

Introduced by: Mayor
Date: 05/17/11
Action: Adopted
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2011-033**

**A RESOLUTION TO FORM THE POPPY RIDGE 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 special assessment district was received from the property owners within the proposed district; and

WHEREAS, on June 23, 2009 the RSA board reviewed the application and authorized funding to obtain an engineer's estimate for the Poppy Ridge Road Improvement Assessment District (RIAD) for the purpose of improving and paving the roadways of Poppy Ridge Road and Franke Road; and

WHEREAS, pursuant to KPB 14.31.060(B), on September 14, 2010 the RSA board adopted RSA Resolution 2010-11 approving the circulation of the Poppy Ridge Road Improvement Assessment District petition consistent with the recommendations in the staff report of June 16, 2009; and

WHEREAS, KPB 14.31.070(C)(1) requires signatures of the owners of more than 70 percent of the parcels within the proposed district sign the petition and 76.4 percent have signed the petition; and

WHEREAS, KPB 14.31.070(C)(2) requires signatures of the owners that would bear more than 70 percent of the total assessments in the proposed district and 76.4 percent have signed the petition; and

WHEREAS, the borough clerk certified the petition and acknowledged receipt of a filing fee check for \$3,000.00; and

WHEREAS, KPB 14.31.090 requires the mayor to present to the assembly an estimated assessment roll and resolution authorizing the mayor to proceed with construction of 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 Poppy Ridge Road Improvement Assessment District, 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 2010-11, 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 mayor's report, which is attached hereto and incorporated herein by reference.

SECTION 3. That the improvement is to improve and pave a portion of Poppy Ridge Road and Franke Road.

SECTION 4. That the boundaries of the RIAD for improving and paving the roadways set forth in the map attached to the mayor's report as Attachment 4, and the properties legally described in Attachment 3 to the mayor's report are hereby approved as comprising the RIAD.

SECTION 5. That the estimated cost of the improvement is \$348,257.00, and the proposed method of allocating the cost of the improvement among the benefited parcels is based on equal allocation as further described in the mayor's report.

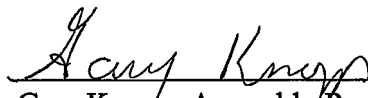
SECTION 6. An estimated assessment roll is Attachment 3 to the mayor's report and is incorporated herein by reference.

SECTION 7. That the borough clerk shall cause a copy of the resolution and estimated assessment roll to be recorded in the District Recorder's Office for the State of Alaska at Kenai.

SECTION 8. That properties within the district are properly included and subject to assessment for the improvement.

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

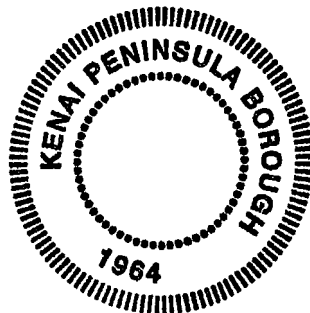
ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 17TH DAY OF MAY, 2011.



Gary Knopp, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Murphy, Pierce, Smith, Tauriainen, Knopp

No: None

Absent: Smalley



KENAI PENINSULA BOROUGH

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DAVID R. CAREY
BOROUGH MAYOR

MEMORANDUM

TO: Gary Knopp, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: David R. Carey, Mayor
Tom Anderson, Director of Assessing

FROM: Robert Lewis, Special Assessment Coordinator

DATE: May 5, 2011

SUBJECT: Resolution 2011-033, To Form the Poppy Ridge Road Improvement Assessment District (RIAD) and proceed with the improvement

