Submitted by:

Chair of the Assembly at the

request of the Mayor

Prepared by:

Project Management & Engineering Department

For Reading:

March 2, 2010

Date: 4/13/13

CLERK'S OFFICE

APPROVED

ANCHORAGE, ALASKA AR 2010-80

A RESOLUTION CONFIRMING AND LEVYING SPECIAL ASSESSMENTS FOR SPECIAL ASSESSMENT DISTRICT 08-10, WHICH CONSTRUCTED A GAS LINE EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA, AND SETTING THE DATE OF ASSESSMENT INSTALLMENT PAYMENTS, INTEREST ON UNPAID ASSESSMENTS, AND PROVIDING FOR PENALTIES AND INTEREST IN THE EVENT OF DELINQUENCY.

THE ANCHORAGE ASSEMBLY RESOLVES:

<u>Section 1.</u> The improvements authorized in AO 2008-73 (Exhibit 1) have been completed and actual costs determined. Special assessments are hereby levied against properties benefited by said improvements as set forth in the attached assessment roll (Exhibit 2) prepared for the district. The district boundaries are shown on the attached map (Exhibit 3).

 <u>Section 2.</u> Timely notice of assessment was sent to each property owner whose property is benefited by the improvements. These property owners are indicated in Exhibit 2. Each property owner was also given notice of a Public Hearing to be held before the Assembly. This provided property owners an opportunity to present objections and/or inequalities in the assessment roll for the district.

 <u>Section 3.</u> In conformance with the notice to the property owners, the Assembly held a Public Hearing on March 23, 2010. At said hearing, all errors and inequalities to which valid objections were raised were corrected. The amounts indicated on the assessment roll are those amounts determined to be assessed. Said amounts are equal to, or less than, the benefit each property derives from the constructed improvements. The assessment roll has been duly certified by the Municipal Clerk.

Section 4. All assessments and installment interest thereon may be paid in approximately equal annual installments, according to the schedule specified in AR 93-179 (Exhibit 4). In accordance with AMC 19.20.260, no payment shall be required before sixty (60) days after the assembly's confirmation of the assessment roll. Annual installments are due and payable on or before the 30th day of June of each year, with the first such installment coming due and being payable on June 30, 2010.

<u>Section 5.</u> Interest on the unpaid assessment shall be at the rate equal to the effective interest rate on the last bonds sold to finance similar improvements.

Section 6. Assessment installments not paid when due and payable are delinquent beginning on the day following the date when due and payable. Pursuant to AMC 19.20.260, a penalty of eight percent (8%) shall be added to any assessment installment not paid before the date of delinquency. Both the penalty and the delinquent amount shall draw interest at the rate of eight percent (8%) per annum until paid.

<u>Section 7.</u> A special assessment collection charge, as authorized in Anchorage Municipal Code 19.20.265, will be charged to those properties identified in this resolution.

Section 8. Pursuant to AMC 19.20.250, within thirty (30) days from the passage of this resolution, the Municipal Treasurer shall mail a notice to any owner of property whose assessment, schedule of payments, delinquencies, or amount of penalty and interest has been changed as a result of the public hearing on the assessment roll. Not more than sixty (60) or fewer than thirty (30) days before the date of said assessment or the first installment thereof shall become delinquent, the Municipal Treasurer shall mail a payment notice to each property owner, but failure to mail such notice shall in no way affect any liability for assessment levied by this resolution.

<u>Section 9.</u> This resolution shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Municipal Assembly, this ________, and ________, 2010.

Chair of the Assembly

ATTEST:

 Shilme 5. Imento Municipal Clerk



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. <u>AM 158-2010</u>

Meeting Date: March 2, 2010

FROM: MAYOR

SUBJECT: A RESOLUTION CONFIRMING AND LEVYING SPECIAL

ASSESSMENTS FOR SPECIAL ASSESSMENT DISTRICT 08-10, WHICH CONSTRUCTED A GAS LINE EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA, AND SETTING THE DATE OF ASSESSMENT INSTALLMENT PAYMENTS, INTEREST ON UNPAID ASSESSMENTS, AND PROVIDING FOR PENALTIES

AND INTEREST IN THE EVENT OF DELINQUENCY.

On July 16, 2008, the Assembly approved AO 2008-73 (Exhibit 1) creating special assessment district 08-10 (Exhibit 3) for constructing a gas line extension serving the Potter Heights Subdivision Area. This ordinance specified that 100% of the project cost would be paid by benefiting property owners through special assessments. This resolution confirms and levies assessments totaling \$45,256.00, which is under the \$46,500 budget established in the ordinance. The assessments shown in Exhibit 2 are based on this amount.

