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**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 23-108

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 TASMANIA COURT WATER AND SEWER IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

WHEREAS, In compliance with Homer City Code Chapter 17, Improvement Districts, the Homer City Council created the Tasmania Court Water Assessment Roll on September 28, 2020 with Resolution 20-083 and the Tasmania Court Sewer Special Assessment District on June 14, 2021 with Resolution 21-045(A); and

WHEREAS, The Notice of Public Hearing and Notice of Right to Object dated August 21, 2023 was mailed to property owners in the district advising that written objections must be filed with the City Clerk no later than September 11, 2023; and

WHEREAS, A second Notice of Public Hearing and Right to Object dated September 12, 2023 was mailed to property owners advising a page was omitted from the original notice and that written objections must be filed with the City Clerk no later than September 25, 2023; and

WHEREAS, Public Hearings were held on September 11 and 25, 2023 to hear objections to the final assessment roll; and

WHEREAS, One objection was filed on September 7, 2023 by Bryan and Ginny Evans; and

WHEREAS, The final assessment roll as presented by the City Clerk is attached hereto as Attachment A, is hereby confirmed as the official assessment roll for the Tasmania Court Water and Sewer Special Assessment Districts 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 February 1, 2024 all assessments in the Tasmania Court Water and Sewer Special 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 the rate of ten and one half percent (10.5%) 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

45 penalties and shall be reimbursed from the proceeds of foreclosure sale of the assessed real
46 property.

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48 BE IT FURTHER RESOLVED that an optional twenty (20) year payment plan for the water
49 and sewer assessments is offered whereby the assessments may be paid in equal yearly
50 installments plus interest of one and one half percent (1.5%) per annum on the unpaid balance
51 of the assessment. The first such installment shall be due and payable without interest on or
52 before 5:00 p.m. February 1, 2024 and each installment thereafter shall be due on or before
53 February 1 of each year, plus interest on the unpaid balance of the assessment. If any annual
54 installment payment is not received when due, the entire outstanding principle amount of the
55 assessment shall be in default and shall be immediately due and payable. The entire
56 outstanding assessment principle (including the annual installment) shall have added a
57 penalty of ten and one half percent (10.5%) on the outstanding principle. The principle shall
58 draw an additional interest at the rate of ten and one half percent (10.5%) per annum until
59 paid. Should default occur, the City will institute civil action for foreclosure of the assessment
60 lien. Foreclosure shall be against all property on which assessments are in default. All costs
61 including collection and legal fees resulting from such action shall be added and incorporated
62 into the assessed amount due plus interest and penalties, and shall be reimbursed from the
63 proceeds of foreclosure sale of the assessed real property.


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65 PASSED AND ADOPTED by the Homer City Council on this 9th day of October, 2023.

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CITY OF HOMER



KEN CASTNER, MAYOR

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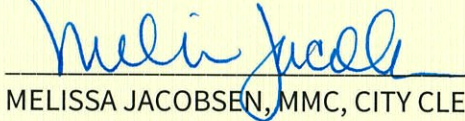
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71 ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

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Fiscal Note: Total design and construction project costs are \$246,104.43 for water improvement and \$304,938.97 for sewer improvement. Assessment methodology is equal shares and the cost per parcel is \$16,779.85 for water and \$20,791.29 sewer.

