

Introduced by: Mayor
Date: 02/06/18
Hearing: 02/20/18
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-08**

**AN ORDINANCE OF ASSESSMENT CONFIRMING THE ASSESSMENT ROLL
FOR THE EDDY HILL DRIVE ROAD IMPROVEMENT ASSESSMENT DISTRICT**

- WHEREAS,** the assembly, by Resolution 2016-29, established the Eddy Hill Drive Road Improvement Assessment District ("District") and authorized the construction of the improvements; and
- WHEREAS,** the assembly, by Ordinance 2015-19-31, appropriated \$637,988.40 for the District; and
- WHEREAS,** the total costs of constructing the improvements, including all allowable amounts as provided in KP.B 5.35.080 and AS 29.46.110 ("costs"), are now known; and
- WHEREAS,** the District's final assessment roll has been prepared and the total costs of the improvement less the Road Service Area 50% match is allocated among the benefited parcels based on an equal amount to each parcel; and
- WHEREAS,** the borough clerk has published a notice of the filing of the assessment roll once in a newspaper of general circulation within the borough stating that such assessment has been made and is on file in the office of the borough clerk, and providing notice of the time and place for the February 20, 2018 hearing where objections would be heard; and
- WHEREAS,** notice of the assessment and hearing was mailed to each owner of record as shown on the rolls of the borough assessor not less than ten days before the hearing; and
- WHEREAS,** the assembly, on February 20, 2018, held a hearing on the assessment roll at which time all persons objecting to assessments were given an opportunity to present their objections; and
- WHEREAS,** the assembly found no errors or inequalities in the roll; and
- WHEREAS,** the assembly finds that the roll should be confirmed; and

WHEREAS, special assessments will be levied on properties in the District that are directly benefited by the Project, and said special assessments, with interest thereon, will be sufficient (together with other amounts) and available to pay the actual cost to the borough of the improvements plus interest;

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

SECTION 1. Classification. That this ordinance shall be a non-code ordinance.

SECTION 2. Confirmation of Roll. That the assessment roll for Eddy Hill Drive Road Improvement Assessment District, attached as Exhibit A to this ordinance, as presented to the assembly on February 6, 2018 in the total amount of \$389,480 less the Road Service Area 50% match of \$194,740, for a net assessed amount of \$194,740 to all benefited parcels of the District is confirmed.

SECTION 3. Notice of Assessment. That within fifteen days after the adoption date of this ordinance, the finance director shall mail to the record owner of each property assessed a statement designating the property, the assessment amount, the schedule of payments, the time of delinquency, and penalties. Within five days after the statements are mailed, the finance director shall publish a notice that the statements have been mailed and that the assessment roll is on file in the office of the borough clerk. After enactment of this ordinance the clerk shall file in the office of the Kenai District Recorder a notice of assessment on all parcels assessed within the road improvement assessment district.

SECTION 4. Payment of Assessment. That the entire assessment may be prepaid without interest or penalty within 30 days of the date of mailing of the assessment statement. Thereafter, the assessment may be prepaid in whole or in part with interest to the payment date. Interest on the unpaid amount of the assessment shall accrue at the rate of 5.75% per annum. Assessments that are not prepaid shall be paid in ten equal annual installments on March 31 of each year, commencing March 31, 2019. Installments shall include principal plus accrued interest.

SECTION 5. Delinquencies. That if an installment of the assessment is delinquent, the balance of the assessment, plus accrued interest, becomes due and delinquent thirty days after the date of notice of the installment delinquency. Notice of the delinquency shall be mailed to the owner of record. The notice must contain notice of the nonpayment of the installment and that the balance of the assessment, plus accrued interest, will become due and delinquent if the installment, interest and penalty are not paid within thirty days of the date of the notice. The penalty for delinquent installment and assessment payments is the same as the penalty for delinquent real property taxes in effect on the date of the delinquency.

