

Introduced by:	Mayor
Date:	06/21/16
Action:	Tabled
Vote:	8 Yes, 0 No, 1 Absent
Date:	07/26/16
Action:	Removed from Table and Postponed to 09/06/16
Vote:	8 Yes, 0 No, 1 Absent
Date:	09/06/16
Action:	Adopted as Amended
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2016-029**

**A RESOLUTION TO FORM THE EDDY HILL DRIVE ROAD IMPROVEMENT
ASSESSMENT DISTRICT AND PROCEED WITH THE IMPROVEMENT**

- WHEREAS,** KPB Chapter 14.31 authorizes the formation of road improvement districts within the Kenai Peninsula Road Service Area (RSA); and
- WHEREAS,** an application for a petition to form a road improvement assessment district (RIAD) was received from property owners within the proposed district; and
- WHEREAS,** KPB 14.31.040 requires that applications to form a RIAD and to participate in the RIAD match program shall be received no later than July 1 of each year; and
- WHEREAS,** the application for Eddy Hill Drive RIAD formation and to participate in the match program was submitted timely; and
- WHEREAS,** on July 14, 2015, the RSA board reviewed the RIAD application and authorized funding to obtain an engineer's estimate for the Eddy Hill Drive RIAD for the purpose of improving and paving the roadways of Eddy Hill Drive, Haleys Way, and Kylee Court; and
- WHEREAS,** pursuant to KPB 14.31.065, on March 22, 2016, the RSA board adopted RSA Resolution 2016-03 approving the circulation of the Eddy Hill Drive RIAD petition consistent with the recommendations in the staff report of July 14, 2015; and
- WHEREAS,** it is appropriate to include parcel number 057-102-18 in the proposed district because a recorded Private Driveway Easement, 2015-010304-0, grants the owners of this property legal access across parcel number 057-690-17 to Eddy Hill Drive, providing access to the proposed road improvement which therefore will directly benefit that parcel; and

WHEREAS, KPB 14.31.070(D) requires signatures of the owners of record of (a) at least 60 percent of the total number of parcels subject to assessment within the proposed district, and (b) at least 60 percent in value of the property to be benefited, in order to be considered by the assembly for formation, and 77.14 percent of recorded owners have signed the petition, comprising 78.63 percent in value of the 2016 certified assessed value of the property to be benefited; and

WHEREAS, the petition was submitted timely by the sponsor and the borough clerk has determined that the petition bears sufficient signatures meeting the signature thresholds as required by KPB 14.31.070 and acknowledged receipt of a filing fee in the amount of \$3,400; and

WHEREAS, the summary of construction cost estimate is presented in the petition report based on the anticipated costs for a 2016 construction season and the RSA has confirmed with the engineering firm that the 2016 cost estimate is expected to remain valid for a 2017 construction season; 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 35 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 one written objection to the necessity of formation of the district has been filed with the borough clerk by the owner of parcel 057-580-18; and

WHEREAS, KPB 14.31.090 requires the mayor to prepare for assembly consideration a resolution to form the special assessment district and proceed with the improvement;

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

SECTION 1. That the Kenai Peninsula Borough shall form the Eddy Hill Drive Road Improvement Assessment District (RIAD), and the mayor is authorized to proceed with the construction of the improvement in accordance with the provisions of KPB Chapter 14.31 and RSA Resolution 2016-03, and negotiate and execute such documents as are determined to be in the best interests of the borough to accomplish this project.

SECTION 2. That pursuant to the requirements of KPB 14.31.090, this resolution is supported by the amended mayor's report, which is attached hereto and incorporated herein by reference and includes the petition report described in KPB 14.31.060, the

RSA resolution to approve the petition report and recommend a borough match, a description of the current condition of the rights-of-way that are to be improved and a statement of the need for the proposed local improvement, and the method of financing the improvement.

SECTION 3. That the proposed Eddy Hill Drive RIAD is necessary as it is expected to reduce road maintenance costs and will provide a paved road, should be made, is hereby formed, and the borough shall proceed with the construction of the proposed paving improvement for a district encompassing 35 benefited parcels in the area of Ridgeway, for the roadways of Eddy Hill Drive, Haleys Way, and Kylee Court.

SECTION 4. That the boundaries of the RIAD for improving and paving the roadways set forth in the district map as Amended Mayor's Report Exhibit 4, page 8, and the properties legally described in the Estimate Assessment Roll as Mayor's Report Exhibit 4, pages 5 to 7, are hereby approved as comprising the RIAD.

SECTION 5. That the estimated cost of the project of \$637,988.40, which includes direct costs of \$566,808.00, a 10 percent KPB project contingency of \$56,681.00 per KPB 14.31.060(2)(a), and indirect administrative costs of \$14,499.40, is approved.

SECTION 6. That the attached Estimate Assessment Roll, Amended Mayor's Report Exhibit 4, pages 5 to 7, which includes properties within the district to be properly included and subject to an assessment of \$9,114.12 per parcel for the improvement is adopted.

SECTION 7. 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 the construction of the improvement and to accomplish this project.


SECTION 8. That the borough clerk shall cause a copy of this resolution and Estimate Assessment Roll to be recorded in the District Recorder's Office for the State of Alaska at Kenai.

SECTION 9. That this resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF SEPTEMBER, 2016.


Blaine Gilman, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



06/21/16 Vote on motion to table:

Yes: Bagley, Cooper, Dunne, Holmdahl, Johnson, Knopp, Ogle, Gilman
No: None
Absent: Welles

07/26/16 Vote on motion to remove from table:

Yes: Bagley, Cooper, Dunne, Holmdahl, Johnson, Knopp, Ogle, Gilman
No: None
Absent: Welles

07/26/16 Vote on motion to postpone to 09/06/16:

Yes: Bagley, Cooper, Dunne, Holmdahl, Johnson, Knopp, Ogle, Gilman
No: None
Absent: Welles

09/06/16 Vote on motion to adopt as amended:

Yes: Bagley, Cooper, Dunne, Holmdahl, Johnson, Knopp, Ogle, Gilman
No: None
Absent: Welles



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Blaine Gilman, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Mike Navarre, Mayor *MN*
Tom Anderson, Director of Assessing *Tom Anderson 4A*

FROM: Marie Payfer, Special Assessment Coordinator *ml*

DATE: August 25, 2016

SUBJECT: Amended Mayor's Report Replacing Original Mayor's Report dated June 9, 2016, Relating to Resolution 2016-029, A Resolution to Form the Eddy Hill Drive Road Improvement Assessment District (RIAD) and Proceed with the Improvement (Mayor)

AMENDED MAYOR'S REPORT

Property owners in the proposed Eddy Hill Drive Road Improvement Assessment District (RIAD) have worked with the borough administration to form the proposed RIAD. Pursuant to the requirements of KPB 14.31.065, on March 22, 2016, the Road Service Area Board adopted RSA Resolution 2016-03, approving the petition report before its circulation among benefited property owners, approving up to \$318,994.20 as the RSA match for this project, and recommending the formation of the district (see, Exhibit 1).

This resolution to form the Eddy Hill Drive RIAD and proceed with the improvement approves the formation of the RIAD and authorizes the mayor to proceed with the construction of the improvement. This is the first step in a three-step process requiring assembly action for the Eddy Hill Drive RIAD: 1) resolution to form the district and proceed with the improvement; 2) ordinance of appropriation of funds; and 3) ordinance of assessment.

