

Introduced by: Mayor
Date: 07/10/01
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2001-074**

**A RESOLUTION OF NECESSITY ESTABLISHING THE
OTTER TRAIL UTILITY SPECIAL ASSESSMENT DISTRICT
FOR CONSTRUCTION OF A NATURAL GAS MAIN LINE**

- WHEREAS,** residents of the borough adopted a non-area-wide power by the vote of the people to form special assessment districts for utility lines in 1991; and
- WHEREAS,** natural gas provides a safe, economical heating alternative and has been shown to increase the value and marketability of parcels; and
- WHEREAS,** the majority of the lots within the proposed district are riverfront properties and the availability of natural gas as a heating fuel may decrease the utilization of heating fuels requiring storage containers which may leak their contents, thereby minimizing the potential for pollution to the river and streams, area drinking water, and the environment; and
- WHEREAS,** a petition has been received requesting the establishment of a utility special assessment district for financing the construction of an extension of Enstar's natural gas service line to a district in the area of Otter Trail Road, Sterling, Alaska; and
- WHEREAS,** KPB Chapter 5.35 requires that the owners of more than 70% of the parcels within the proposed district sign the petition, and 77.2% have signed the petition; and
- WHEREAS,** Resolution 92-54 requires that within 90 days of filing of the petition, the Mayor shall cause to be prepared a Resolution of Necessity for the Assembly's consideration to determine: a) whether the proposed USAD meets the requirements of KPB Chapter 5.35, and b) whether the Borough should establish a USAD as proposed by the petition; and
- WHEREAS,** this Resolution, with its attached exhibits, which are incorporated by reference as if fully set forth herein, sets out the plans, specifications, estimated costs, proposed method of assessment, payment schedule, estimated assessment roll, proposed method of Borough financing, and schedule for construction as required by KPB Chapter 5.35 and the regulations adopted under that Chapter;

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

SECTION 1. That this Resolution is supported by the information in the following attached exhibits which are incorporated by reference as if fully set forth herein:

- 1) Clerk's certification of the petition, dated June 1, 2001;
- 2) USAD profile information sheet, dated June 7, 2001;
- 3) an estimated assessment roll;
- 4) a map of the boundaries of the proposed USAD;
- 5) petition form information cover sheet;
- 6) letter-statement from Enstar Natural Gas, dated April 16, 2001; and
- 7) a memo from the Finance Director, dated June 25, 2001.

SECTION 2. That the boundaries of the USAD for a gas main line set forth in the map attached as Exhibit 4, and the properties legally described in Exhibit 3, are hereby approved as comprising the USAD.

SECTION 3. That the plans, specifications, profiles and estimated costs set forth in Exhibit 2 and the schedule for construction set forth in Exhibit 6 are hereby approved.

SECTION 4. That the method of levying the special assessment shall be on an equal allocation per lot, parcel, or tract as authorized by KPB 5.35. Uniform allocation of costs to each parcel in the proposed district is a fair method because each parcel is equally benefited by the ability to connect a service line to the main line.

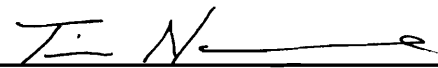
SECTION 5. Special assessment bonds will not be issued in anticipation of collection of the special assessments. Borough investment monies shall be the financing mechanism. The frequency and number of installment payments shall be as follows:

Special assessments levied on property within the Otter Trail Utility Special Assessment District may be paid in ten (10) equal annual installments. Penalties will not be imposed for accelerated payments.

SECTION 6. That the proposed Otter Trail Utility Special Assessment District, as described and proposed through Exhibits 1 – 7, is found to meet the requirements of KPB Chapter 5.35 and is determined to be necessary and in the Borough's interest.

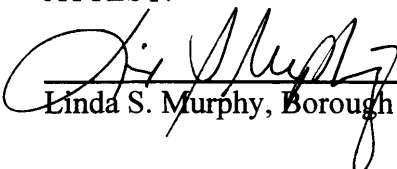
SECTION 7. That this Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 10TH DAY OF JULY, 2001.

