

Introduced by: Mayor
Date: 05/20/08
Hearing: 06/17/08
Action: Enacted as Amended
Vote: 6 Yes, 0 No, 3 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2008-13**

**AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CHINULNA
POINT SUBDIVISION ROAD IMPROVEMENT ASSESSMENT DISTRICT**

- WHEREAS,** the assembly, by Resolution 2006-044 established the Chinulna Point Subdivision Road Improvement Assessment District (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 special assessment roll has been prepared and the total costs of the improvement less the Road Service Area 50 percent match is allocated among the benefitted 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 hearing held June 17, 2008, where objections would be heard; and
- WHEREAS,** the assembly, on June 17, 2008, held hearings on the assessment roll at which time all persons objecting to assessments were given an opportunity to present their objections; 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 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 specially benefitted 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;

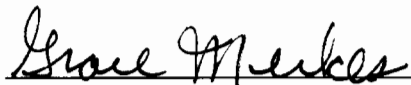
**NOW, THEREFORE, BE IT ORDAINED BY THE KENAI PENINSULA BOROUGH
ASSEMBLY:**

- SECTION 1. Classification.** That this ordinance shall be a non-code ordinance.
- SECTION 2. Confirmation of Roll.** That the assessment roll for Chinulna Point Subdivision Road Improvement Assessment District, attached to this ordinance, as presented to the assembly on May 20, 2008, in the total amount of \$264,465.34 less the Road Service Area 50 percent match of \$132,232.67, for a net assessed amount of \$132,232.67 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 utility special assessment district.
- SECTION 4. Payment of Assessment.** That the entire assessment may be prepaid without interest or penalty within thirty 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 7 percent per annum. Assessments that are not prepaid shall be paid in ten equal annual installments on March 31 of each year, commencing March 31, 2009. 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 to 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 the Alaska 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 its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 17TH DAY OF JUNE, 2008.

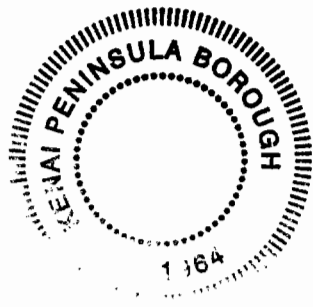


Grace Merkes, Assembly President

ATTEST:



Johni Blankenship, Acting Borough Clerk



- Yes: Knopp, Martin, Smith, Sprague, Superman, Merkes
- No: None
- Absent: Fischer, Gilman, Long

CHINULNA POINT SUBDIVISION - ROAD IMPROVEMENT ASSESSMENT DISTRICT

Actual Project Costs:

Construction	\$ 230,234.00
Engineering & Project Admin	\$ 23,800.00
Advertising	\$ 302.00
Filing Fee Adjustment	\$ 1,960.00
KPB Admin Fee	\$ 8,189.34
Total Final Cost	\$ 264,465.34
Less Road Service Area Match	\$ 132,232.67
Final Cost to Parcel Owners	\$ 132,232.67

Number of benefitted parcels: 31
 Cost per parcel \$ 4,265.57

Parcel #	Legal Description	Total Assessed Value	Maximum Assessment Allowed	Required Prepay	Owner	Address	City	ST	Zip
05539001	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 1 BLOCK 2	171,500	\$ 4,265.57	-	SOMERS DAVID A & DIANE M	PO BOX 3083	SOLDOTNA	AK	99669
05539002	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 2 BLOCK 2	241,600	\$ 4,265.57	-	RUTHERFORD STEPHEN & KAREN	36850 CHINULNA DR	KENAI	AK	99611
05539003	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 3 BLOCK 2	143,700	\$ 4,265.57	-	TITUS DENISE M	PO BOX 3016	KENAI	AK	99611
05539004	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 4 BLOCK 2	15,500	\$ 4,265.57	-	SORENSON PAUL J & JEAN A	36800 CHINULNA DR	KENAI	AK	99611
05539005	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 5 BLOCK 2	192,300	\$ 4,265.57	-	SORENSON PAUL J & JEAN A	36800 CHINULNA DR	KENAI	AK	99611
05539006	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 12 BLOCK 4	337,800	\$ 4,265.57	-	STEINBECK DUSTIN J & MICHELLE M	36740 CHINULNA DR	KENAI	AK	99611
05539013	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 7 BLOCK 4	188,600	\$ 4,265.57	-	COWGILL CLINT W	PO BOX 544	KENAI	AK	99611
05539014	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 8 BLOCK 4	251,700	\$ 4,265.57	-	SALZETTI MIKEL D & THERESA D C/O HOMER ELECTRIC ASSOC	280 AIRPORT WAY	KENAI	AK	99611
05539015	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 9 BLOCK 4	158,500	\$ 4,265.57	-	SMITH RUSSELL A	36610 CHINULNA DR	KENAI	AK	99611
05539016	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 10 BLOCK 4	265,500	\$ 4,265.57	-	OLSEN CLARK A & DEBRA K	PO BOX 2703	KENAI	AK	99611
05539017	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 11 BLOCK 4	170,100	\$ 4,265.57	-	CALVERT CARY M & MARIA A	PO BOX 3267	SOLDOTNA	AK	99669
05539018	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 12 BLOCK 3	323,300	\$ 4,265.57	-	LOUTHAN MICHAEL G & CAROL E	36705 CHINULNA DR	KENAI	AK	99611
05539019	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 13 BLOCK 3	61,600	\$ 4,265.57	-	ROZAK RONALD T & L MARIE	PO BOX 350	KENAI	AK	99611
05539020	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 14 BLOCK 3	245,900	\$ 4,265.57	-	ROZAK RONALD T & MARIE	PO BOX 350	KENAI	AK	99611
05539021	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 15 BLOCK 3	211,000	\$ 4,265.57	-	CRAWFORD WARREN & LORRAINE	36615 CHINULNA DR	KENAI	AK	99611
05539022	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 16 BLOCK 3	281,900	\$ 4,265.57	-	GODDARD VINCENT L	PO BOX 1209	KENAI	AK	99611