KPB 14.31.070(D) requires the petition must contain the signatures of the owners of record of (a) at least 60 percent of the total number of parcels subject to assessment within the proposed district, and (b) at least 60 percent in value of the property to benefited, in order to be considered by the assembly for formation. A completed petition for the formation of the Eddy Hill Drive RIAD was received by the Assessing Department on April 21, 2016, and certified by the borough clerk on April 22, 2016 (see, Exhibit 2 and Exhibit 4, page 5).

Resolution 2016-029 was originally scheduled to go before the assembly for review at the June 21, 2016 assembly meeting. However, due to unresolved issues in defining the road improvement district, the Assessing Department recommended that Resolution 2016-029 and Ordinance 2015-19-31 be tabled until the issues could be resolved. These issues included (a)

revising the estimated assessment roll from the 2015 certified assessed values to the current 2016 assessed values, and (b) implementing a 2016 tax adjustment request (TAR) to change one parcel assessed as an unimproved parcel to an improved parcel. These issues have now been resolved and this matter may now be brought back to the Assembly for consideration.

In preparation, the borough clerk sent all required notices to the property owners and published the required information concerning the proposed district as required by borough code.

The resolution is supported by the exhibits listed herein which provide the documentation required by code to support forming this RIAD and proceeding with construction.

Pursuant to KPB 14.31.090, the mayor shall prepare for assembly consideration a resolution to form the special assessment district and proceed with the improvement. The mayor shall submit with the resolution the following information, all of which is detailed in the referenced Exhibits to this memo.

- 1) RSA Resolution 2016-03, March 22, 2016 (see, Exhibit 1).
- 2) Certification of Petition, Eddy Hill Drive RIAD, dated April 22, 2016 (see, Exhibit 2).
- 3) RSA Staff Report, dated July 14, 2015, a description of the current condition of the rights-of-way proposed for improvement and a statement of the need for the proposed local improvement (see, Exhibit 3).
- 4) The petition report prepared by borough staff under KPB 14.31.060, updated to account for any change in information (see, Exhibit 4). The petition report includes the following exhibits:
 - a) The petition information sheet which provided a description of the proposed improvement, and a description of the limitations on withdrawing a petition signature under KPB 14.31.070(E) (see, Exhibit 4, pages 3 & 4).
 - b) The estimate assessment roll spreadsheet, which provides the legal description of the benefited parcels, the name of the record owner, the total estimated cost of the project, an estimate of the amount to be assessed to each parcel, the status of tax payments, if there are other special assessment liens against any of the parcels in the proposed district, and a description of any benefited parcels that exceed the assessment-to-value ratio set forth in KPB 14.31.080(A)(1). There are no properties within this proposed district delinquent in payment of real property taxes, and no properties with other borough special assessment liens (see Exhibit 4, pages 5 to 7). The estimate assessment roll spreadsheet has been updated to reflect recent changes to the district regarding the benefited properties assessed values from the 2015 certified assessed values to the 2016 certified assessed values, and to reflect an adjustment on one benefited parcel's 2016 assessed values corrected by a tax adjustment request (TAR). The result of these adjustments increased the total assessed values on two benefited parcels that were affected by the assessment-to-value-ratio, which resulted in a decrease in the required prepayment to one parcel and the elimination of a required prepayment of assessment for another parcel. The overpayment of prepayments was refunded to the district sponsor, and a refund check was issued on June 19, 2016.
 - c) A map of the proposed RIAD district and boundaries, updated to reflect the recent change to the improved/unimproved status of a benefited parcel (see, Exhibit 4, page 8).
 - d) An updated memorandum from the Finance Director stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments (see, Exhibit 4, pages 9 & 10).

- e) Summary of construction cost estimates for the Eddy Hill Drive RIAD (4,525 LF) provided by Larson Engineering & Design, P.C. (see, Exhibit 4, page 11).

PROJECT BACKGROUND:

The total project is estimated to cost \$637,988.40. This includes direct costs of \$566,808.00, a 10 percent KPB project contingency of \$56,681.00 per KPB 14.31.060(2)(a), and indirect administrative costs of \$14,499.40. There are 35 benefited parcels within this district.

KPB 14.31.120 requires the method of assessment shall be an allocation of costs on a per parcel basis so that each benefited parcel is charged an equal amount. The per-parcel cost is estimated to be \$9,114.12. Equal allocation is reasonable because the benefit of access to the improvement is the same for all parcels.

Pursuant to KPB 14.31.080(A)(1), a special assessment district may not be formed if the estimated amount of the assessment to be levied against each parcel in the district exceeds 25 percent for paving improvements. Within this proposed district, there are six (6) parcels that exceed the 25 percent limitation, and require prepayments of the estimated amount of assessment to reduce the liens to the allowable amount of \$9,114.12 per parcel. A total of \$25,234.72 in prepayments has been received by the borough at least 15 days prior to assembly action on the resolution to form the district and proceed with the improvement per code requirement.

This matter is now presented to the assembly for approval to proceed with the project. Any objections received will be provided to the assembly on the hearing date.

**KENAI PENINSULA BOROUGH ROAD SERVICE AREA
RESOLUTION 2016-03**

**A RESOLUTION APPROVING THE PETITION REPORT
AND RECOMMENDING A BOROUGH MATCH FOR THE
EDDY HILL DRIVE
ROAD IMPROVEMENT ASSESSMENT DISTRICT**

WHEREAS, the road service area (RSA) board authorized funding to obtain an engineer's estimate under KPB 14.31.050(E) for the Eddy Hill Drive Road Improvement Assessment District (RIAD) at its July 14, 2015, meeting; and

WHEREAS, the engineer's estimate is \$566,808 for the Eddy Hill Drive RIAD (includes construction costs of \$464,597, a 7 percent construction contingency of \$32,522, and 15 percent design & engineering cost of \$69,689); and

WHEREAS, a 10 percent project contingency cost of \$56,681 (per KPB 14.31.060(2)(a)), plus cost and fees of \$14,499.40 (includes a \$50 filing fee adjustment, RSA estimated costs of \$6,000, and the KPB Administrative Fee of \$8,449.40) added to the engineers estimate bringing the total estimated project cost to \$637,988.40; and

WHEREAS per KPB 14.31.050(I), the sponsor has provided the assessing department with written notice of intent to proceed with the project; and

WHEREAS per KPB 14.31.060, the borough assessor's designee, in consultation with RSA staff, has prepared and submitted a special assessment district Petition Report for the RSA's consideration and approval prior circulation; and

WHEREAS pursuant to KPB 14.31.050(J), at least 10 days prior to the hearing date of this resolution, the KPB Assessing Department notified the proposed benefited parcel owners by general mail, describing the special assessment district and proposed improvement, providing a map of the proposed improvement, the date of the public hearing, and informing the recipients that the legal description of parcels within the proposed district as of the date the RSA board approves the resolution will be used to determine assessments, and any action to replat parcels within the proposed district must be completed and recorded before the date the RSA board approves the resolution; and

WHEREAS, KPB 5.20.170 established a borough match fund program for RIAD projects that upgrade existing roads, and pursuant to KPB 14.31.055(A), the RSA board may authorize up to 50 percent of the costs of a RIAD be defrayed from the borough match fund for any project that upgrades existing roads; and

WHEREAS, KPB 14.31.055(B)(1) states a borough match may be considered on RIAD projects for pavement projects for existing roads which have been certified for borough maintenance; and

WHEREAS, it is in the best interest of the road service area and borough residents to approve the petition report and recommend a borough match based on 14.31.055(D) criteria for the proposed RIAD and make a recommendation to the borough assembly regarding formation of the district;

NOW, THEREFORE, BE IT RESOLVED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD:

SECTION 1. The board approves the Petition Report for the proposed Eddy Hill Drive RIAD.

