

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 11-071

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, REMOVING LOT 44C, ROCKY POINT SUBDIVISION (KENAI PENINSULA BOROUGH TAX PARCEL NO. 179-330-04), FROM THE PRELIMINARY ASSESSMENT ROLL FOR THE KACHEMAK DRIVE PHASE TWO WATER AND SEWER LOCAL IMPROVEMENT DISTRICT.

WHEREAS, The City of Homer ("City") authorized the Kachemak Drive Phase Two Water and Sewer Local Improvement District ("District") by the adoption of Resolution 11-066(S)(A) on June 27, 2011; and

WHEREAS, The improvements that are to be constructed in the District will be located in or adjacent to the Kachemak Drive right-of-way, and will make water and sewer service available to parcels that are adjacent to the Kachemak Drive right-of-way; and

WHEREAS, A parcel known as Lot 44C, Rocky Point Subdivision (Kenai Peninsula Borough Tax Parcel No. 179-330-04) was included in the District at the time of its formation, but is not adjacent to the Kachemak Drive right-of-way and will not receive access to water or sewer service from the improvements that are to be constructed in the District; and

WHEREAS, The owner of Lot 44C, Rocky Point Subdivision, has objected to the inclusion of that parcel in the preliminary assessment roll for the District, dated March 15, 2011; and

WHEREAS, HCC 17.04.080 authorizes the Council to correct any errors or inequalities in the assessment roll for the District; and

WHEREAS, Removing Lot 44C, Rocky Point Subdivision, from the preliminary assessment roll for the District will correct an error or inequality in the assessment roll, because Lot 44C, Rocky Point Subdivision will not receive access to water or sewer service from the improvements that are to be constructed in the District, and will not be benefited by those improvements.

NOW, THEREFORE, BE IT RESOLVED that the Council, pursuant to HCC 17.04.080 hereby amends the preliminary assessment roll for the District dated March 15, 2011, by removing Lot 44C, Rocky Point Subdivision (Kenai Peninsula Borough Tax Parcel No. 179-330-04) from the preliminary assessment roll for the District.

43 PASSED AND ADOPTED by the Homer City Council this 25th day of
44 July 2011.
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46 CITY OF HOMER

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48 James C. Hornaday
49 JAMES C. HORNADAY, MAYOR
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51 ATTEST:

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53 Melissa Jacobsen Acting City Clerk
54 JO JOHNSON, CMC, CITY CLERK
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57 Fiscal Note: Preliminary assessment amount of \$33,539.32 for KPB parcel no. 179-330-04 will
58 be assumed by the City.