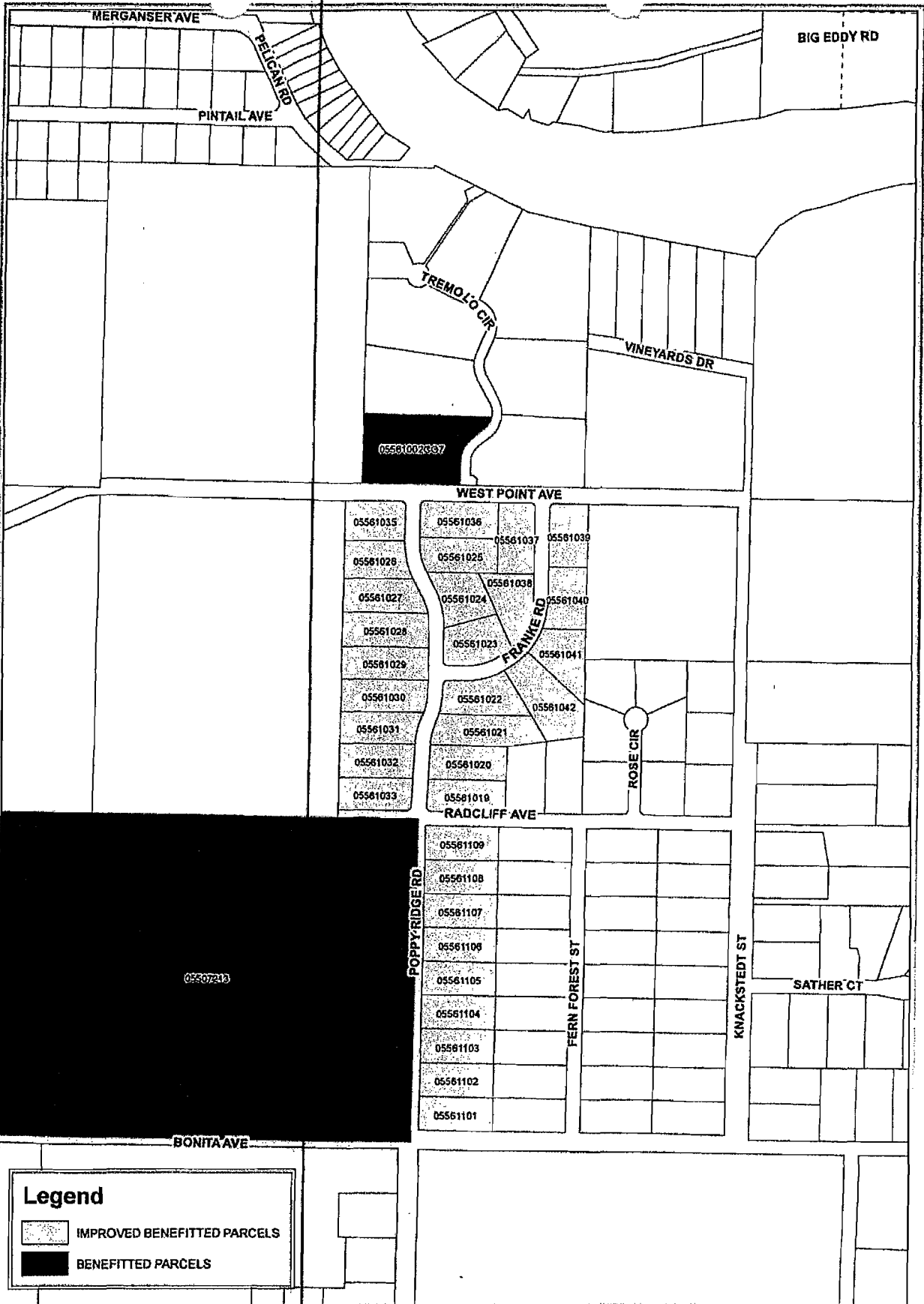
MAYOR'S REPORT


Property owners in the proposed Poppy Ridge Road Improvement Assessment District (RIAD) have worked with the borough administration to form the proposed RIAD. At its meeting of September 14, 2010, the Road Service Area Board adopted RSA Resolution 2010-11, approving the petition for formation of this RIAD prior to its circulation among benefited property owners and approving up to \$174,128.50 as the RSA match for this project (see Attachment 1). A completed petition for the formation of the Poppy Ridge Road Improvement Assessment District (RIAD) was received on March 24, 2011. The borough clerk subsequently certified the petition with 26 of 34 property owners (76.4%) supporting the proposed district (see Attachment 2), sent all required notices to the property owners and published the required information concerning the proposed district as required by borough code. 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. KP.B 14.31.090 requires that the mayor's report accompany the resolution to proceed and that it contain the following information, all of which is detailed in the referenced attachments to this memo.

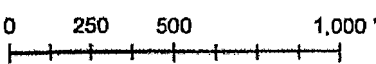
- 1) A legal description of the benefited parcels and a map of the proposed district. See Attachment 3, the estimated assessment roll, and Attachment 4, a map of the proposed Poppy Ridge RIAD.
- 2) A description of the current condition of the rights-of-way proposed for improvement and a statement of the need for the proposed local improvement: See Attachment 5, a staff report directed to the RSA board dated June 16, 2009.