SECTION 2. The board recommends the assembly form, and proceeds with Eddy Hill Drive RIAD as set forth in the attached Petition Report contingent upon the further requirements of KPB 14.31 being met. There are five (5) exhibits to the Petition Report, which are also included. Those exhibits are:

- 1) Petition Information Sheet: provides a description of the proposed improvement, a description of the limitations on withdrawing a petition signature under KPB 14.31.070(E), and provides the name, address and daytime telephone number of the sponsors of the petition;
- 2) Estimated assessment roll: a spreadsheet listing the tax parcel number, legal description, the assessed valuation, the assessment-to-value ratio and any required prepayment of assessment as set forth in KPB 14.31.080(A)(1), maximum assessment, the name of the record owner, and any delinquencies or other special assessments liens of each parcel in the proposed district; additionally, the total estimated cost of the project, an estimate of the amount to be assessed to each parcel, and the total number of parcels to be assessed;
- 3) Map of the proposed RIAD district and boundaries;
- 4) Memorandum from the Finance Director stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments; and
- 5) Summary of construction cost estimates for the Eddy Hill RIAD (4,525 LF) provided by Larson Engineering & Design, P.C.

SECTION 3. The board approves expenditure of up to 50 percent (estimated to be \$318,994.20) from the RIAD Match Fund for the Eddy Hill Drive RIAD. This RIAD includes the upgrade and paving of 2,900 linear feet of Eddy Hill Drive, 775 linear feet of Haleys Way, and 850 linear feet of Kylee Court, for a total linear footage of 4,525 RSA maintained roads.

SECTION 4. The board recommends that the borough proceed with the construction of the road improvement to a district encompassing 35 benefited parcels, as shown in Petition Report Exhibit 3, contingent upon the further requirements of KPB Chapter 14.31 being met.

SECTION 5. The board makes the following findings required by KPB 14.31.055(D):

1. Standard: Whether it is economically feasible to improve the road to RSA certification standards.

Finding: The entire project cost is estimated to be \$637,988.40. The project would provide pavement and reduce maintenance costs. The roads are in good condition without out of the ordinary costs for construction anticipated. Considering these factors, along with the funds available for RIAD matches, the project is economically feasible.

2. Standard: To what extent do the assessed values of the benefited properties support the scope of work for the project.

Finding: Pursuant to KPB 14.31.080(A)(1), no lien may exceed 25 percent of the current assessed value of the parcel. The attached spreadsheet shows that if the borough makes a 50 percent match, assessments for each parcel will be \$9,114.12. Parcels range in value from \$13,500 to \$552,100. The assessed values support the project.

3. Standard: The number of applications for projects received that year.

Finding: This is the only application for projects received prior to the July 1 deadline in 2015.

4. Standard: The funds available in the Road Improvement Assessment District Match Fund.

Finding: There is \$471,850 available in the fund, more than sufficient to cover the match costs.

5. Standard: Whether an application for district formation has been previously filed and whether conditions have changed to make the project more feasible than in past application years.

Finding: Eddy Hill Drive RIAD has not been previously considered for a match.

6. Standard: The number of residents served.

Finding: The proposed RIAD serves an estimated 38 residents.

7. Standard: The number of parcels served.

Finding: There are 35 parcels served.

8. Standard: The feasibility of the project's compliance with KPB 14.31.080(A) criteria regarding restrictions on formation.

Finding: The project meets all the following feasibility criteria:

1. *Does the assessment to assessed value ratio exceed 21 percent for gravel improvements to an existing road, or 25 percent for pavement improvements, or 40 percent for construction of a new road, of the current assessed value of the parcels?*

Yes; within this proposed district there are seven (7) parcels that exceed the 25% assessment to assessed value ratio restriction, and will require prepayments in the total amount of \$30,548.84. Pursuant to KPB 14.31.080(A)(1)(A), the estimated amount of the assessment against a parcel will be reduced by the amount of a prepayment of the assessment for the parcel that is received by the borough before the assembly acts on the resolution to form the district and proceed with the improvement.

2. *Are there parcels bearing more than 10 percent of the estimated costs of the improvement that are subject to unpaid, past-due borough property taxes?*

No. Presently there are no (zero) parcels within the RIAD which are delinquent in payment of borough real property taxes.

3. *Do unimproved parcels represent more than 40 percent of the assessed value within the district?*

No. There are eleven (11) unimproved parcels in the proposed district, representing 6.7% of the assessed value of the district.

4. *For construction of new roads, does one owner own more than 40 percent of the parcels to be benefitted?*

N/A.

9. Standard: Whether there is alternate access to properties serviced by the road and the condition of that alternate access.

Finding: Eddy Hill Drive provides the only access to the properties located on Haleys Way and Kylee Court.

SECTION 6. Within this proposed district, there is one parcel whose owners have requested consideration to exclude their respective property from the special assessment. (Attachment 1 of this resolution). The letter, dated February 11, 2016, is in reference to parcel 057-580-18, an unimproved parcel located on the north-east corner of Eddy Hill Drive and Lumberjack Lane. This parcel has direct access to Eddy Hill Drive ROW. The owners also own the eastern adjacent parcel, 057-580-17, whose address is 44676 Lumberjack Lane, which is not part of the proposed RIAD district. Per KPB 14.31.030, "*the assembly may assess any real property or interest in real property that the assembly determines is directly benefitted by an improvement. The real property or interest in real property that is benefitted by an improvement may be abutting, adjoining, adjacent, or contiguous to the improvement.*" Parcel 057-580-18 was determine to be directly benefitted by the proposed improvement as this parcel's entire western boundary is abutting the proposed improvement and is therefore clearly benefitted.

SECTION 7. That this resolution takes effect immediately and a copy of this resolution be forwarded to the mayor and assembly.

**ADOPTED BY THE KENAI PENINSULA BOROUGH ROAD SERVICE AREA BOARD
ON THIS 22ND DAY OF MARCH, 2016.**


Robert Ruffner
Road Service Area Board Vice-Chair

ATTEST:


Pat Malone, Roads Service Area Director

February 11, 2016

Kenai Peninsula Borough
144 N. Binkley Street
Soldotna, Alaska 99669

Attention: Marie Payfer

This is a request to exclude the Boris Family
Trust Property (44676 Lumberjack Lane) from the
impending project initiative to upgrade Eddy Hill Drive.
The ingress/egress for the Boris property is situated
off of Lumberjack Lane and would not be
affected by the proposed paving project.

Thank you.

Cecile F. Boris
Cecile F. Boris

8 Piedmont View Drive
Waynesville, NC 28786
941-902-4338 - mobile
cecileboris1128@gmail.com

RECEIVED

FEB 16 2016

KPB ASSESSING DEPT.