Information on the proposed final assessments was provided in a letter to property owners and at a public meeting. No concerns have been identified.

One of the parcels is owned by Heritage Land Bank, who returned a petition statement in support of the district. This assessment share will be paid by Heritage Land Bank.

THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION CONFIRMING AND LEVYING SPECIAL ASSESSMENTS FOR SPECIAL ASSESSMENT DISTRICT 08-10, WHICH CONSTRUCTED A GAS LINE EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA, AND SETTING THE DATE OF ASSESSMENT INSTALLMENT PAYMENTS, INTEREST ON UNPAID ASSESSMENTS, AND PROVIDING FOR PENALTIES AND INTEREST IN THE EVENT OF DELINQUENCY.

Prepared by: James L. Lamson, Capital Program Manager

Project Management & Engineering Department

Approved by: J.W. Hansen, Acting Director

Project Management & Engineering Department

Concur: William M. Mehner, Director, Heritage Land Bank

Concur: Greg Jones, Executive Director

Office of Community Planning & Development

41 Concur: Dennis A. Wheeler, Municipal Attorney
42 Concur: George J. Vakalis, Municipal Manager

43 Respectfully submitted: Daniel A. Sullivan, Mayor

Exhibit 1

Submitted by:

Chair of the Assembly

at the Request of the Mayor **Project Management**

Prepared by: .

& Engineering Department

For Reading: June 10, 2008

CLERK'S OFFICE **APPROVED** Ditte

ANCHORAGE, ALASKA AO NO. 2008-_73_

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE CREATING SPECIAL ASSESSMENT DISTRICT 08-10 FOR CONSTRUCTION OF A GAS LINE EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA, AND DETERMINING TO PROCEED WITH PROPOSED IMPROVEMENTS THEREIN.

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WHEREAS, benefiting property owners requested that a petition be circulated for creation of a Special Assessment District to construct a gas line extension, as shown on the attached map; and

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WHEREAS, this aforementioned petition has been signed and approved by owners of properties which will bear more than fifty percent (50%) of the estimated assessable cost of the improvements; and

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WHEREAS, the aforementioned public improvements are necessary and of benefit to the following described properties which are also shown on the attached map:

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- Lots 1-7 of Block 1 of Potter Heights Subdivision
- Lots 1-10 of Block 2 of Potter Heights Subdivision
- T11N, R3W, Sec 14, Portion N 1/2
- T11N, R3W, Sec 14, NE4NW4SW4NE4
- T11N, R3W, Sec 14, NW4NW4NE4

22 23 24

WHEREAS, the property-owner-approved estimate for the project is \$46,500, as prescribed in AMC 19.40.090; therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. There is established Special Assessment District 08-10, comprised of the properties previously herein described.

Section 2. The Municipality shall proceed with the aforementioned improvements.

Section 3. The Municipality shall pursue the necessary funding.

Section 4. Costs assessed to benefited parcels shall be one hundred percent (100%) of all project costs after the total project cost has been reduced by any grants.

Section 5. Assessments levied pursuant to this Ordinance shall be based on equal benefit for receiving the same service as determined in the property-owner shares shown in the attached assessment roll. The Assembly finds that assessments calculated on this basis are proportionate to the benefit received from the improvements.

Section 6. An account shall be kept of all project costs and, after completion of the improvement, a final assessment roll shall be prepared and presented to the Assembly for the purpose of confirming and levying final assessments.

<u>Section 7.</u> The Mayor forthwith shall cause this Ordinance to be recorded in the office of the Anchorage District Recorder.

Section 8. This ordinance shall be effective immediately upon its passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 16th day of

Chair

ATTEST:

