

Introduced by: Mayor
Date: 01/16/18
Hearing: 02/06/18
Action: Enacted
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2018-05**

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

- WHEREAS,** the assembly, by Resolution 2017-019, established the Clarence Drive Road Improvement Assessment District ("District") and authorized the construction of the improvements; and
- WHEREAS,** the assembly, by Ordinance 2016-19-26, appropriated \$396,978.60 for the District; and
- WHEREAS,** the total costs of constructing the improvements, including all allowable amounts as provided in KPB 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 6, 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 6, 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 Clarence Drive Road Improvement Assessment District, attached as Exhibit A to this ordinance, as presented to the assembly on January 16, 2018 in the total amount of \$264,580.80 less the Road Service Area 50% match of \$132,290.40, for a net assessed amount of \$132,290.40 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.

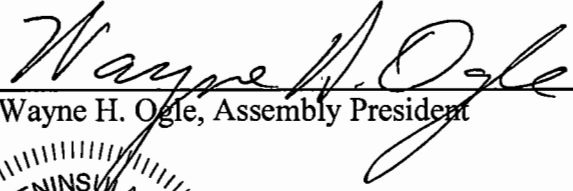
SECTION 6. Termination of Assessment. Upon the discharge of indebtedness to the borough, the finance director shall release special assessment liens associated with the District.

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.

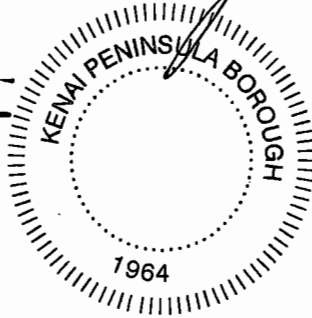
SECTION 9. Effective Date. That this ordinance shall take effect immediately upon enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF FEBRUARY, 2018.


Wayne H. Ogle, Assembly President

ATTEST:


Johni Blankenship, MMC, Borough Clerk



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

CLARENCE DRIVE RIAD - FINAL ASSESSMENT ROLL

Ordinance of Assessment

	FINAL COST	ESTIMATE	ACTUAL
Construction Cost:		285,305.00	234,464.81
Construction Contingency (7%):		19,971.00	0.00
Engineering Design (15%):		42,796.00	17,895.00
Total Construction Cost:		348,072.00	252,359.81
RIAD Project Contingency (10%):		34,807.00	0.00
RSA Estimate Cost:		6,000.00	4,121.83
KPB Administration Cost:		8,099.60	8,099.16
Total Project Cost:		396,978.60	264,580.80
Less Road Service Area Match (50%):		198,489.30	132,290.40
Final Cost to Parcel Owners:		198,489.30	132,290.40
Number of Benefited Parcels:		30	30
Cost Per Parcel:		\$6,616.31	\$4,409.68

PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	MAXIMUM ASSESSMENT	REQUIRED PREPAYS	OWNER	ADDRESS	CITY ST ZIP
131-454-03	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 3 BLK 4	233,200	4,409.68	0.00	GRANADAS JOSEPH R	PO BOX 243	KENAI, AK 99611
131-454-04	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 4 BLK 4	308,300	4,409.68	0.00	WINFREY JERRY A	47505 CLARENCE DR	SOLDOTNA AK 99669
131-454-05	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 5 BLK 4	241,300	4,409.68	0.00	SHELLER BEATE M & HARTMUT	2845 WHITE SALMON CT	WEST LINN, OR 97068
131-454-06	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 6 BLK 4	333,400	4,409.68	0.00	MUSGROVE MONICA L	PMB 316 35555 KENAI SPUR HWY	SOLDOTNA, AK 99669
131-454-07	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 7 BLK 4	259,600	4,409.68	0.00	SATATHITE WILL J & PAMELA J	PO BOX 1915	SOLDOTNA, AK 99669
131-454-08	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 8 BLK 4	260,700	4,409.68	0.00	NELSON SHAWN C	PO BOX 3255	SOLDOTNA, AK 99669
131-454-09	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 9 BLK 4	316,600	4,409.68	0.00	HOLLY DEANNA E & SHAWN L	PO BOX 1952	SOLDOTNA, AK 99669
131-454-10	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 10 BLK 4	260,100	4,409.68	0.00	DOYLE KEVIN M	PO BOX 1608	SOLDOTNA, AK 99669
131-454-11	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 11 BLK 4	307,700	4,409.68	0.00	TOUGH STEPHEN F & ELIZABETH	47365 CLARENCE DR	SOLDOTNA, AK 99669
131-454-14	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 14 BLK 4	235,000	4,409.68	0.00	HAMRICK HUNTER	47345 CLARENCE DR	SOLDOTNA, AK 99669