Parcel #	Legal Description	Total Assessed Value	Maximum Assessment		Required Prepay	Owner	Address	City	ST	Zip
			Allowed	Required						
05539023	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 17 BLOCK 3	613,900	\$ 4,265.57	-	-	MANZEK ROLF & JACKIE	36575 CHINULNA DR	KENAI	AK	99611
05539024	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 18 BLOCK 3	146,300	\$ 4,265.57	-	-	STRICKLER LESLIE P & BETTY	PO BOX 2678	KENAI	AK	99611
05539025	KN0780078 T05N R11W S19 CHINULNA POINT SUB PART 1 LOT 19 BLOCK 3	202,200	\$ 4,265.57	-	-	HINKLE GARY C & JUDITH A	PO BOX 322	SOLDOTNA	AK	99669
05548010	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 3 BLOCK 3	221,700	\$ 4,265.57	-	-	EHRHARDT PETER R & NIKOLAS KATHLEEN E	PO BOX 3651	KENAI	AK	99611
05548011	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 4 BLOCK 3	372,800	\$ 4,265.57	-	-	MERSCH DONALD	31787 E SHORE DR	PENGLILLY	MIN	55775
05548012	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 5 BLOCK 3	334,800	\$ 4,265.57	-	-	SONNICHSEN CHRISTIAN J & PHILIPPA S	36855 CHINULNA DR	KENAI	AK	99611
05548013	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 6 BLOCK 3	217,100	\$ 4,265.57	-	-	FRISON RONALD A & LINDA S	36835 CHINULNA DR	KENAI	AK	99611
05548014	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 7 BLOCK 3	286,900	\$ 4,265.57	-	-	ANDERSON ROY BRUCE & CELLA	PO BOX 1331	SOLDOTNA	AK	99669
05548015	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 8 BLOCK 3	266,900	\$ 4,265.57	-	-	STEMBECK JOHN F & MARGARET	36775 CHINULNA DR	KENAI	AK	99611
05548016	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 9 BLOCK 3	257,200	\$ 4,265.57	-	-	MCLANE M SCOTT ET AL	365 DIANE LANE	SOLDOTNA	AK	99669
05548017	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 10 BLOCK 3	242,000	\$ 4,265.57	-	-	MCLANE STAN A & SUSAN M	36745 CHINULNA DR	KENAI	AK	99611
05548018	KN0790002 T05N R11W S19 CHINULNA POINT SUB PART 2 LOT 11 BLOCK 3	493,100	\$ 4,265.57	-	-	DRAGSETH JOE M & GINA J	36725 CHINULNA DR	KENAI	AK	99611
05548020	KN2004129 T05N R11W S19 CHINULNA POINT SUB LOCKWOOD ADDN LOT 2A BLOCK 3	250,700	\$ 4,265.57	-	-	LOCKWOOD MARK E & JENIFER C	PO BOX 1566	KENAI	AK	99611
05554034	KN2002016 T05N R11W S19 KARLUK REEF SUB THURBER ADDN LOT 1-B	50,800	\$ 4,265.57	-	-	THURBER MICHELE L & MARTIN G	PO BOX 880	KENAI	AK	99611
05554035	KN2002016 T05N R11W S19 KARLUK REEF SUB THURBER ADDN LOT 1-A	102,300	\$ 4,265.57	-	-	THURBER MICHELE L & MARTIN G	PO BOX 880	KENAI	AK	99611
31		7,321,200	132,232.67							

Following parcel has these additional interested parties:

05548016 MCLANE STAN A ET ALL 36745 CHINULNA DR KENAI AK 99611
 Chinulna.xls-Final Assessment Roll Kenai Peninsula Borough Assessing Department Prepared by CJohnson