Municipal Clerk

MUNICIPALITY OF ANCHORAGE SUMMARY OF ECONOMIC EFFECTS - GENERAL GOVERNMENT

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2008–73 AO Number: / Title:	AO CREATING SPECIAL ASS POTTER HEIGHTS SUBDIVIS	ESSMENT ION AREA	DISTRIC	<u>r 08-10</u> ROVEMEN	NT DISTR	ICT
	cy: Project Management & En			ffected:		
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Like evoluatio $$46.500$ In	Effects: This project will be fi accordance with AMC 19.40, assumes 2008 construction.	nanced by 1 100% of thi	the Munici s cost is a	pality. The issessable	estimate . The Exp	d cost o enditur
and Revenue information	assumos 2000 Unitarios					
					will be a	
Private Sector Econom 100% of the actual cost,	c Effects: After completion which is estimated at \$46,500. with annual estimated princip	of the proje Assessme	ect, propei nts will be rest reven	in the ma ues of \$1	nner as s 1,038.93	tated o
the attached petition roll, years, with interest estimates	ted at 6 percent.					
If further explanation is ne	cessary, a separate page may	be attached	d.		040 0	420
Prepared by:	James L. Lamson			Telephol	ne: <u>343-8</u>	120
r repared by.	(name)					
OMD.				Date:		
Validated by OMB:	(name)					
	•	•		Date:		
Approved by:	Jerry Hansen	ancv				
	Acting Director, Preparing Age	51 ICY		Data		
Concurred by:	NONE			Date:		
O December 1977	Director, Affected Agency					
6and ben				Date:		
Approved by:	Executive Manager					



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

No. AM 360 -2008

Meeting Date: June 10, 2008

FROM:

Mayor

SUBJECT:

An Ordinance of the Municipality of Anchorage Creating Special Assessment District 08-10 for Construction of a Gas Line Extension to

serve the Potter Heights Subdivision Area, and Determining to Proceed

with Proposed Improvements Therein.

1 2

A petition for construction of a gas line extension to serve the Potter Heights Subdivision Area (GID) program has been approved by property owners representing over 50% of the estimated assessable project cost. The petition concluded with 14 property owners representing 70% in favor, one property owner representing 5% opposed, and 5 property owners representing 25% not responding.

The property-owner-approved estimate for the GID improvements is \$46,500. The estimated assessable share is 100% or \$46,500. Assessment shares for each parcel were calculated on an equal basis since all parcels receive equal benefit, in accordance with AMC 19.40.090.

The project will be designed and constructed by Enstar. Construction is expected in 2008. An extension agreement with Enstar is being finalized.

One Heritage Land Bank parcel is included in this assessment district. The Land Bank supports this improvement district.

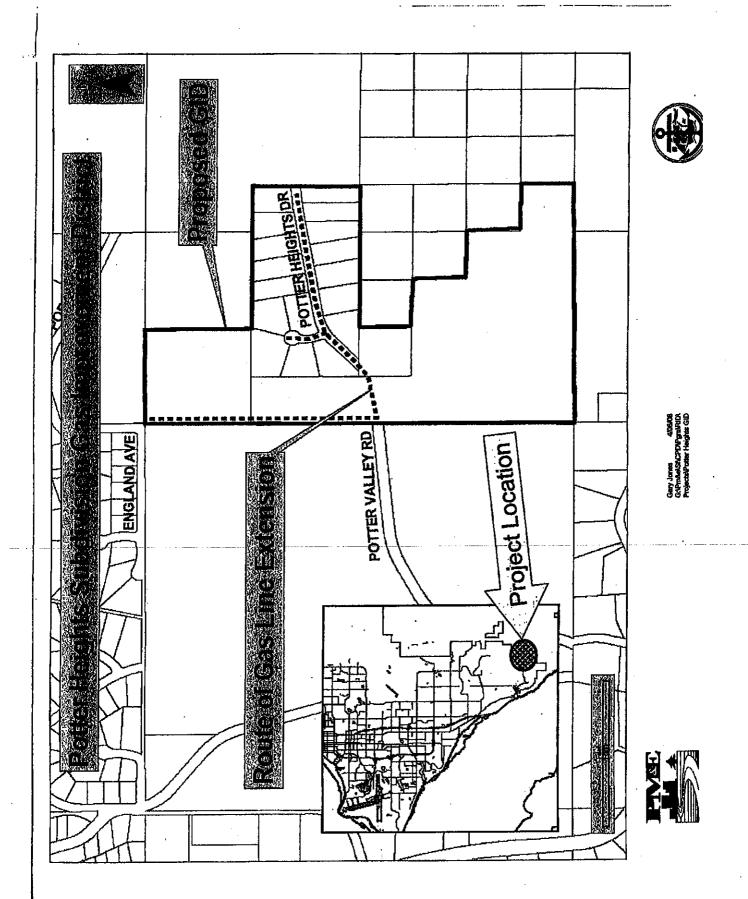
THE ADMINISTRATION SUPPORTS CREATION OF SPECIAL ASSESSMENT DISTRICT 08-10 AND RECOMMENDS THAT A PUBLIC HEARING BE SCHEDULED FOR THIS ORDINANCE.