ATTACHMENT #1

EXHIBIT #1 (page 5 of 5)

"EDDY HILL DR RIAD"
BORIS FAMILY TRUST
PIN: 057-580-18

44676 Lumberjack Lane, PIN 057-580-17, is not included in the RIAD district



KENAI PENINSULA BOROUGH

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JOHNI BLANKENSHIP, MMC
BOROUGH CLERK

KENAI PENINSULA BOROUGH CERTIFICATION OF PETITION

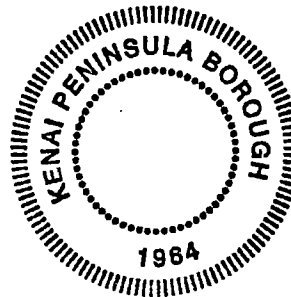
Eddy Hill Drive Road Improvement Assessment District

A petition for formation of the Eddy Hill Drive Road Improvement Assessment District was received in the Office of the Borough Clerk on April 21, 2016. I hereby certify the petition as sufficient. Signatures of property owners of 21 parcels (60% of 35 parcels) were required. Signatures of property owners of 27 (77.14%) parcels were validated.

A Check in the amount of \$3,400.00 was received with the petition.

Dated this 22nd day of April 2016.

Johni Blankenship, MMC
Borough Clerk



Copies Provided to:

Bruce & Melinda Hershberger, 44989 Eddy Hill Drive, Soldotna, AK 99669 (Sponsor)
Cody & Beth Mishler, 44565 Kylee Court, Soldotna, AK 99669 (Sponsor)
Marie Payfer, KPB Special Assessment Coordinator
KPB Assembly President Gilman and Members of the Assembly
KPB Mayor Mike Navarre

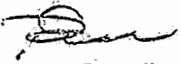

EXHIBIT # 2

**MEMORANDUM
KENAI PENINSULA BOROUGH**

144 N. Binkley Street
Soldotna, Alaska 99669

Tel. (907) 741-2250
Fax (907) 262-2393

TO: Stan A. McLane, Road Service Area Board Chairman
Members, Kenai Peninsula Borough Road Service Area Board

FROM: Pat Malone, Roads Director 
Marie Payfer, Special Assessment Coordinator 

DATE: July 14, 2015

SUBJECT: Eddy Hill Drive RIAD Engineer's Estimate RSA Staff Report

Pursuant to KPB 14.31.050(D), the following staff report is provided to the road service area (RSA) board for its consideration in evaluating the application for petition and determining whether the engineer's estimates for the following road improvement assessment district (RIAD) project should be funded through the Engineer's Estimate Fund established under KPB 5.20.160. Application must be received by July 1 of each year (KPB 14.31.040), and petitions must be reviewed by September 1 of each year for construction in the following year, (KPB 14.31.050(E)). An application for the Eddy Hill Drive RIAD was received on May 28, 2015. The following is an analysis of the criteria the board must consider when it determines whether to appropriate money from the fund:

SECTION 1. APPLICATION:

SPONSOR: Bruce & Melinda Hershberger, Cody & Beth Mishler

SUBJECT ROADS: Eddy Hill Drive, Haleys Way, and Kylee Court cul de sac. These roads are in the RSA Central Region, Unit 5, and an application has been made for improving these roadways. These roads and approximate distances are: Eddy Hill Drive, 2,900 feet, Haleys Way, 775 feet, and Kylee Court, 850 feet. Total road length for the proposed project is 4,525 linear feet.

SCOPE: The application (see attached) requests that the subject roads be improved and paved.

SECTION 2. KPB 14.31.080(A)(3) & (4) RESTRICTIONS ON FORMATION:

Pursuant to KPB 14.31.050(D), staff must prepare an initial report for the RSA board to consider for approval of an order for the engineer's estimate regarding the proposed project, based on the

proposed boundaries (see attached map) and a review of 14.31.080(A)(3) and (4) restrictions on formation for the proposed project.

14.31.080(A)(3) *Do unimproved parcels represent more than 40 percent of the assessed value within the district?*

No. Unimproved parcels represent 6.66 percent of the assessed value in the proposed district.

14.31.080(A)(4) *If this project is for construction of new roads, does one owner own more than 40% of the parcels to be benefited?*

This project is not for construction for new roads.

SECTION 3. KPB 14.31.050(E) RSA BOARD CRITERIA:

Pursuant to KPB 14.31.050(E), the RSA board shall consider the following factors in evaluating petition applications and determining whether to approve an order for an engineer's estimate:

1. *Whether the roads are currently on the maintenance system.*

The roads within the proposed district are certified for KPB RSA maintenance.

2. *The number of petitions for projects received that year.*

This is the only petition (application) for projects received this year, 2015.

3. *The funds available in the RIAD Engineer's Estimate Fund established under KPB 5.20.160.*

It is estimated that the RIAD application fee will cover the engineers estimate. The current balance in the RSA's Engineer's Estimate Fund is \$9,155.

4. *Whether an application for district formation has been previously filed and whether conditions have changed that make the project more feasible than in past application years.*

The project has not been subject to a previous application for district formation.

ADDITIONAL COMMENTS:

The sponsors have visited with the owners of several benefited parcels included in the proposed district and they believe they will be able to obtain the required percent signature thresholds for support of the project; and several of those owners are willing to contribute a portion of the \$3,400 nonrefundable filing fee.

Parcel 057-102-18, the large parcel located at the southernmost end of Eddy Hill Drive, has been included in the district boundaries. This parcel's driveway crosses parcel 057-690-17 (north of subject parcel) which accesses the ROW. This driveway is the only cleared access to parcel 057-102-18. The owners of parcel 057-690-17 are currently in the process of completing the necessary steps to provide an easement which will allow parcel 057-102-18 legal access directly to the proposed improvement. Based on this information, staff recommends that parcel 057-102-18 be included in the district at this time. If legal access is not established by the time the petition report is due pursuant to KPB 14.31.060, then parcel 057-102-18 will not be included in the district, as it will not have direct access to the improvement.

RECOMMENDATION:

Eddy Hill Drive RIAD appears to be viable based on the substantial support for the project. Code requirements have been satisfied in regards to unimproved parcel ratio and ownership restriction percentage. The roads are currently on the maintenance system and serve a number of borough residents. The assessed value of most of the parcels seems sufficient to support the maximum assessment lien the equivalent of which is 25 percent of a parcel's value, but that cannot be confirmed until a cost estimate is obtained. As of this date, zero parcels are delinquent in real property taxes. Therefore, it is recommended that the RSA board approve the application and match fund.



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 714-2230 • FAX: (907) 714-2393

www.kpb.us/assessing-dept

MIKE NAVARRE
BOROUGH MAYOR

PETITION REPORT

TO: Sam McLane
Roads Service Area Board Chair

FROM: Pat Malone, Road Service Area Director
Marie Payfer, Special Assessment Coordinator

DATE: March 22, 2016

SUBJECT: Eddy Hill Drive Road Improvement Assessment District

This petition report is provided to the RSA board for consideration and approval. Pursuant to 14.31.065(B), the Road Service Area (RSA) board shall vote on whether to approve this petition report for the proposed road improvement assessment district (RIAD) and vote on whether to make a recommendation to the borough assembly regarding formation of the RIAD. A draft resolution approving the petition report and recommending a borough match is attached to this report for the RSA's consideration.

