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CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
PHONE: (907) 373-9050
FAX: (907) 373-9085

REQUESTED BY: MUNICIPAL SERVICES
PREPARED BY: MUNICIPAL SERVICES

RESOLUTION NO. WR93-38

A RESOLUTION OF THE CITY OF WASILLA, ALASKA CREATING GAS ASSESSMENT AREA 93G1, PROVIDING A METHOD OF ASSESSMENT ON THE PROPERTY SPECIALLY BENEFITTED AND PROVIDING FOR THE LEVYING OF AN ASSESSMENT THEREON.

WHEREAS, pursuant to the authority of Section 2.60.010(A) of the Wasilla Municipal Code and AS 29.63.010 the City Council may initiate special assessment districts; and

WHEREAS, written protests of owners of property within the area surveyed bearing 50% of the estimated costs of the improvement are less than 50%;

NOW THEREFORE BE IT RESOLVED, that Aspen Avenue Gas Assessment District 93G1, providing for the installation of gas mains and appurtenances necessary for the completion of the project is hereby created. All benefitted properties within the district are shown on the attached map located in Section 9, Township 17 North, Range 1 West, Seward Meridian described below:

Lots 9 through 12, Block 1, Wasilla Woods Subdivision according to Plat # 71-25; and

Lots 13 and 14, Block 1, Kohring Subdivision according to Plat # 82-179;

Tract 11, Fred Nelson Subdivision according to Plat # 69-20; and

Matanuska-Susitna Borough Tax Parcel C18 (Wasilla Cemetery).

BE IT FURTHER RESOLVED, that:

1. The improvements consist of performing necessary engineering design, and construction of gas lines and other equipment and appurtenances necessary to the completion of the project approximately as depicted and described on the Construction Plan submitted to the City by Enstar Natural Gas Company.

2. The proposed improvement was duly advertised for public hearing as required by Section 2.60.010(A)(8) of the Wasilla Municipal Code.

3. The property owners who have protested the improvements consist of owners of property which will bear less than fifty percent (50%) of the estimated cost of the improvement. All property included within the limits of Gas Assessment District 93G1 shall be considered and held to be the property and to be all of the property specially benefitted by such local improvement, and shall be the property to be assessed to pay the cost and expense thereof or such part thereof as may be chargeable against the property specially benefitted by such improvement. The cost and expense shall be assessed upon all of the said property so benefitted on a per lot basis per WMC 2.60.090(B)(4).

4. Method of Payment of Assessment. Assessments, plus interest on the unpaid balance shall paid over a 7 year period. The interest rate will be that rate charged by our lender plus a rate allowed by IRS for reserves.

5. The Council hereby makes the following findings of fact in these matters:

A. That the improvement is, by public demand, necessary and should be made;


B. That the written protests against the creation of this improvement district area signed by less than half of the owners of property who will bear fifty percent (50%) of the estimated cost of the improvement; and

C. That all of the facts set out in Paragraphs 1, 2 and 3 of this resolution are true.

6. The City Council determines to proceed with the improvement above authorized and described when funds become available, and the Finance Director is directed to keep an account of all expenses of the improvements so that property assessments may be levied and collected. When the project is complete and all costs are known the Finance Director is directed to prepare an assessment roll showing the amount to be assessed against each parcel of property benefitted by improvements. The assessment roll shall be prepared in suitable form for the signature of the Mayor and certification, and shall contain a brief description or designation of each tract of property and the name of the owner. The Finance Director is directed upon completion of the assessment roll to give notice by first class mail to each property owner, of a public hearing at which they shall have a right present any objection to the assessment roll. The public hearing shall be scheduled by the City Clerk and duly advertised.


7. The Administration is instructed to initiate all actions necessary to acquire property, replat, obtain engineering services, interim financing, long term financing and any required ordinances prior to constructing this project.

I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the governing body of the City of Wasilla this 13th day of September, 1993.