Prepared by: Jerry Hansen, Acting Director, Project Management & Engineering Department

Concur: James N. Reeves, Municipal Attorney Concur: Michael K. Abbott, Municipal Manager Respectfully submitted: Mark Begich, Mayor

Potter Heights Subdivision Area Gas Improvement District Petition Roll for Special Assessment District 08 - 10

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Q	TaxdD	АРР	Subdivision	Block	Lot	Owner of Record (Names to be	Property	Estimated	Years	Annual P&	Property
						removed prior to recording)	Owner Share	Assessment	to Pay	Раутел	Owner Response
~	02028102	000	111 ₽			MOA, Heritage Land Bank	5.00%	\$2,325.00	2	\$551.95	IN FAVOR
7		000				Krolick, Darrell	5.00%	\$2,325.00	S	\$551.95	IN FAVOR
9			<u>+</u>			Green, Justin c/o Alaska Demolition	2.00%	\$2,325.00	ည	\$551.95	UNSTATED
4	02028126	8		-	-	Cooke, Steven A	2.00%	\$2,325.00	ß	\$551.95	IN FAVOR
ιΩ	02028127	8		-	2	Deal, Timothy Edward & Denise Kay	5.00%	\$2,325.00	5	\$551.95	OPPOSED
9	02028128	000		-	က	Earsley, Joseph & Jami	5.00%	\$2,325.00	5	\$551.95	INFAVOR
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6	02028131	8	Potter Heights	-	မ	Harvey, Andrew & Tobi	5.00%	\$2,325.00	5	\$551.95	IN FAVOR
¥	10 02028132			T-	7	Fekrat, Roshanak	5.00%	\$2,325.00	5	\$551.95	UNSTATED
÷	11 02028134	00	Potter Heights	7	-	Aberle, Steven C & Rea, Caryn L	5.00%	\$2,325.00	9	\$551.95	IN FAVOR
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₩.	13 02028136	8	<u> </u>	7	က	Cinexi, Linda N	5.00%	\$2,325.00	သ	\$551.95	IN FAVOR
~	14 02028137	000		2	4	Cinexi, Linda N	5.00%	\$2,325.00	ß	\$551.95	INFAVOR
7 ′	15 02028138	99	<u>a.</u>	2	က	Blake, Jennifer	5.00%	\$2,325.00	ഗ	\$551.95	IN FAVOR
<u> </u>	16 02028139	000	<u>a</u>	2	ဖ	Stamm, William R & Linda J	5.00%	\$2,325.00	ß	\$551.95	UNSTATED
	17 02028140	000	Potter Heights	7	_	Gieser, Eric P	5.00%	\$2,325.00	ស	\$551.95	IN FAVOR
Ŧ	18 02028141			2	80	Green, Justin c/o Alaska Demolition	2.00%	\$2,325.00	ιΩ	\$551.95	UNSTATED
4 ~	19 02028142		<u>a.</u>	2	6	Stripulis, Anthony & Diane R Living Trust	5.00%	\$2,325.00	2	\$551,95	INFAVOR
Ñ	20 02028143	80	Potter Heights	2	19	Decarlo, John	5.00%	\$2,325.00	co	\$551.95	INFAVOR
4	Prepared by Gary Jones	Sary	lones				100.00%	\$46,500.00		\$11,038.93	6/3/2008



Final Assessment Roll for Special Assessment District 08 - 10 Potter Heights Subdivision Area Gas Improvement District (08-10)

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Prepared by Gary Jones 2/8/2010