In accordance with KPB Code Chapter 14.31, a petition has been submitted for formation of a road improvement special assessment district (known as the "Eddy Hill Drive RIAD") in the area of Ridgeway, for the purpose of improving and paving the subject roads of Eddy Hill Drive (2,900 LF), Haleys Way (775 LF), and Kylee Court (850 LF). The Eddy Hill Drive RIAD project proposes to improve and pave approximately 4,525 lineal feet of roadway.

The engineer's estimate is \$566,808 for the project (comprising construction costs of \$464,597, a 7 percent construction contingency of \$32,522, and 15 percent design & engineering cost of \$69,689). A 10 percent project contingency cost of \$56,681 (per KPB 14.31.060(2)(a)), plus cost and fees of \$14,499.40 (comprising a \$50 filing fee adjustment, RSA estimated costs of \$6,000, and the KPB Administrative Fee of \$8,449.40) added to the engineers estimate bring the total estimated project cost to \$637,988.40. Accordingly, after accounting for a RSA Match of 50% (*if assembly approved, and contingent on the availability of funds*), the total estimated project cost for the benefited parcels is **\$318,994.20**. The proposed method of cost allocation is by equal assessment to each of the 35 benefited parcels. **The allocated cost, based on equal allocation, per parcel is estimated at \$9,114.12.**

A map showing the benefited parcels is attached hereto as Exhibit 3. With regard to each benefited parcel, Exhibit 2 (the *Estimated Assessment Roll*) contains the tax parcel number, name of record owner, legal description, assessed value, estimated amount of special assessment, the existence of other special assessment liens (if any), and any violations of KPB 14.31.080(A). The sponsors of this petition are: (1) Bruce & Melinda Hershberger, 44989 Eddy Hill Drive, Soldotna AK 99669, 907-262-5190 or 398-0168, and (2) Cody & Beth Mishler, 44565 Kylee Court, Soldotna AK 99669, 907-398-7022.

The following exhibits to the Petition Report are incorporated by reference:

- 1) Petition Information Sheet: provides a description of the proposed improvement, a description of the limitations on withdrawing a petition signature under KPB 14.31.070(E), and provides the name, address and daytime telephone number of the sponsors of the petition;
- 2) Estimated assessment roll: a spreadsheet listing the tax parcel number, legal description, the assessed valuation, the assessment-to-value ratio and any required prepayment of assessment as set forth in KPB 14.31.080(A)(1), maximum assessment, the name of the record owner, and any delinquencies or other special assessments liens of each parcel in the proposed district, the total estimated cost of the project, an estimate of the amount to be assessed to each parcel, and the total number of parcels to be assessed;
- 3) Map of the proposed RIAD district and boundaries;
- 4) Memorandum from the Finance Director stating the method of financing, interest rate to be paid, and setting forth the number and frequency of payments; and
- 5) Summary of construction cost estimates for the Eddy Hill RIAD (4,525 LF) provided by Larson Engineering & Design, P.C.

Your review and approval of this proposed petition report is hereby requested so that the sponsor may proceed to pursue the signatures of owners of the properties within the approved boundaries and continue the process to request assembly approval to form the district and proceed with the improvement.

Your consideration is appreciated.

**ROAD IMPROVEMENT ASSESSMENT DISTRICT
PETITION INFORMATION SHEET
EDDY HILL DRIVE RIAD**

In accordance to KPB Code Chapter 14.31, this petition proposes a road improvement assessment district (RIAD) be formed in the area of Ridgeway, for the purpose of improving and paving the subject roads of Eddy Hill Drive (2,900 LF), Haleys Way (775 LF), and Kylee Court (850 LF), approximately 4,525 lineal feet of roadway. A map showing the parcels to be assessed is attached to the Petition Report as Exhibit 3.

Project proposal: The project proposes to improve and pave approximately 4,525 lineal feet of roadway. The total estimated project cost of the project is \$637,988.40. Accordingly, after accounting for a RSA Match of 50% (*if assembly approved, and contingent on the availability of funds*), the total estimated project cost for the benefited parcels is **\$318,994.20**. The proposed method of cost allocation is by equal assessment to each of the 35 benefited parcels. **The allocated cost, based on equal allocation, per parcel is estimated at \$9,114.12.**

With regard to each benefited parcel, Petition Report Exhibit 2 (the *Estimated Assessment Roll*) contains the tax parcel number, name of record owner, legal description, assessed value, estimated amount of special assessment, the existence of other special assessment liens (if any), and any violations of KPB 14.31.080(A). The sponsor(s) of this petition are: (1) Bruce & Melinda Hershberger, 44989 Eddy Hill Drive, Soldotna AK 99669, 907-262-5190 or 398-0168, and (2) Cody & Beth Mishler, 44565 Kylee Court, Soldotna AK 99669, 907-398-7022.

What costs are covered: This estimated assessment will only cover the cost to improve and pave the public rights-of-way of the above-mentioned roadways, not the private driveways to the individual benefited parcels.

Assessment lien: This cost will be assessed in the form of a lien on the benefited parcel. In no case may a property be assessed an amount in excess of 25% of the current assessed value of the property. For the purpose of this restriction, the estimated amount of the special assessment lien against a parcel will be reduced by the amount of a *prepayment* of the assessment for the parcel. Prepayments must be received at least 15 days prior to the date the assembly is scheduled to act on the resolution to form the district and proceed with the improvement. If the assembly does not approve the resolution, the prepayment will be refunded. There are 7 parcels within this proposed RIAD which are affected by the assessment lien limit restriction. Please refer to Petition Report Exhibit 2 (the *Estimated Assessment Roll*) for additional information.

Payment options: The cost assessed can be paid in full, or in 10 annual installments with interest to accrue on the unpaid amount of the assessment. The assessment may be paid at any time prior to the 10 year period without penalty. Interest will be added to any assessments not paid within 30 days of the KPB 14.31.130 Notice of Assessment. The interest rate charged is the *prime rate* plus 2% as of the date the ordinance confirming the assessment roll is enacted by the assembly. 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. The lien will remain on the parcel until the debt has been paid in full.

Legal description of parcels: The legal description of the parcels subject to the special assessment within the proposed RIAD was established as of the date of the RSA resolution to approve the petition report and recommend a borough match, on March 22, 2016. Any action to replat parcels within the proposed RIAD

must have been completed and recorded before the date the RSA board approved the resolution. No further subdivision, reversion of acreage, or lot line adjustment will be recognized for RIAD assessment purposes.

Petition requirements: 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 RIAD; *and* **(b)** the owners of at least 60% in value of the property to be benefited. Approval of the project is signified by properly signing and dating the petition signature page. Failure to secure enough signatures to meet these thresholds will cause the petition to fail.

Petition signature requirements: An owner's signature represents a vote in favor of the project. All signatures must be dated and the petition signature page must be returned to the RIAD sponsors. 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. (Please see page 2 of the ***Petition Signature Page*** for additional instructions.)

Signature withdrawal: 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 completed petition signature pages by the sponsor. *A withdrawal is effective only if notice of the withdrawal is submitted before the completed petition is filed to the assessing department.* 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 14.31.090(D).