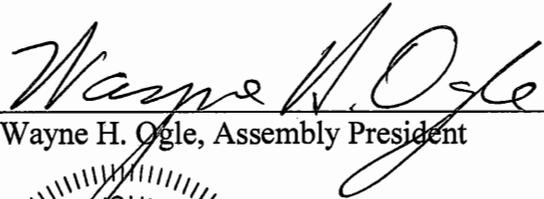
SECTION 6. Termination of Assessment. Upon the discharge of indebtedness to the borough, the finance director shall release special assessment liens associated with the District.

SECTION 7. Authority for Ordinance. That the borough has ascertained and hereby determines that each and every matter and thing as to which provision is made in this ordinance is necessary in order to carry out and effectuate the purposes of the borough in accordance with our constitution and statutes of the State of Alaska, and the Code of Ordinances of the Kenai Peninsula Borough.

SECTION 8. Severability. That if any one or more of the covenants and agreements provided in this ordinance to be performed on the part of the borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this ordinance and shall in no way affect the validity of the other provisions of this ordinance.

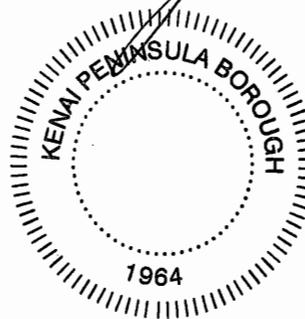
SECTION 9. Effective Date. That this ordinance shall take effect immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 20TH DAY OF FEBRUARY, 2018.


Wayne H. Ogle, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bagley, Blakeley, Carpenter, Cooper, Dunne, Fischer, Hibbert, Smalley, Ogle
No: None
Absent: None

EDDY HILL DRIVE RIAD - FINAL ASSESSEMENT ROLL

Ordinance of Assessment

FINAL COST	ESTIMATE	ACTUAL
Construction Cost:	464,597.00	349,313.75
Construction Contingency (7%):	32,522.00	0.00
Design & Engineering (15%):	69,689.00	29,400.00
Total Construction Cost:	566,808.00	378,713.75
KPB Project Contingency (10%):	56,681.00	0.00
Filing Fee Adjustment:	50.00	50.00
RSA Cost:	6,000.00	2,266.92
KPB Administration Fee:	8,449.40	8449.33
Other Cost Subtotal:	71,180.40	10,766.25
Total Project Cost:	637,988.40	389,480.00
Less Road Service Area Match (50%):	318,994.20	194,740.00
Final Cost to Parcel Owners:	318,994.20	194,740.00
Number of benefitted parcels:	35	35
Cost per parcel:	9,114.12	5,564.00

Total Assessed Value: 2017 Assessed Values

Lien limit per parcel: *Cannot exceed 25% of Assessed Value, per 14.31.080(A)(1)*

Final Project Cost to Parcel Owners:	194,740.00
Less Pre-payments Received:	(25,234.72)
Total Assessments:	169,505.28