- 3) The proposed allocation of the cost of the improvement among parcels in the district is by equal allocation to each of the benefited parcels in the proposed district. See Attachments 3 and 6.
- 4) The estimated amount to be assessed against each parcel is \$5,121.43. See Attachments 3 and 6.
- 5) A profile of the parcels in the proposed district, including the nature of ownership and status of tax payments. See Attachments 5 and 6, the RIAD Profile Information Sheet. There are currently 3 parcels (8.8%) within the proposed district delinquent in payment of real property taxes. This satisfies KPB 14.31.080, which requires that no more than 10 percent of the parcels in the proposed district be delinquent in the immediately preceding tax year.
- 6) Whether there are other special assessment liens against any of the parcels in the proposed district. There are no other borough special assessment liens on parcels in this district.
- 7) A description of any benefited parcels that exceed the assessment-to-value ratio set forth in KPB 14.31.080(A). No lien will exceed the 25 percent of the value of a parcel as required by Borough Code. The 33 improved parcels range in value from \$179,400 to \$311,300 thereby indicating the assessment will be substantially less than the 25 percent maximum. The single unimproved parcel is valued at \$91,600 and has sufficient value to support the estimated assessment lien of \$5,121.43. See Attachments 3 and 5.
- 8) The method of financing the improvement, e.g., bonding, borough investment, or a combination. This project will be financed as a borough investment. See Attachment 7, a letter from the Finance Director, and Kenai Peninsula Borough Ordinance 2010-19-46 appropriating funds for the RIAD.
- 9) All estimated costs of the improvement set forth in KPB 14.31.110. See Attachments 3 and 6, and also Attachment 8, the engineer's estimate of cost for this project.

Staff will be available at the May 17, 2011, assembly meeting to answer any additional questions.




 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.



Poppy Ridge RIAD


 Printed on August 31, 2010

POPPY RIDGE - ROAD IMPROVEMENT ASSESSMENT DISTRICT

Estimated Cost:	
Construction	\$ 275,000.00
Engineering & Project Admin	\$ 33,000.00
KPB Interdepartmental	\$ 8,250.00
Inflation Adj	\$ 5,500.00
Contingency	\$ 13,750.00
Total Estimated Construction Cost	\$ 335,500.00
Filing Fee Adjustment	\$ 4,377.00
KPB Admin Fee	\$ 8,380.00
Total Estimated Cost	\$ 348,257.00
Less Road Service Area Match	\$ 174,128.50
Final Estimated Cost to Parcel Owners	\$ 174,128.50

Number of benefitted parcels: 34
 Percent of Parcels Delq 8.8%
 Cost per parcel \$ 5,121.43

HEADING DEFINITIONS:

Total Assessed Value: 2010 Assessments

Cost per parcel: Lien per parcel

Required pre-pay: Lien on each benefitted parcel cannot exceed 25% of 2010 Assessed Value

Total Number of Parcels: 34
 Parcels in Favor of Project 26
 Percent of Parcels in Favor of Project 76.4%