Deadline for signatures: The sponsor will be responsible to file the completed petition signature pages to the assessing department within 45 days of the date on which the assessing department distributes the petition report to the sponsor for distribution to property owners. The RIAD sponsor is the contact person for the owners of benefited parcels with questions regarding the deadline for signatures.

Certification of petition: Once the sponsor files the completed petition signature pages with the assessing department, the borough clerk shall determine whether the petition contains sufficient signatures as required. If the petition meets the requirements per code, the borough clerk shall certify the petition and submit the petition to the mayor for preparation of a resolution to form the district and proceed with the improvement.

ONLY THE PETITION SIGNATURE PAGE NEEDS TO BE RETURNED TO THE RIAD SPONSOR(S).

The RIAD sponsor(s) are:

Name:	Bruce & Melinda Hershberger	Name:	Cody & Beth Mishler
Address:	44989 Eddy Hill Drive	Address:	44565 Kylee Court
	Soldotna, AK 99669		Soldotna, AK 99669
Phone:	(907) 262-5190 or (907) 398-0138	Phone:	(907) 398-7022
Email:	bruce.hershberger@acsalaska.net	Email:	e_mishler12@hotmail.com

For additional information, contact:

Marie Payfer, KPB Special Assessment Coordinator:

907-714-2230 or 1-800-478-4441 (within the borough); or Email: mpayfer@kpb.us

EDDY HILL DRIVE RIAD - ESTIMATE ASSESSEMENT ROLL

Resolution to Form & Proceed

Estimated Cost

Construction Cost:	464,597.00
Construction Contingency (7%):	32,522.00
Estimated Construction Cost:	497,119.00
Design & Engineering (15%):	69,689.00
Total Estimated Construction Cost:	566,808.00
KPB Project Contingency (10%):	56,681.00
Filing Fee Adjustment:	50.00
RSA Estimated Cost:	6,000.00
KPB Administration Fee:	8,449.40
Total Estimated Cost:	637,988.40
Less Road Service Area Match 50%:	318,994.20
Final Estimated Cost to Parcel Owners:	318,994.20
Number of benefitted parcels:	35
Cost per parcel:	9,114.12

Total Assessed Value: 2015 Assessed Values

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

Total Estimated Project Cost:	318,994.20	
Less any required pre-payment:	30,548.84	
Total Estimated Assessments:	288,445.36	
Total number of parcels in district:	35	
Total number parcels in favor of project:	27	
Percentage of parcels in favor of project:	77.14%	≥ 60% 14.31.070(D)(a)
Percentage of parcels in favor assessed value:	79.47%	≥ 60% 14.31.070(D)(b)
Percentage of parcels in district delinquent:	0.0%	<10% per 14.31.080(2)
Unimproved/Improved parcel ratio of district:	6.7%	<40% per 14.31.080(3)

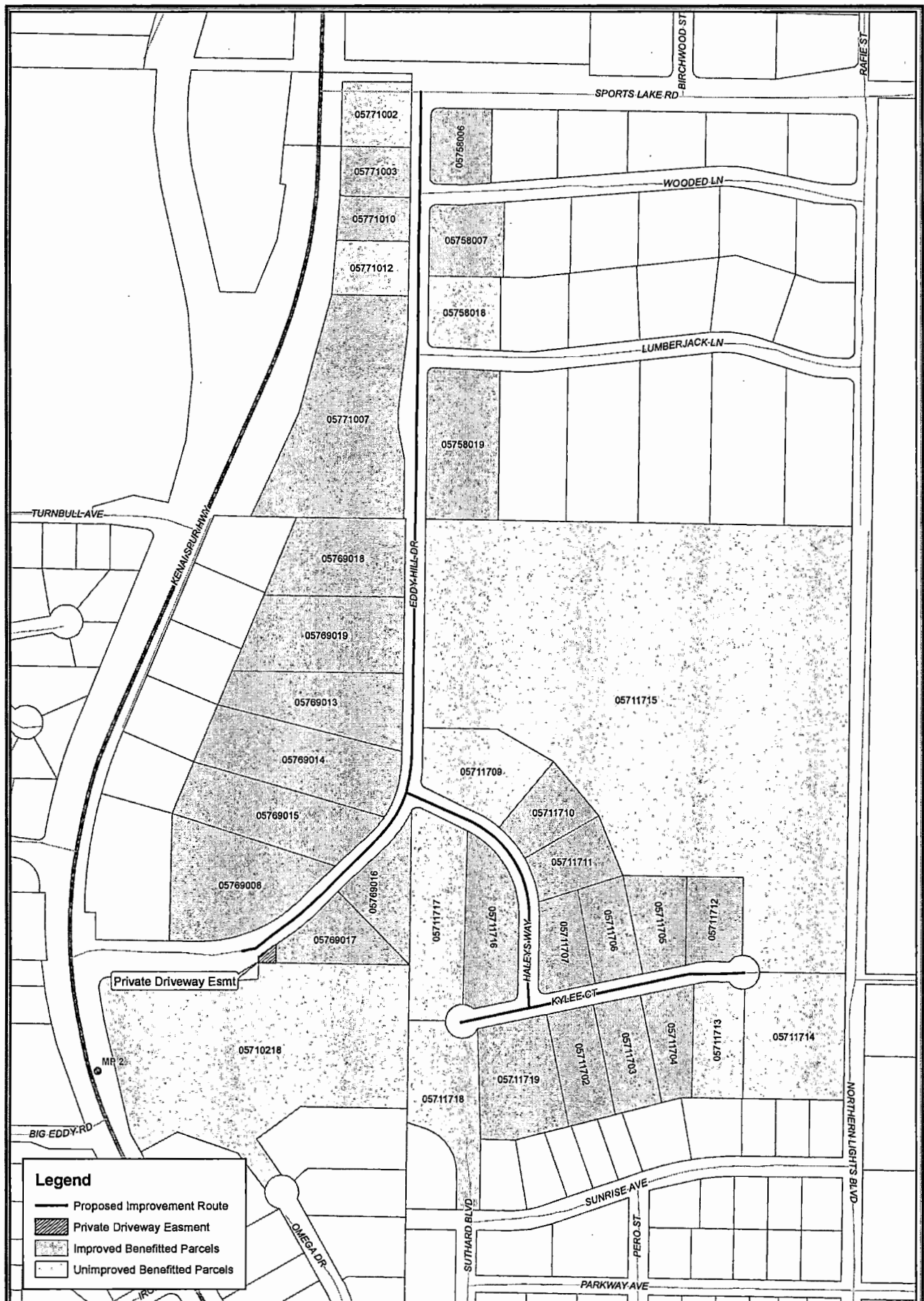
PARCEL ID	LEGAL DESCRIPTION	2015 ASSESSED VALUE	LIEN LIMIT <25% A.V.	MAXIMUM ASSESSMENT	REQUIRED PREPAYS	OWNER	ADDRESS	CITY STATE ZIP	2015 TAX DEL	OTHER SPECIAL ASSMTS	VOTED IN FAVOR	A.V. OF VOTES IN FAVOR
057-102-18	T 5N R 10W SEC 20 Seward Meridian KN 2004131 IRONS SUB EDDY HILL ADDN TRACT A	92,000	9.91%	9,114.12	0.00	SULLIVAN KATHARINE A	PO BOX 3796	SOLDOTNA, AK 99669	NO	NO	YES	92,000
057-117-02	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 8 BLOCK 1	324,500	2.81%	9,114.12	0.00	CANNAVA KATRINA M CANNAVA PETER P	44605 KYLEE CT	SOLDOTNA, AK 99669	NO	NO		0
057-117-03	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 9 BLOCK 1	370,600	2.46%	9,114.12	0.00	WARRICK GERALD T	PO BOX 3167	SOLDOTNA, AK 99669	NO	NO	YES	370,600
057-117-04	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 10 BLOCK 1	552,100	1.65%	9,114.12	0.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669	NO	NO	YES	552,100
057-117-05	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 7 BLOCK 2	391,600	2.33%	9,114.12	0.00	KISSEE ANTHONY P KISSEE TREVA D	PO BOX 1	KENAI, AK 99611	NO	NO	YES	391,600
057-117-06	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 6 BLOCK 2	352,700	2.58%	9,114.12	0.00	SULLEY JASON D	44580 KYLEE CT	SOLDOTNA, AK 99669	NO	NO		0
057-117-07	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004010 MISTY MOUNTAIN SUB PART 1 LOT 5 BLOCK 2	306,200	2.98%	9,114.12	0.00	SENA LAURA SENA DAVID B	36480 HALEYS WAY	SOLDOTNA, AK 99669	NO	NO	YES	306,200
057-117-09	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 2 BLK 2	28,900	31.54%	7,225.00	1,889.12	ARTHUR KRISTA ARTHUR CHAD	36510 HALEYS WAY	SOLDOTNA, AK 99669	NO	NO	YES	28,900
057-117-10	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 3 BLK 2	513,000	1.78%	9,114.12	0.00	ARTHUR KRISTA J ARTHUR CHAD M	36510 HALEYS WAY	SOLDOTNA, AK 99669	NO	NO	YES	513,000
057-117-11	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 4 BLK 2	303,500	3.00%	9,114.12	0.00	BOWEN HALEY D BOWEN STEVEN D	36496 HALEYS WAY	SOLDOTNA, AK 99669	NO	NO	YES	303,500
057-117-12	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 8 BLK 2	264,900	3.44%	9,114.12	0.00	ROSE MISTY B	44556 KYLEE CT	SOLDOTNA, AK 99669	NO	NO	YES	264,900
057-117-13	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 11 BLK 1	48,500	18.79%	9,114.12	0.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669	NO	NO	YES	48,500