CURRENT PARCEL ID	NEW 2018 PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	PREPAYMENTS PAID	MAXIMUM ASSESSMENT (Less Prepayments)	OWNER	ADDRESS	CITY STATE ZIP
057-102-18		T 5N R 10W SEC 20 Seward Meridian KN 2004131 IRONS SUB EDDY HILL ADDN TRACT A	230,000	0.00	5,564.00	BROWN JAMES K Jr SULLIVAN KATHARINE A	PO BOX 3796	SOLDOTNA, AK 99669
057-117-02		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 8 BLOCK 1	314,100	0.00	5,564.00	CANNAVA KATRINA M CANNAVA PETER P	44605 KYLEE CT	SOLDOTNA, AK 99669
057-117-03		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 9 BLOCK 1	408,200	0.00	5,564.00	WARRICK GERALD T	PO BOX 3167	SOLDOTNA, AK 99669
057-117-05		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 7 BLOCK 2	409,400	0.00	5,564.00	KISSEE ANTHONY P KISSEE TREVA D	PO BOX 1	KENAI, AK 99611
057-117-06		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 6 BLOCK 2	386,800	0.00	5,564.00	SULLEY JASON D	44580 KYLEE CT	SOLDOTNA, AK 99669
057-117-07		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 5 BLOCK 2	326,400	0.00	5,564.00	SENA LAURA SENA DAVID B	36480 HALEYS WAY	SOLDOTNA, AK 99669
057-117-09		T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 2 BLK 2	28,900	1,889.12	3,674.88	ARTHUR KRISTA ARTHUR CHAD	36510 HALEYS WAY	SOLDOTNA, AK 99669
057-117-10		T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 3 BLK 2	574,900	0.00	5,564.00	ARTHUR KRISTA J ARTHUR CHAD M	36510 HALEYS WAY	SOLDOTNA, AK 99669
057-117-11		T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 4 BLK 2	316,500	0.00	5,564.00	BOWEN HALEY D BOWEN STEVEN D	36496 HALEYS WAY	SOLDOTNA, AK 99669
057-117-12		T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 8 BLK 2	278,700	0.00	5,564.00	ROSE MISTY B	44556 KYLEE CT	SOLDOTNA, AK 99669

CURRENT PARCEL ID	NEW 2018 PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	PREPAYMENTS PAID	MAXIMUM ASSESSMENT (Less Prepayments)	OWNER	ADDRESS	CITY STATE ZIP
057-117-14		T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 12 BLK 1	71,300	0.00	5,564.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669
057-117-15		T 5N R 10W SEC 20 SEWARD SW KN THAT PTN NE1/4 SW1/4 & SE1/4 NW1/4 LYING NE OF HALEYS WAY & NE OF MISTY MTN SUB #1 & EXCL SKYWAY SUBS & EXCL PARCEL PER DEED 50/121 & EXCL MISTY MOUNTAIN SUB PHASE 1 & PHASE 2	122,300	0.00	5,564.00	KISSEE ANTHONY P KISSEE TREVA D	PO BOX 1	KENAI, AK 99611
057-117-16		T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 1 BLK 1	404,700	0.00	5,564.00	TAPPAN JEAN AND BILL LIVING TRUST	44698 KYLEE CT	SOLDOTNA, AK 99669
057-117-17		T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 2 BLK 1	29,700	1,689.12	3,874.88	TAPPAN JEAN AND BILL LIVING TRUST	44698 KYLEE CT	SOLDOTNA, AK 99669
057-117-18		T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 3 BLK 1	62,100	0.00	5,564.00	SULLIVAN KATHY A BROWN JR JAMES K	PO BOX 1824	SOLDOTNA, AK 99669
057-117-19		T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 4 BLK 1	555,800	0.00	5,564.00	EVANS JUSTIN P	44619 KYLEE CT	SOLDOTNA, AK 99669
057-580-06		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0760095 WOODDED ACRES SUB PART ONE LOT 1 BLK 1	243,600	0.00	5,564.00	GOANS EDWARD	PO BOX 3197	SOLDOTNA, AK 99669
057-580-07		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0760095 WOODDED ACRES SUB PART ONE LOT 1 BLK 2	189,700	0.00	5,564.00	BEEVER JAIME C	44585 EDDY HILL DR	SOLDOTNA, AK 99669
057-580-18		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0780089 WOODDED ACRES SUB PART TWO LOT 12 BLK 2	40,400	0.00	5,564.00	WILLIS GINA L WILLIS KENNETH D	44676 LUMBERJACK LN	SOLDOTNA AK 99669
057-580-19		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0780089 WOODDED ACRES SUB PART TWO LOT 1 BLK 3	39,400	0.00	5,564.00	NIBLACK DENNIS P	44665 EDDY HILL DR	SOLDOTNA, AK 99669
057-690-08		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0810157 EDDY HILL SUB PART TWO LOT 7 BLK 2	333,700	0.00	5,564.00	KARSTEN BECKY L	PO BOX 456	SOLDOTNA, AK 99669
057-690-13		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 4 BLK 2	357,600	0.00	5,564.00	BENNETT JAMES W BENNETT PAULINE E	PO BOX 2823	SOLDOTNA, AK 99669
057-690-14		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 5 BLK 2	336,800	0.00	5,564.00	RICHEL RAYMOND P	44820 EDDY HILL DR	SOLDOTNA, AK 99669
057-690-15		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 6 BLK 2	320,000	0.00	5,564.00	WAISANEN RICHARD A WAISANEN SHARON U	44932 EDDY HILL DR	SOLDOTNA, AK 99669
057-690-16		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 1 BLK 1	70,800	0.00	5,564.00	KARSTEN BECKY L	PO BOX 456	SOLDOTNA, AK 99669