PARCEL ID	LEGAL DESCRIPTION	2017 ASSESSED VALUE	MAXIMUM ASSESSMENT	REQUIRED PREPAYS	OWNER	ADDRESS	CITY ST ZIP
131-454-15	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 15 BLK 4	207,100	4,409.68	0.00	HAGAN BRANDY J	PO BOX 3967	SOLDOTNA, AK 99669
131-454-16	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 16 BLK 4	309,200	4,409.68	0.00	HARDCASTLE DUKE W	47305 CLARENCE DR	SOLDOTNA, AK 99669
131-454-20	T 4N R 11W SEC 2 Seward Meridian KN 2002096 DAMON PLAZA SUB NO 3 LOT 17A BLK 4	348,200	4,409.68	0.00	HUMPHRIES MIRIAM A & ALAN D	105 W REDOUBT AVE	SOLDOTNA, AK 99669
131-454-21	T 4N R 11W SEC 2 Seward Meridian KN 2002096 DAMON PLAZA SUB NO 3 LOT 18A BLK 4	292,900	4,409.68	0.00	WHITCOM JOSEPH M	47244 TAGALA AVE	SOLDOTNA, AK 99669
131-455-05	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 5 BLK 5	235,400	4,409.68	0.00	MORRIS HOUSTON B	35228 KENAI SPUR HWY	SOLDOTNA, AK 99669
131-455-06	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 6 BLK 5	258,900	4,409.68	0.00	KIRSCH BEVERLY V & GEORGE B	47504 CLARENCE DR	SOLDOTNA, AK 99669
131-455-07	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 7 BLK 5	270,200	4,409.68	0.00	YOUNGBERG FAMILY LIVING TRUST	47360 PHILOSOPHER CT	SOLDOTNA, AK 99669
131-455-08	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 8 BLK 5	288,400	4,409.68	0.00	ANDERSON CHERYL A & JEFFRY L	47340 PHILOSOPHER CT	SOLDOTNA, AK 99669
131-455-12	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 12 BLK 5	235,500	4,409.68	0.00	HEDLUND TRAVIS T	405 HALLER ST	KENAI, AK 99611
131-455-13	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 13 BLK 5	249,200	4,409.68	0.00	MAY MELISSA A	PO BOX 1488	SOLDOTNA, AK 99669
131-455-14	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 14 BLK 5	331,100	4,409.68	0.00	LACY PAUL E & KAREN A	PO BOX 523	SOLDOTNA, AK 99669
131-455-15	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 15 BLK 5	254,500	4,409.68	0.00	LEE JUSTIN R	47406 ANNA LEAH AVE	SOLDOTNA, AK 99669
131-455-16	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 16 BLK 5	280,800	4,409.68	0.00	GILES CARLENA & GORDON E	PO BOX 127	SELDOVIA, AK 99663
131-455-17	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 17 BLK 5	268,700	4,409.68	0.00	CRAGG LEANNE MICHELLE & CHAD D	47298 ANNA LEAH AVE	SOLDOTNA, AK 99669
131-457-01	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 1 BLK 7	214,700	4,409.68	0.00	MACDONALD CECELY M	PO BOX 2213	SOLDOTNA AK 99669
131-457-02	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 2 BLK 7	307,000	4,409.68	0.00	HORTON CHRISTY K & JUSTIN D	PO BOX 2706	KENAI, AK 99611
131-457-03	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 3 BLK 7	268,100	4,409.68	0.00	MILLER BARBARA L	47297 ANNA LEAH AVE	SOLDOTNA AK 99669
131-457-05	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 5 BLK 7	237,100	4,409.68	0.00	WACKLER JAMES TIMOTHY	36304 KENAI SPUR HWY	SOLDOTNA AK 99669
131-457-06	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 6 BLK 7	258,900	4,409.68	0.00	LARSEN TRESSA CAMILLE & MARTIN LEIF	3755 E BIRCH VIEW DR	WASILLA AK 99654
131-457-07	T 4N R 11W SEC 2 Seward Meridian KN 0870062 DAMON PLAZA SUB NO 2 LOT 7 BLK 7	245,300	4,409.68	0.00	LONG ERICA N & TOBY R	PO BOX 2671	KENAI, AK 99611
30	# Parcels	8,117,100	132,290.40	0.00			