EXHIBIT #4 (pg 5 of 11)

PARCEL ID	LEGAL DESCRIPTION	2015 ASSESSED VALUE	LIEN LIMIT <25% A.V.	MAXIMUM ASSESSMENT	REQUIRED PREPAYS	OWNER	ADDRESS	CITY STATE ZIP	2015 TAX DEL	OTHER SPECIAL ASMTS	VOTED IN FAVOR	A.V. OF VOTES IN FAVOR
057-117-14	T 5N R 10W SEC 20 SEWARD SW KN 2006108 MISTY MOUNTAIN SUB PHASE 2 LOT 12 BLK 1	71,300	12.78%	9,114.12	0.00	MISHLER BETH F MISHLER CODY G	44565 KYLEE CT	SOLDOTNA, AK 99669	NO	NO	YES	71,300
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	7.45%	9,114.12	0.00	KISSEE ANTHONY P KISSEE TREVA D	PO BOX 1	KENAI, AK 99611	NO	NO	YES	122,300
057-117-16	T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 1 BLK 1	395,800	2.30%	9,114.12	0.00	TAPPAN JEAN AND BILL LIVING TRUST	PO BOX 1750	SOLDOTNA, AK 99669	NO	NO	YES	395,800
057-117-17	T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 2 BLK 1	29,700	30.69%	7,425.00	1,689.12	TAPPAN JEAN AND BILL LIVING TRUST	PO BOX 1750	SOLDOTNA, AK 99669	NO	NO	YES	29,700
057-117-18	T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 3 BLK 1	62,100	14.68%	9,114.12	0.00	SULLIVAN KATHY A BROWN JR JAMES K	PO BOX 1824	SOLDOTNA, AK 99669	NO	NO	YES	62,100
057-117-19	T 5N R 10W SEC 20 SEWARD SW KN 2006109 MISTY MOUNTAIN SUB BELLER ADDN LOT 4 BLK 1	499,300	1.83%	9,114.12	0.00	EVANS LASHON R EVANS JUSTIN P	44619 KYLEE CT	SOLDOTNA, AK 99669	NO	NO	YES	499,300
057-580-06	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0760095 WOODED ACRES SUB PART ONE LOT 1 BLK 1	169,000	5.39%	9,114.12	0.00	GOANS EDWARD	PO BOX 3197	SOLDOTNA, AK 99669	NO	NO		0
057-580-07	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0760095 WOODED ACRES SUB PART ONE LOT 1 BLK 2	172,700	5.28%	9,114.12	0.00	BEEVER PAUL A	44585 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	172,700
057-580-18	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0780089 WOODED ACRES SUB PART TWO LOT 12 BLK 2	15,300	59.57%	3,825.00	5,289.12	BORIS FAMILY TRUST	8 PIEDMONT VIEW DR	WAYNESVILLE NC 28786	NO	NO		0
057-580-19	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0780089 WOODED ACRES SUB PART TWO LOT 1 BLK 3	38,900	23.43%	9,114.12	0.00	NIBLACK DENNIS P	44665 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO		0
057-690-08	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0810157 EDDY HILL SUB PART TWO LOT 7 BLK 2	301,600	3.02%	9,114.12	0.00	KARSTEN BECKY L	PO BOX 456	SOLDOTNA, AK 99669	NO	NO		0
057-690-13	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 4 BLK 2	324,300	2.81%	9,114.12	0.00	BENNETT JAMES W BENNETT PAULINE E	PO BOX 2823	SOLDOTNA, AK 99669	NO	NO	YES	324,300
057-690-14	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 5 BLK 2	304,300	3.00%	9,114.12	0.00	RICHEL RAYMOND P	44820 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO		0
057-690-15	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 6 BLK 2	273,400	3.33%	9,114.12	0.00	WAISANEN RICHARD A WAISANEN SHARON U	44932 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	273,400
057-690-16	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 1 BLK 1	71,800	12.69%	9,114.12	0.00	KARSTEN KURT R KARSTEN BECKY L	PO BOX 456	SOLDOTNA, AK 99669	NO	NO		0
057-690-17	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830102 EDDY HILL SUB PART THREE LOT 2 BLK 1	315,100	2.89%	9,114.12	0.00	HERSHBERGER BRUCE HERSHBERGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	315,100
057-690-18	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004067 EDDY HILL SUB PART FOUR LOT 1A BLK 2	314,900	2.89%	9,114.12	0.00	CHRISTENSEN RENEE CHRISTENSEN NEIL	44750 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	314,900
057-690-19	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 2004067 EDDY HILL SUB PART FOUR LOT 3A BLK 2	388,700	2.34%	9,114.12	0.00	GDULA JEAN M	44790 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	388,700