CURRENT PARCEL ID	NEW 2018 PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	PREPAYMENTS PAID	MAXIMUM ASSESSMENT (Less Prepayments)	OWNER	ADDRESS	CITY STATE ZIP
057-690-17		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 2 BLK 1	335,300	0.00	5,564.00	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669
057-690-18		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004067 EDDY HILL SUB PART FOUR LOT 1A BLK 2	339,500	0.00	5,564.00	CHRISTENSEN RENEE CHRISTENSEN NEIL	4005 MCKEITH RD	MIDLAND MI 48642
057-690-19		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004067 EDDY HILL SUB PART FOUR LOT 3A BLK 2	431,400	0.00	5,564.00	GDULA JEAN M	44790 EDDY HILL DR	SOLDOTNA, AK 99669
057-710-02		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUB HOPKINS ADDN LOT 2	14,300	5,539.12	24.88	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669
057-710-03		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUB HOPKINS ADDN LOT 3	14,400	5,514.12	49.88	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669
057-710-07		T 5N R 10W SEC 20 SEWARD MERIDIAN KN S1/2 NW1/4 NW1/4 LYING EAST OF KENAI SPUR HWY	193,700	0.00	5,564.00	GENERAL COMMUNICATION INC	2550 DENALI ST STE 1000	ANCHORAGE, AK 99503
057-710-10		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUBD HOPKINS ADDN LOT 4EAST	17,000	4,864.12	699.88	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669
057-710-12		T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUBD HOPKINS ADDN LOT 5EAST	13,500	5,739.12	(175.12)	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669
33	:Subtotal	Subtotals:	7,810,900	25,234.72	158,377.28			

Per 14.31.080(B), "The legal description of parcels within the proposed district as of the date of the RSA resolution to approve the petition report and recommend a borough match under KPB 14.31.065 will be used to determine assessment. No subdivision, reversion of acreage, or lot line adjustment will be recognized for RIAD assessment purposes after the RSA board issues the resolution under KPB 14.31.065." The parcels listed below were replatted after the RSA board's approval of the resolution to approve the petition report and recommend a borough match, approved on March 22, 2016

2017 (Inactive) PARCEL ID	NEW 2018 PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	PREPAYMENTS PAID	MAXIMUM ASSESSMENT (Less Prepayments)	OWNER	ADDRESS	CITY STATE ZIP
057-117-04		T 5N R 10W SEC 20 SEWARD MERIDIAN KEN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 10 BLOCK 1	596,600	0.00	-	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669
057-117-13		T 5N R 10W SEC 20 SEWARD SW KEN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 11 BLK 1	48,500	0.00	-	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669
	057-117-20	T 05N R 10W SEC 20 Seward Meridian KEN 2017039 MISTY MOUNTAIN SUB MISHLER REPLAT LOT 10A BLK 1	NO CURRENT VALUE	0.00	5,564.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669
	057-117-21	T 05N R 10W SEC 20 Seward Meridian KEN 2017039 MISTY MOUNTAIN SUB MISHLER REPLAT LOT 11A BLK 1	NO CURRENT VALUE	0.00	5,564.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669
35	# Parcels	TOTAL LINE:	8,456,000	25,234.72	\$169,505.28			