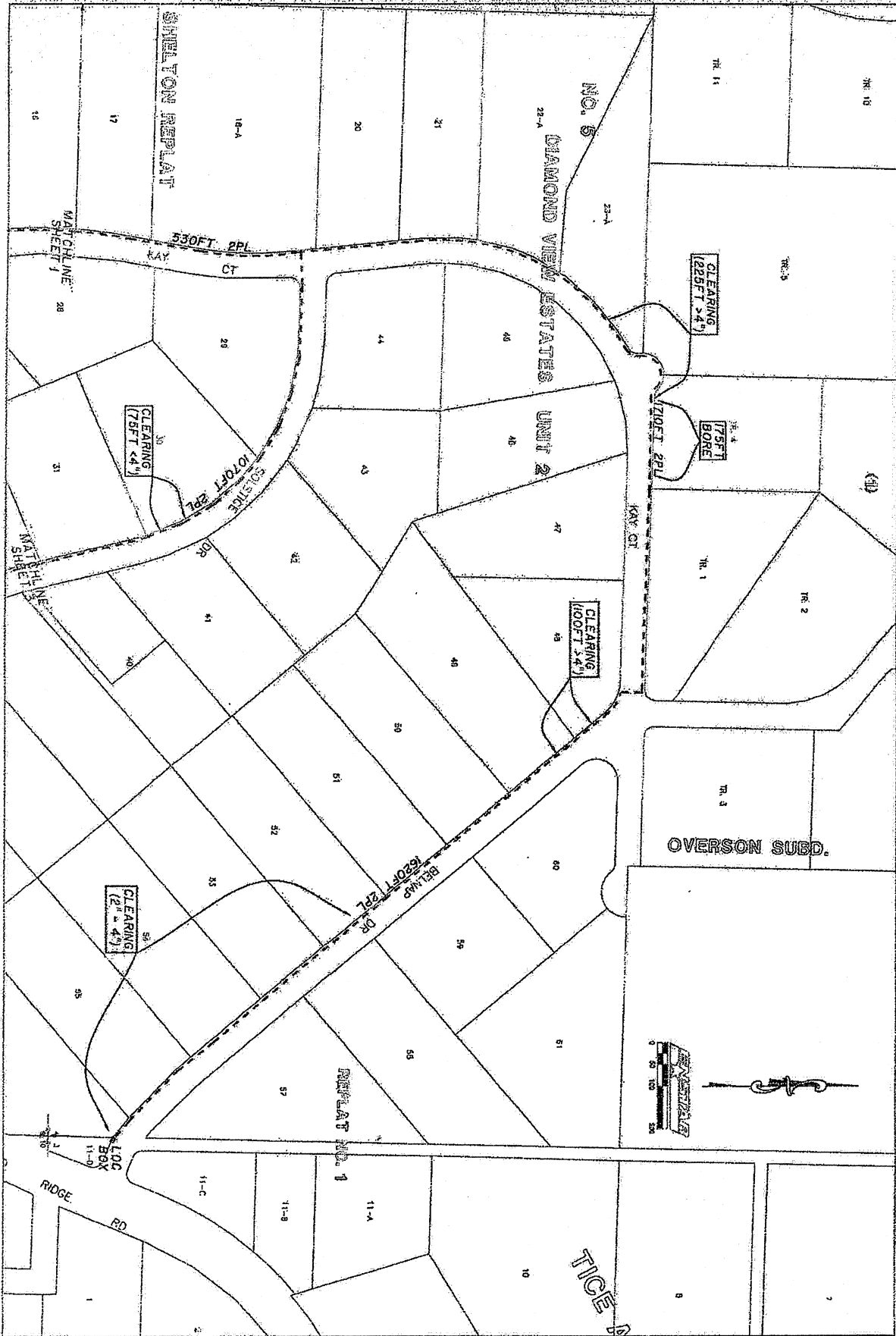
All Our Energy Goes Into Our Customers



PROPOSED GAS MAINS
DIAMOND VIEW ESTATES - USAD
 SHEET 1 OF 3 SCALE 1"=200'

| | | | |
|-----|----------------|----------|---------|
| ER# | PROJ# 6866RI | REVISION | DATE |
| | GRID H04020-21 | JR | 4/20/21 |
| | DATE 9/11/14 | DRAWN JK | CHKD NB |