PARCEL ID	LEGAL DESCRIPTION	2015 ASSESSED VALUE	LIEN LIMIT <25% A.V.	MAXIMUM ASSESSMENT	REQUIRED PREPAYS	OWNER	ADDRESS	CITY STATE ZIP	2015 TAX DEL	OTHER SPECIAL ASSMTS	VOTED IN FAVOR	A.V. OF VOTES IN FAVOR
057-710-02	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUB HOPKINS ADDN LOT 2	14,300	63.74%	3,575.00	5,539.12	HERSHBERGER BRUCE HERSHBEGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	14,300
057-710-03	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUB HOPKINS ADDN LOT 3	14,300	63.74%	3,575.00	5,539.12	HERSHBERGER BRUCE HERSHBEGER MELINDA	44980 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	14,300
057-710-07	T 5N R 10W SEC 20 SEWARD MERIDIAN KN S1/2 NW1/4 NW1/4 LYING EAST OF KENAI SPUR HWY	208,800	4.37%	9,114.12	0.00	GENERAL COMMUNICATION INC	2550 DENALI ST STE 1000	ANCHORAGE, AK 99503	NO	NO	YES	208,800
057-710-10	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUBD HOPKINS ADDN LOT 4 EAST	17,000	53.61%	4,250.00	4,864.12	HERSHBERGER BRUCE HERSHBEGER MELINDA	44989 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	17,000
057-710-12	T 5N R 10W SEC 20 SEWARD MERIDIAN KN 0830261 NORTHRIDGE ACRES SUBD HOPKINS ADDN LOT SEAST	13,500	67.51%	3,375.00	5,739.12	HERSHBERGER BRUCE HERSHBEGER MELINDA	44980 EDDY HILL DR	SOLDOTNA, AK 99669	NO	NO	YES	13,500
35 # Parcels		7,686,900		288,445.36	30,548.84							
		# Parcels with prepay requirements:		7								
									0	0	27	6,108,800

EXHIBIT #4 (pg 7 of 11)



Legend

- Proposed Improvement Route
- Private Driveway Easment
- Improved Benefitted Parcels
- Unimproved Benefitted Parcels



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.

EXHIBIT #4 (pg 8 of 11)

EDDY HILL DR RIAD

0 100 200 400 Feet



Date: 6/9/2016



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: Mike Navarre
Kenai Peninsula Borough Mayor

FROM: Craig Chapman, Finance Director *C. Chapman*

DATE: February 16, 2016

SUBJECT: Eddy Hill Rd. Road Improvement Assessment District ("RIAD") Financing

The Borough plans to provide the funds necessary to finance the Eddy Hill Rd. RIAD from internal sources. KPB 5.10.040 allows the investment of borough monies in special assessment districts that are authorized under KPB 14.31. The total of such investments is limited to not more than \$5,000,000 at the end of any fiscal year. As of February 8, 2016, the borough has \$1,853,479 invested in special assessment districts. If approved, the \$318,994 projected for the Eddy Hill Rd. RIAD will increase the total special assessment district investment to approximately \$2,172,474.

The owners of property located within the RIAD 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 3.50%) plus 2% or 5.50%. 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.

Kenai Peninsula Borough
Currently Proposed USAD/RIAD Projects
Updated 2/8/2016

	Current Proposal	Outstanding Proposals
Max Allowed	\$ 5,000,000	\$ 5,000,000
Current Balance(100.10706) as of:		
2/8/2016	1,853,479	1,853,479
Previously Approved Projects(awaiting assessment):		
Projects Awaiting Approval:		
Funny River EAST USAD		1,225,995
Toloff Road USAD		87,640
Eddy Hill Drive RIAD	318,994	318,994
Total	<u>\$ 2,172,474</u>	<u>\$ 3,486,109</u>

EDDY HILL RIAD (4,525 LF) Eddy Hill Dr, Haley's Way and Kylee Ct					
2018 CAPITAL IMPROVEMENT PROGRAM					
RIAD Construction Cost Estimate					
Pay Item No.	Pay Item Description	Pay Unit	Quantity	Unit Bid Price	Amount Bid
Engineer's Estimate					
110(1)	Existing Utilities in Construction Zone	Lump Sum	All Required	(LUMP SUM)	\$ 2,500.00
202(2)	Removal of Pavement	Square Yard	60	\$ 15.00	\$ 900.00
202(4)	Remove Culvert pipe	Linear Foot	250	\$ 10.00	\$ 2,500.00
203(9A)	Roadbed Widening, Kylee Court	Station	8.5	\$ 2,500.00	\$ 21,250.00
203(13A)	Turnaround Construction - Eddy Hill Drive	Each	1	\$ 4,500.00	\$ 4,500.00
203(13B)	Cut-de-sac Construction - Kylee Court	Each	2	\$ 5,500.00	\$ 11,000.00
301(1)	Aggregate Base Course, Grading D-1	Ton	1550	\$ 32.00	\$ 49,600.00
302(2)	Subgrade Modification, 6" Depth, 24' Wide	Station	22	\$ 1,450.00	\$ 31,900.00
302(2)	Subgrade Modification, 12" Depth, 24' Wide	Station	24	\$ 2,900.00	\$ 6,960.00
302(2)	Subgrade Modification, 18" Depth, 24' Wide	Station	2.1	\$ 4,000.00	\$ 8,400.00
303(1)	Embankment Reconditioning	Station	45.25	\$ 450.00	\$ 20,362.50
401(1)	Asphalt concrete, Type II, Class A	Ton	1350	\$ 140.00	\$ 189,000.00
603(1-15)	15 Inch Corrugated Steel Pipe	Linear Foot	552	\$ 50.00	\$ 27,600.00
603(1-18)	18 Inch Corrugated Steel Pipe	Linear Foot	110	\$ 60.00	\$ 6,600.00
610(1)	Ditch Lining	Linear Foot	600	\$ 10.00	\$ 6,000.00
615(1)	Standard Sign (25 MPH SPEED LIMIT)	Square Foot	9	\$ 200.00	\$ 1,800.00
618(1)	Seeding	Lump Sum	All Required	(LUMP SUM)	\$ 2,500.00
639(4)	Paved Approach Apron	Each	19	\$ 375.00	\$ 7,125.00
639(5)	Paved Driveway	Each	4	\$ 1,900.00	\$ 7,600.00
639(5)	Paved Public Approach	Each	1	\$ 2,500.00	\$ 2,500.00
640(1)	Mobilization and Demobilization	Lump Sum	All Required	(LUMP SUM)	\$ 15,000.00
641(1)	Erosion and Pollution Control Administration	Lump Sum	All Required	(LUMP SUM)	\$ 5,500.00
641(2)	Temporary Erosion and Pollution Control	Contingent Sum	All Required	(Contingent SUM)	\$ 8,500.00
643(2)	Traffic Maintenance	Lump Sum	All Required	(LUMP SUM)	\$ 5,000.00
650(1)	Miscellaneous Work	Contingent Sum	All Required	(Contingent SUM)	\$ 12,000.00
670(1)	Painted Traffic Markings	Lump Sum	All Required	(LUMP SUM)	\$ 8,000.00
CONSTRUCTION SUBTOTAL					\$ 464,597.50
ENGINEERING DESIGN, CONSTRUCTION INSPECTION AND ADMINISTRATION			15%		\$ 69,689.63
KPB ADMINISTRATIVE OVERHEAD			3%		\$ 13,937.93
CONTINGENCY			7%		\$ 32,521.83
TOTAL EDDY HILL DRIVE RIAD				\$	580,746.88

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