Introduced by:	Mayor
Date:	12/12/23
Hearing:	01/02/24
Action:	Enacted
Vote:	9 Yes, 0 No, 0 Absent

KENAI PENINSULA BOROUGH ORDINANCE 2023-27

AN ORDINANCE OF ASSESSMENT CONFIRMING THE ASSESSMENT ROLL FOR THE SOUTH BEND BLUFF ESTATES ROAD IMPROVEMENT ASSESSMENT DISTRICT

- WHEREAS, Resolution 2022-001, established the South Bend Bluff Estates Road Improvement Assessment District ("District") and authorized the construction of the improvements; and
- **WHEREAS,** Ordinance 2021-19-31, appropriated \$770,164 for the District road improvement project ("Project"); and
- WHEREAS, the total costs of constructing the improvements, including all allowable amounts as provided in KPB 14.31.110 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 January 2, 2024 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,** on January 2, 2024, the Assembly 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 is a non-code ordinance.
- **SECTION 2. Confirmation of Roll**. That the assessment roll for South Bend Bluff Estates Road Improvement Assessment District ("the District"), attached as Exhibit A to this ordinance, as presented to the Assembly on December 12, 2023, in the total amount of \$696,923.16 less the Road Service Area 50% match of \$348,461.58, for a net assessed amount of \$348,461.58 to all benefited parcels of the District is confirmed.
- **SECTION 3.** Notice of Assessment. On the first day of the month following the enactment date of this ordinance, the Finance Director will 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 will 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 will record, in the Kenai Recording District, 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 10.5% per annum. Assessments that are not prepaid shall be paid in ten equal annual installments on March 31 of each year, commencing March 31, 2025. 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 will 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 this ordinance is enacted pursuant to KPB Chapter 14.31 and in accordance with applicable State law.
- **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 be effective immediately.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF JANUARY, 2024.

Brent Johnson, Assembly President

ATTEST

Michele Turner, CMC, Borough Clerk



Yes: No:

None

Absent: None

Cooper, Cox, Ecklund, Elam, Hibbert, Ribbens, Tunseth, Tupper, Johnson

SOUTH BEND BLUFF ESTATES RIAD - FINAL ASSESSMENT ROLL

Ordinance of Assessment

PROJECT COSTS	FINAL COST			
Construction Cost:	632,688.00			
Engineering Design:	54,666.00			
Total Construction Cost:	687,354.00			
KPB Administration Cost:	9,569.16			
Total Project Cost:	696,923.16			
Less Road Service Area Match (50%):	348,461.58			
Final Cost to Parcel Owners:	348,461.58			
Number of Benefited Parcels:	51			
FINAL Cost Per Parcel:	6,832.58			

RIAD FILING FEE:	\$8,200	
-	Received on December 2, 2020	-
Total Assessed Value: 2	2023 Certified Assessed Values	
Lien limit per parcel: C	Cannot exceed 25% of Assessed V	'alue, per 14.31.080(A)(1)
Total Estimated Project Cost:	348,461.58	
Less any pre-payments paid	(803.15	Paid 12/13/2021
Total Estimated Assessments:	347,658.43	-
Total number of parcels in district	51	
Total number parcels in Favor (2021):	40	Petition Certified 11/1/2021
Percentage of parcels in Favor (2021):	78.43%	≥ 60% 14.31.070(D)(a)
Percentage of parcels in Favor (2021 AV)	84.15%	≥ 60% 14.31.070(D)(b)
Percentage of parcels w/Delinquent RP Taxes (2023):	9.80%	<10% per 14.31.080(2)
Unimproved parcels AV / District AV (2023):	2.92%	<40% per 14.31.080(3)