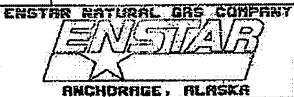
EXHIBIT #5 (page 2 of 4)



PROPOSED GAS MAINS
DIAMOND VIEW ESTATES - USAD
 SHEET 2 OF 3 SCALE 1"=200'

| | | | |
|-----|----------------|-----------|---------|
| ER# | PROPR# 6865RI | REVISIONS | DATE |
| | GRID HO4721-22 | JK | 4/20/15 |
| | DATE 9/11/14 | DRAWN JK | CHD NB |

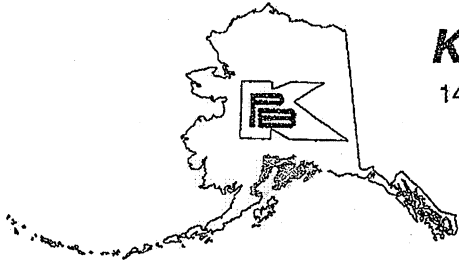
EXHIBIT #5 (page 3 of 4)



PROPOSED GAS MAINS
DIAMOND VIEW ESTATES

SHEET 3 OF 3 SCALE 1"=200'

| | |
|--------------|-----------------|
| ER# | REVISION |
| PROP# 6865R1 | JK 470276 |
| GRID HO4821 | |
| DATE 9/11/14 | DRAWN JK CHW NB |



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520
Toll-free within the Borough: 1-800-478-4441
PHONE: (907) 262-4441 • **FAX:** (907) 262-1892
www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

TO: Dale Bagley, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: Mike Navarre
Kenai Peninsula Borough Mayor

FROM: Craig Chapman, Finance Director *C Chapman*

DATE: May 18, 2015

SUBJECT: Diamond View Estates Utility Special Assessment District ("USAD") Financing

The Borough plans to provide the funds necessary to finance the Diamond View Estates USAD from internal sources. KPB 5.10.040 allows the investment of borough monies in special assessment districts that are authorized under KPB 5.35. The total of such investments is limited to not more than \$5,000,000 at the end of any fiscal year. As of April 30, 2015, the borough has \$1,406,938 invested in special assessment districts. If approved, the \$246,732 projected for the Diamond View Estates USAD will increase the total special assessment district investment to approximately \$1,896,313.

The owners of property located within the USAD will be required to make principal and interest payments each year for a ten-year period to retire the indebtedness to the borough. The rate of interest will be equal to the prime rate (currently 3.25%) plus 2% or 5.25%. Property owners can avoid or reduce the interest charge by making accelerated payments on the principal. Penalties will not be imposed for accelerated payments. The assessment constitutes a lien on each parcel within the district.

EXHIBIT #6 (pg 1 of 2)

Kenai Peninsula Borough
 Currently Proposed USAD/RIAD Projects
 Updated 5/11/2015

| | Current Proposal | Outstanding Proposals |
|--|--------------------------------|--------------------------------|
| Max Allowed | \$ 5,000,000 | \$ 5,000,000 |
| Current Balance(100.10706) as of: | | |
| 4/30/2015 | 1,406,938 | 1,406,938 |
| Previously Approved Projects: | | |
| Birch Park USAD | 130,864 | 130,864 |
| Winridge Ave-Eagle Ridge Ct. RIAD | 111,779 | 111,779 |
| Projects Awaiting Approval: | | |
| Funny River EAST USAD | | 1,225,995 |
| Diamond View Estates USAD | 246,732 | 246,732 |
| Toloff Road USAD | | 87,640 |
| Total | <u>\$ 1,896,313</u> | <u>\$ 3,209,948</u> |