

## **Resolution 14-026 Confirming the Assessment Roll for Crittenden Drive Road Special Assessment District**

**Resolution ID:** 14-026

**Resolution Status:** Adopted

**Resolution Effective Date:** Mon Feb 10th, 2014

**Resolution Summary:**

A Resolution of the Homer City Council Confirming the Assessment Roll, Establishing Dates for Payment of Special Assessments and Establishing Delinquency, Penalty, and Interest Provisions for the Crittenden Drive Road Reconstruction and Paving Special Assessment District. City Clerk.

CITY OF HOMER

HOMER, ALASKA

City Clerk

RESOLUTION 14-026

A RESOLUTION OF THE HOMER CITY COUNCIL CONFIRMING THE ASSESSMENT ROLL, ESTABLISHING DATES FOR PAYMENT OF SPECIAL ASSESSMENTS AND ESTABLISHING DELINQUENCY, PENALTY, AND INTEREST PROVISIONS FOR THE CRITTENDEN DRIVE ROAD RECONSTRUCTION AND PAVING SPECIAL ASSESSMENT DISTRICT.

WHEREAS, In compliance with Homer City Code Chapter 17, Improvement Districts, the Homer City Council created a Crittenden Drive Road Reconstruction and Paving Special Assessment District on November 28, 2011 via Resolution 11-108 at the \$30 per front foot for road reconstruction and \$17 per front foot for road paving owner share of assessments; and

WHEREAS, A public hearing was held on February 13, 2012 to hear objections to the formation of such district; and

WHEREAS, The objection deadline for written protests was March 23, 2012 and no written objections were received; and

WHEREAS, Resolution 12-030 was adopted by Council on April 9, 2012 authorizing the formation of the Crittenden Drive Road Reconstruction and Paving Special Assessment District; and

WHEREAS, The Crittenden Drive Road Reconstruction and Paving Special Assessment District was completed and accepted by Public Works for city maintenance; and

WHEREAS, All assessment per parcel corrections deemed necessary have been made and a final assessment roll was prepared and a public hearing scheduled for January 27, 2014; and

WHEREAS, All record property owners within the district were mailed the final assessment roll, notice of their right to object, and notice of the January 27th public hearing; and

WHEREAS, The final assessment roll as presented by the City Clerk and reviewed and corrected where necessary and attached hereto as Attachment A, is hereby confirmed as the official assessment roll for the Crittenden Drive Road Reconstruction and Paving Special Assessment District and the Mayor and Clerk shall be directed to sign same.

NOW, THEREFORE, BE IT RESOLVED THAT ON OR BEFORE 5:00 p.m. on May 1, 2014, all assessments in the Crittenden Drive Road Reconstruction and Paving Assessment District shall become due and payable in full. All assessments not paid in full by this date shall be considered delinquent and in default and shall have added a penalty of ten percent (10%) which penalty and principal amount of the assessment shall both draw interest at a rate of three percent (3%) per annum until paid. Should default occur, the City of Homer will institute a civil action for a foreclosure of the assessment lien. Foreclosure shall be against all property on which assessments are in default. All costs including collection and legal fees resulting from such action, shall be added and incorporated into the assessed amount due plus interest and penalties and shall be reimbursed from the proceeds of foreclosure sale of the assessed real property; and

BE IT FURTHER RESOLVED that an optional ten (10) year payment plan is offered whereby the assessment may be paid in ten (10) equal yearly installments plus interest of three percent (3%) on the unpaid balance of the assessment. The first such installment shall be due and payable without interest on or before 5:00 p.m. May 1, 2014 and each installment thereafter shall be due on or before May 1st of each year, plus interest on the unpaid balance of the assessment. If any annual installment payment is not received when due, the entire outstanding principal amount of the assessment shall be in default and shall be immediately due and payable. The entire outstanding assessment principal (including the annual installment) shall have added a penalty of ten percent (10%) on the outstanding principal. The principal and penalty shall draw interest at the rate of fifteen percent (15%) per annum until paid. Should default occur, the City will institute civil action for foreclosure of the assessment lien. Foreclosure shall be against all property on which assessments are in default. All costs including collection and legal fees resulting from such action shall be added and incorporated into the assessed amount due plus interest and penalties, and shall be reimbursed from the proceeds of foreclosure sale of the assessed real property.

PASSED AND ADOPTED by the Homer City Council on this 10th day of February, 2014.

CITY OF HOMER

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MARY E. WYTHER, MAYOR

ATTEST:

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JO JOHNSON, MMC, CITY CLERK

Fiscal Note: Total project costs are \$294,767.00; property owner share is \$61,230.66; \$233,536.34 paid by HART.

Resolution Files  [Resolution 14-026 with Attachment A](#)

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