PARCEL ID	LEGAL	2023 ASSESSED VALUE	MAXIMUN ASSESSMENT	LESS PRE-PYMNTS Paid	TOTAL ASSESSMENT AMOUNT	OWNER	ADDRESS	CITY ST ZIP	VOTED IN FAVOR	AV OF VOTES IN FAVOR
055-421-13	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 1 BLK 11	167,300	6,832.58	0.00	6,832.58	PITSILIONIS JOANNA	PO BOX 151	KENAI, AK 99611	YES	167,300
055-421-14	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 2 BLK 11	637,600	6,832.58	0.00	6,832.58	PITSILIONIS JOANNA	PO BOX 151	KENAI, AK 99611	YES	637,600
055-421-33	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 1 BLK 6	590,800	6,832.58	0.00	6,832.58	SMITH CARI & ANDREW	47457 WINRIDGE AVE	KENAI, AK 99611	YES	590,800
055-421-36	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 4 BLK 6	322,500	6,832.58	0.00	6,832.58	MENAPACE ROENA F	47410 AUGUSTA NATIONAL RD	KENAI, AK 99611	YES	322,500
055-421-37	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 5 BLK 6	512,300	6,832.58	0.00	6,832.58	NAYLOR MARRIE A & BOBBY B	47468 WISPEN AVE	KENAI, AK 99611	YES	512,300
055-421-38	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 6 BLK 6	305,600	6,832.58	0.00	6,832.58	SMITH PUSSADEE & DAVID P	47485 WINRIDGE AVE	KENAI, AK 99611	YES	305,600
055-421-39	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 6 BLK 5	362,600	6,832.58	0.00	6,832.58	COLEMAN LACEY D & KYLE A	PO BOX 2	SOLDOTNA, AK 99669	YES	362,600
055-421-44	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 0850122 WINRIDGE ESTATES SUB PART 1 LOT 1 BLK 5	31,800	6,832.58	(350.63)	6,481.95	WILSON CHAD & DANIELLE	38325 HOMEWOOD AVE	STERLING AK 99672		0
055-423-01	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 1 BLK 1	668,800	6,832.58	0.00	6,832.58	SMITH KEVIN R & TERESA M	47726 GRANT AVE	KENAI, AK 99611	YES	668,800
055-423-02	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 2 BLK 1	682,000	6,832.58	0.00	6,832.58	MCEWEN SHAY H MCEWEN AARON L	47686 GRANT AVE	KENAI AK 99611	YES	682,000
055-423-03	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 3 BLK 1	144,500	6,832.58	0.00	6,832.58	GABRIEL TERRYA & JOSEPH	36796 DOWN CIR	KENAI, AK 99611	YES	144,500
055-423-04	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 4 BLK 1	602,600	6,832.58	0.00	6,832.58	OMAN RONALD P & MARY TRUST	PO BOX 75	KENAI, AK 99611	YES	602,600
055-423-05	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 5 BLK 1	649,200	6,832.58	0.00	6,832.58	WILSON GREGORY C	42125 AVIATOR AVE	SOLDOTNA, AK 99669	YES	649,200
055-423-06	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 6 BLK 1	985,300	6,832.58	0.00	6,832.58	CUNNINGHAM DENA R & SCOTT M	37100 EDGEWOOD DR	KENAI, AK 99611	YES	985,300
055-423-07	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 7 BLK 1	143,500	6,832.58	0.00	6,832.58	CUNNINGHAM DENA R & SCOTT M	37100 EDGEWOOD DR	KENAI, AK 99611	YES	143,500

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055-423-08	T 5N R 11W SEC 14 & 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 8 BLK 1	605,800	6,832.58	0.00	6,832.58	ROBERTS JENNIFER PRESLEY DANIEL R	PO BOX 3288	SOLDOTNA AK 99669	YES	605,800
055-423-09	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 9 BLK 1	616,200	6,832.58	0.00	6,832.58	MARTIN KAREN M & DAVID R	PO BOX 468	CLAM GULCH, AK 99568	YES	616,200
055-423-10	T 5N R 11W SEC 14 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 10 BLK 1	299,800	6,832.58	0.00	6,832.58	O'GUINN SHELLEY L & GEORGE C	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-11	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 1 BLK 2	573,600	6,832.58	0.00	6,832.58	COATS JONATHAN S	16419 PECAN DR	SUGAR LAND TX 77498	YES	573,600
055-423-12	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 2 BLK 2	30,800	6,832.58	(50.63)	6,781.95	O'GUINN SHELLY & GEORGE	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-13	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 3 BLK 2	887,900	6,832.58	0.00	6,832.58	O'GUINN SHELLY & GEORGE	PO BOX 1501	SOLDOTNA, AK 99669		o
055-423-14	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 4 BLK 2	440,200	6,832.58	0.00	6,832.58	O'GUINN GEORGE	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-15	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 5 BLK 2	439,200	6,832.58	0.00	6,832.58	ZIBELL NIKKI J & DARREN D	47488 WISPEN AVE	KENAI, AK 99611	YES	439,200
055-423-16	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 6 BLK 2	788,100	6,832.58	0.00	6,832.58	O'GUINN LISA M & ERIC C	47498 WISPEN AVE	KENAI, AK 99611	YES	788,100
055-423-17	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 7 BLK 2	458,900	6,832.58	0.00	6,832.58	WOOD JENNIFER & WILLIAM	47468 GRANT AVE	KENAI, AK 99611	YES	458,900
055-423-18	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 8 BLK 2	491,500	6,832.58	0.00	6,832.58	GODSEY SARAH & MILES ALEKSANDR	PO BOX 2128	SOLDOTNA, AK 99669		0
055-423-19	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 1 BLK 3	489,900	6,832.58	0.00	6,832.58	RANEY TONYA S & STEPHEN E	47448 GRANT AVE	KENAI, AK 99611	YES	489,900
055-423-20	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 2 BLK 3	541,200	6,832.58	0.00	6,832.58	DODGE MARY K & DONALD J	4910 WOODRIDGE CIR	ANCHORAGE, AK 99516	YES	541,200
055-423-21	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 3 BLK 3	342,200	6,832.58	0.00	6,832.58	DUTTON JEFF R & TORI A	PO BOX 1188	MASON TX 76856	YES	342,200
055-423-23	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 22 BLK 4	369,400	6,832.58	0.00	6,832.58	O'GUINN SHELLY L & GEORGE C	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-24	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 21 BLK 4	369,400	6,832.58	0.00	6,832.58	O'GUINN SHELLY L & GEORGE C	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-25	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 20 BLK 4	365,700	6,832.58	0.00	6,832.58	O'GUINN SHELLY & GEORGE	PO BOX 1501	SOLDOTNA, AK 99669		0
055-423-26	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 19 BLK 4	474,400	6,832.58	0.00	6,832.58	CRAWFORD LORRAINE F & WARREN D JR	47569 SOUTHBEND CT	KENAI, AK 99611	YES	474,400
055-423-27	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 18 BLK 4	457,800	6,832.58	0.00	6,832.58	MONTGOMERY KATHY RENE MONTGOMERY ROBIN V	47589 SOUTHBEND CT	KENAI, AK 99611	YES	457,800
055-423-28	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 17 BLK 4	325,000	6,832.58	0.00	6,832.58	WALSH CAROL M	47578 SOUTHBEND CT	KENAI, AK 99611	YES	325,000
055-423-29	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 16 BLK 4	589,000	6,832.58	0.00	6,832.58	VILLEGAS JANICE M & ANDEW	47558 SOUTHBEND CT	KENAI, AK 99611	YES	589,000