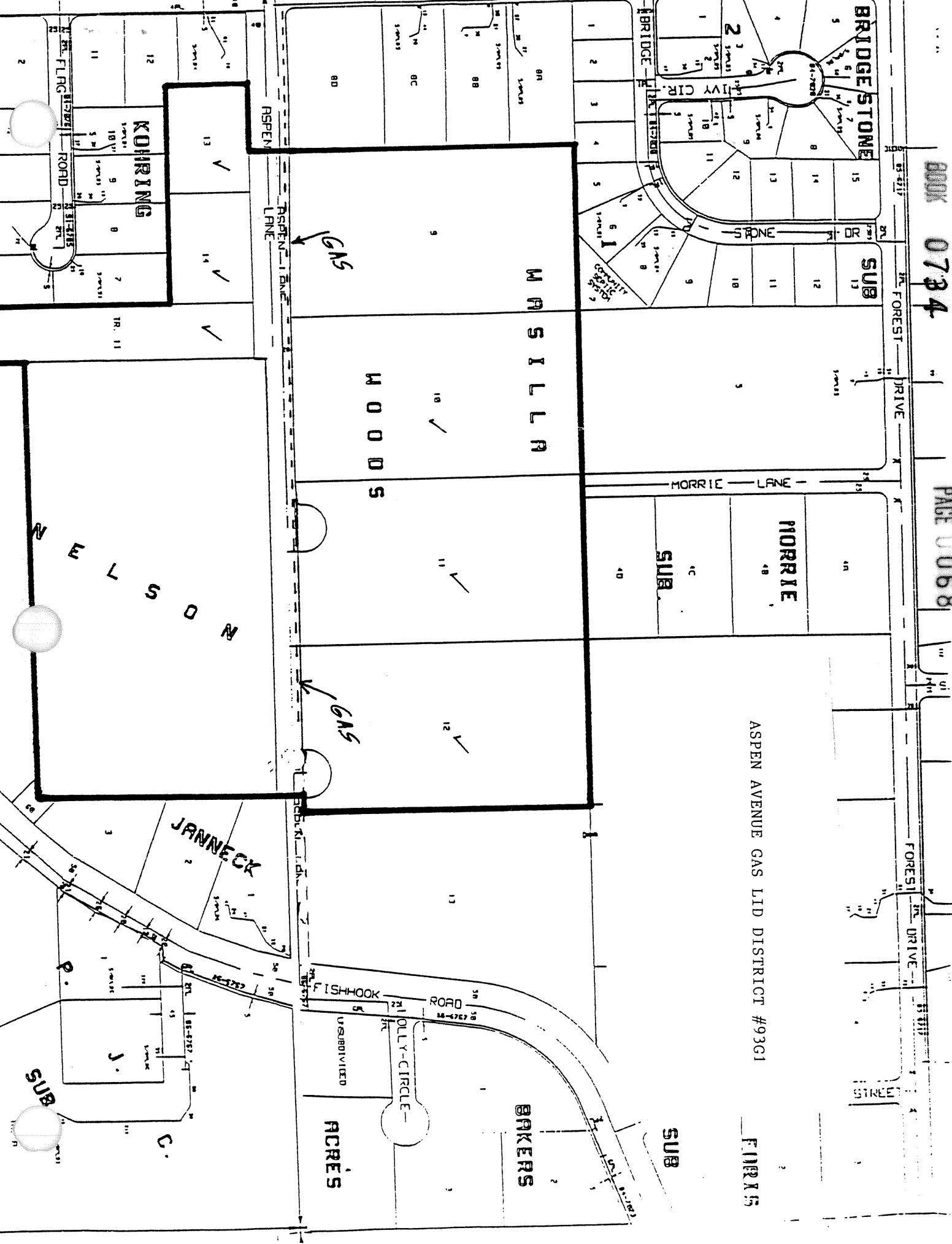
JOHN C. STEIN, Mayor

ATTEST:



ERLING P. NELSON, CMC
City Clerk

(SEAL)



ASPEN AVENUE GAS LID DISTRICT #93G1

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