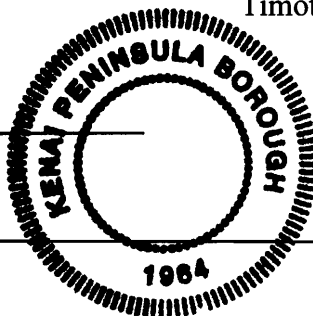


Timothy Navarre, Assembly President

ATTEST:



Linda S. Murphy, Borough Clerk



OTTER TRAIL - USAD
PROFILE INFORMATION SHEET

7/9/01

OTTER TRAIL

Enstar Cost 63,113.00
KPB Adm. Cost 7,540.00
Total Est. Cost 70,653.00

No. of Parcels 22
Cost/Parcel \$ 3,211.50

Total Cost \$ 70,653.00
Total Prepayments \$ 332.08
Total Assessments \$ 70,320.92

No. of Parcels Delq. 0
Percentage of Parcels Delq. 0.0%

HEADING DEFINITIONS

Total Assessed Value: 2001 assessments.
Adjusted Value: Each parcels estimated assessment added to its current total assessed value.
Cost/Adj Value: Percent of the allocated cost to the adjusted value of each respective parcel.
Maximum Assessment: Lien on each respective parcel cannot exceed 21% of the adjusted value.
Required Prepay: Amount required to be prepaid to keep the respective lien below 21%.

Total Number of Parel: 22
Parcels in Favor of Project: 17
Percent of Parcels in Favor of Project: 77.27%

Parcel #	Land	Total Assessed Value	Adjusted Assessed Value	Cost/Adj Value%	Maximum Assessment	Required Prepay	Owner	+ = Yes Vote	Tax Delq.
065-480-02	29,600	75,700	\$ 78,912	4.07%	\$ 3,211.50	\$ -	POPE TIM W & JANET L		-
065-480-03	26,700	26,700	\$ 29,912	10.74%	\$ 3,211.50	\$ -	WEIGNER W MARK & SUZANNE P		-
065-480-04	34,700	102,400	\$ 105,612	3.04%	\$ 3,211.50	\$ -	WEIGNER W MARK & SUZANNE P		-
065-480-05	27,200	158,100	\$ 161,312	1.99%	\$ 3,211.50	\$ -	HEPNER KENNETH H & SARA J	+	-
065-480-11	10,500	10,500	\$ 13,712	23.42%	\$ 2,879.42	\$ 332.08	COLLER AUSTIN E	+	-
065-480-12	39,000	100,700	\$ 103,912	3.09%	\$ 3,211.50	\$ -	COLLER AUSTIN E	+	-
065-480-13	35,500	35,500	\$ 38,712	8.30%	\$ 3,211.50	\$ -	DANDAPANI SHYAMADEVA & PESHANIDEVI	+	-
065-480-14	44,500	187,400	\$ 190,612	1.68%	\$ 3,211.50	\$ -	KUIPER ROBERT J	+	-
065-480-15	32,400	32,400	\$ 35,612	9.02%	\$ 3,211.50	\$ -	KUIPER ROBERT J	+	-
065-480-16	44,100	290,200	\$ 293,412	1.09%	\$ 3,211.50	\$ -	WEST WILLIAM O & REBECCA ANN	+	-
065-480-17	34,300	34,300	\$ 37,512	8.56%	\$ 3,211.50	\$ -	HEININGER DONALD	+	-
065-480-18	36,300	97,000	\$ 100,212	3.20%	\$ 3,211.50	\$ -	STASAK MICHAEL P LIVING TRUST	+	-
065-480-25	30,700	30,700	\$ 33,912	9.47%	\$ 3,211.50	\$ -	COLLER AUSTIN E	+	-
065-480-27	38,400	120,200	\$ 123,412	2.60%	\$ 3,211.50	\$ -	MOORE DENTY B & KRISTYNE A	+	-
065-48028	30,700	30,700	\$ 33,912	9.47%	\$ 3,211.50	\$ -	MOORE DENTY B & KRISTYNE A	+	-
065-480-32	75,600	163,000	\$ 166,212	1.93%	\$ 3,211.50	\$ -	MOORE JESSE P	+	-
065-480-33	31,200	128,600	\$ 131,812	2.44%	\$ 3,211.50	\$ -	BRADSHAW JOHN M & A SHERRY	+	-
065-480-34	56,700	286,500	\$ 289,712	1.11%	\$ 3,211.50	\$ -	FELLMAN JAMES A & JANE B	+	-
065-480-35	16,100	16,100	\$ 19,312	16.63%	\$ 3,211.50	\$ -	WEST WILLIAM O & REBECCA A	+	-
065-480-36	27,300	97,300	\$ 100,512	3.20%	\$ 3,211.50	\$ -	KOBERSTEIN DONALD & JULIA		-
065-481-23	43,000	43,000	\$ 46,212	6.95%	\$ 3,211.50	\$ -	BAKER BRUCE L & IRENE C		-
065-481-24	21,700	21,700	\$ 24,912	12.89%	\$ 3,211.50	\$ -	FELLMAN JAMES A & JANE B	+	-
22					70,320.92	\$ 332.08		17	0