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055-423-30	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 15 BLK 4	30,800	6,832.58	(50.63)	6,781.95	WEBER MATTHEW	614 PONDEROSA ST	KENAI AK 99611		0
055-423-31	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 14 BLK 4	351,000	6,832.58	0.00	6,832.58	GOFORTH DONALD L	47518 SOUTHBEND CT	KENAI, AK 99611	YES	351,000
055-423-32	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 13 BLK 4	490,100	6,832.58	0.00	6,832.58	HUNTER ROBERT L	47445 GRANT AVE	KENAI, AK 99611	YES	490,100
055-423-33	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 12 BLK 4	561,100	6,832.58	0.00	6,832.58	MCKINLEY CAITLIN E & MARK R	47465 GRANT AVE	KENAI, AK 99611	YES	561,100
055-423-34	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 11 BLK 4	410,900	6,832.58	0.00	6,832.58	ROLPH LISA M & ZACHARY M	47485 GRANT AVE	KENAI, AK 99611	YES	410,900
055-423-35	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 10 BLK 4	561,900	6,832.58	0.00	6,832.58	SOARES ASHLEY M & MITCHELL G	47589 WINRIDGE CT	KENAI, AK 99611	YES	561,900
055-423-36	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 9 BLK 4	472,700	6,832.58	0.00	6,832.58	TITUS CARRIE S & CHRISTOPHER J	47619 WINRIDGE CT	KENAI, AK 99611	YES	472,700
055-423-37	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 8 BLK 4	436,600	6,832.58	0.00	6,832.58	HUNTLEY ARNOLD L	47649 WINRIDGE CT	KENAI, AK 99611	YES	436,600
055-423-38	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 7 BLK 4	30,200	6,832.58	(250.63)	6,581.95	VILLEGAS JANICE & ANDREW	47558 SOUTHBEND CT	KENAI, AK 99611	YES	30,200
055-423-39	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 6 BLK 4	31,400	6,832.58	0.00	6,832.58	BERG MERCEDES & TIMOTHY R II	47628 WINRIDGE CT	KENAI, AK 99611		0
055-423-40	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 5 BLK 4	539,600	6,832.58	0.00	6,832.58	BERG MERCEDES & TIMOTHY R II	47628 WINRIDGE CT	KENAI, AK 99611	YES	539,600
055-423-41	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 4 BLK 4	457,500	6,832.58	0.00	6,832.58	SCHNEIDERS JAMES CL	47608 WINRIDGE CT	KENAI, AK 99611	YES	457,500
055-423-42	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 3 BLK 4	501,000	6,832.58	0.00	6,832.58	TRUJILLO RAMONA Z & JOSEPH L	47588 WINRIDGE AVE	KENAI, AK 99611	YES	501,000
055-423-43	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 2 BLK 4	451,500	6,832.58	0.00	6,832.58	BALDWIN CHRISTA M & JUSTIN L	47677 GRANT AVE	KENAI, AK 99611	YES	451,500
055-423-44	T 5N R 11W SEC 23 SEWARD MERIDIAN KN 2002042 SOUTH BEND BLUFF ESTATES LOT 1 BLK 4	35,200	6,832.58	(100.63)	6,731.95	BALDWIN CHRISTA M & JUSTIN L	47677 GRANT AVE	KENAI, AK 99611	YES	35,200
51	· · · · · · · · · · · · · · · · · · ·	22,123,900	348,461.58	(803.15)	347,658.43	Owners as of 11/21/2023	•	•	40	18,775,200

prepays