Parcel #	Legal Description	Total Assessed Value	Maximum Assessment	Required pre pay	Owner	Tax Delinquent? X=Yes	+ = Yes Vote
05507213	T 5N R 11W SEC 25 & 26 SEWARD MERIDIAN KN ADL 21928 S1/2 NW1/4 IN SEC 25 & NE1/4 IN T 5N R 11W SEC 24 SEWARD MERIDIAN KN	311,300	\$ 5,121.43	-	KENAI PENINSULA BOROUGH		
05561002CO7	0820044 COLLEGE ESTATES SUB NO 2 LOT 2 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	91,600	\$ 5,121.43	-	KRULL HENRY G & MARY L		+
05561019	2004077 COLLEGE ESTATES SUB NO 4 LOT 13 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	183,500	\$ 5,121.43	-	YOUNG KATHY ANN	X	
05561020	2004077 COLLEGE ESTATES SUB NO 4 LOT 12 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	252,600	\$ 5,121.43	-	DEMOSS ROGER D & GINGER L		+
05561021	2004077 COLLEGE ESTATES SUB NO 4 LOT 11 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	187,400	\$ 5,121.43	-	FOSTER KIMBERLY J		+
05561022	2004077 COLLEGE ESTATES SUB NO 4 LOT 10 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	184,700	\$ 5,121.43	-	STEPHENS MICHAEL E		
05561023	2004077 COLLEGE ESTATES SUB NO 4 LOT 24 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	207,700	\$ 5,121.43	-	OLSON CASEY SCOTT & KATIE ARCHER		+
05561024	2004077 COLLEGE ESTATES SUB NO 4 LOT 23 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	183,400	\$ 5,121.43	-	KRAUSE KEVIN B & LILJEBLAD DAORUANG		
05561025	2004077 COLLEGE ESTATES SUB NO 4 LOT 22 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	222,500	\$ 5,121.43	-	NATH ROBERT A & TONI		+
05561026	2004077 COLLEGE ESTATES SUB NO 4 LOT 2 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	191,600	\$ 5,121.43	-	WILSON GARY W		+
05561027	2004077 COLLEGE ESTATES SUB NO 4 LOT 3 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	216,200	\$ 5,121.43	-	BEERS RODRICK G		
05561028	2004077 COLLEGE ESTATES SUB NO 4 LOT 4 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	185,500	\$ 5,121.43	-	CRAWFORD RHONDA JEAN		+
05561029	2004077 COLLEGE ESTATES SUB NO 4 LOT 5 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	187,900	\$ 5,121.43	-	APPELHANS RONNIE JOE & KARLA L		+
05561030	2004077 COLLEGE ESTATES SUB NO 4 LOT 6 T 5N R 11W SEC 25 SEWARD MERIDIAN KN	190,800	\$ 5,121.43	-	JONES LYNN A		+
05561031	2004077 COLLEGE ESTATES SUB NO 4 LOT 7	185,000	\$ 5,121.43	-	SMITH JOE T		+

ATTACHMENT 3

Parcel #	Legal Description	Total Assessed Value	Maximum Assessment	Required pre pay	Owner	Tax Delinquent? X=Yes	+ = Yes Vote
05561032	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2004077 COLLEGE ESTATES SUB NO 4 LOT 8	185,500	\$ 5,121.43	-	LAWRENCE CINDY		
05561033	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2004077 COLLEGE ESTATES SUB NO 4 LOT 9	309,600	\$ 5,121.43	-	DIXON W JOHN & MARCELLA J		+
05561035	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 1	183,500	\$ 5,121.43	-	DAVIS HOWARD T III		
05561036	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 21	186,200	\$ 5,121.43	-	BRASWELL SCOTT W & SHIRLEY M	X	
05561037	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 20	206,200	\$ 5,121.43	-	BASS RAYMOND D & DEBRAH L		+
05561038	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 25	184,900	\$ 5,121.43	-	HARPER MICHAEL A		+
05561039	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 19	205,100	\$ 5,121.43	-	MULLICAN JOHN R & JOYCE LYNN		+
05561040	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 18	184,400	\$ 5,121.43	-	PALM RONALD A & TRACY Y & PALM TIFFANY L		+
05561041	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 17	185,200	\$ 5,121.43	-	AZZARA MARK		+
05561042	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 2005075 COLLEGE ESTATES SUB NO 5 LOT 16	207,400	\$ 5,121.43	-	HART JEREMY E & CUNNINGHAM TRACY R		+
05561101	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 9	181,300	\$ 5,121.43	-	WATSON MICHAEL		+
05561102	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 8	186,300	\$ 5,121.43	-	SEGURA DAVID R & ELLEN P		+
05561103	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 7	179,400	\$ 5,121.43	-	ZORN MECCA C	X	+
05561104	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 6	187,300	\$ 5,121.43	-	HANSON JAMES E JR & EMILY		+
05561105	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 5	183,800	\$ 5,121.43	-	GRIFFIN JEFFREY SCOTT & MONICA J		+
05561106	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 4	183,400	\$ 5,121.43	-	CARMICHAEL ANDREW J		+
05561107	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 3	179,900	\$ 5,121.43	-	WILLSON BRADLEY A & SHARON L		+
05561108	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 2	187,300	\$ 5,121.43	-	LAWTON ERIN		+
05561109	T 5N R 11W SEC 25 SEWARD MERIDIAN KN 0860152 FERN FOREST SUB LOT 1	182,600	\$ 5,121.43	-	WATSON DAVID L & DAWNITA R		+
34		6,671,000				3	26