Exhibit 3

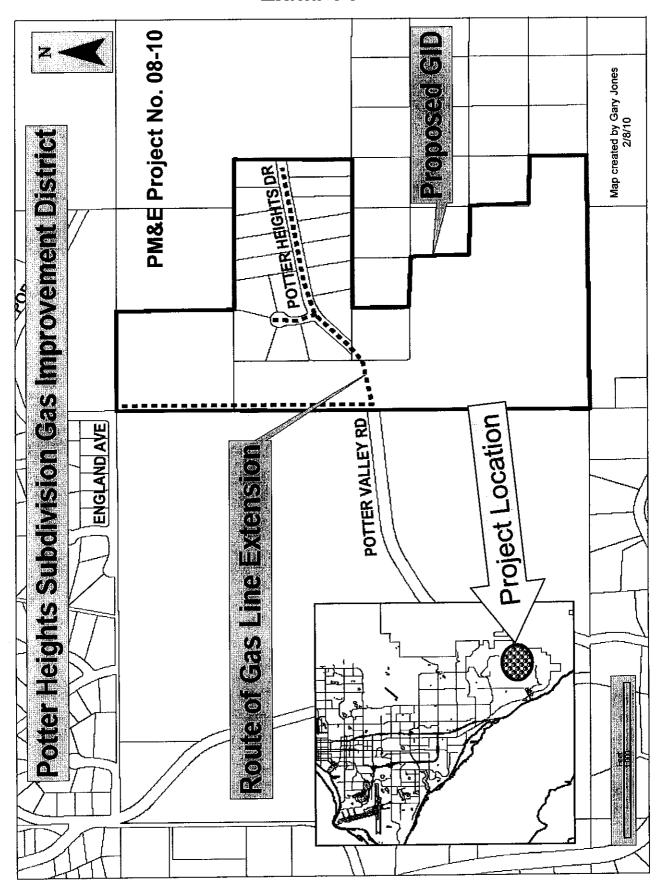


Exhibit 4

CLERK'S OFFICE
APPROVED
10. 6-29-93

Submitted by: Chairman of the Assembly

at the Request of the Mayor

Prepared by: Finance Department For Reading: June 29, 1993

ANCHORAGE, ALASKA RESOLUTION NO. AR 93-179

A RESOLUTION ESTABLISHING A REVISED TIME PAYMENT SCHEDULE FOR THE PAYMENT OF ROAD, PARK, GAS LINE, AND WATER AND WASTEWATER ASSESSMENTS

WHEREAS, Anchorage Municipal Code Section 19.20.240 calls for the adoption of time payment schedules for payment of assessments, by resolution;

NOW, THEREFORE, the Assembly of Anchorage resolves:

Section 1. All assessments levied on property, benefitted by an improvement that is financed by special assessment bonds or notes, shall be payable in annual installments that are provided for in the terms of the bond or note sale.

Section 2. Unless otherwise provided for by the Municipal Assembly, all other assessments levied on property benefitted by special assessment districts created after the effective date of this ordinance and not described in Section 1, shall be payable in annual installments as follows:

Less than \$500.00 \$500.00 or more but less than \$1,000.00 \$1,000.00 or more but less than \$2,500.00 \$2,500.00 or more but less than \$5,000.00 \$5,000.00 or more but less than \$7,500.00 More than \$7,500.00 One lump sum payment
Two equal annual installments
Five equal annual installments
Ten equal annual installments
Fifteen equal annual installments
Twenty equal annual installments

Section 3. Nothing in this resolution is intended to prohibit a property owner from paying a levied assessment in full at any time.

Section 4. This resolution will take effect on April 1, 1994. It is effective for water and wastewater improvements as approved by the Alaska Public Utilities Commission.

Content ID: 008737

Type: AR_AllOther - All Other Resolutions

A RESOLUTION CONFIRMING AND LEVYING SPECIAL ASSESSMENTS FOR SPECIAL ASSESSMENT DISTRICT 08-10, WHICH CONSTRUCTED A GAS LINE EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA. AND

Title: EXTENSION TO SERVE THE POTTER HEIGHTS SUBDIVISION AREA, AND SETTING THE DATE OF ASSESSMENT INSTALLMENT PAYMENTS, INTEREST ON UNPAID ASSESSMENTS, AND PROVIDING FOR PENALTIES AND INTEREST IN THE EVENT OF DELINQUENCY.

Author: maglaquijp
Initiating Dept: PME

Date Prepared: 2/16/10 8:19 AM
Director Name: J. W. Hansen
Assembly Meeting Date: 3/2/10
Public Hearing Date: 4/43/10

Workflow Name	Action Date	<u>Action</u>	<u>User</u>	Security Group	Content ID
Clerk_Admin_SubWorkflow	2/19/10 12:22 PM	Exit	Joy Maglaqui	Public	008737
MuniManager_SubWorkflow	2/19/10 12:22 PM	Approve	Joy Maglaqui	Public	008737
MuniManager_SubWorkflow	2/19/10 12:21 PM	Checkin	Joy Maglaqui	Public	008737
CFO_SubWorkflow	2/19/10 12:04 PM	Approve	Lucinda Mahoney	Public	008737
Legal_SubWorkflow	2/19/10 11:23 AM	Approve	Dean Gates	Public	008737
HLB_SubWorkflow	2/17/10 4:49 PM	Approve	William Mehner	Public	008737
OCPD_SubWorkflow	2/17/10 4:47 PM	Approve	Tawny Klebesadel	Public	008737
PME_SubWorkflow	2/17/10 4:39 PM	Approve	Sharilyn Mumaw	Public	008737
AllOtherARWorkflow	2/17/10 4:23 PM	Checkin	Tish Millette	Public	008737
HLB_SubWorkflow	2/17/10 3:40 PM	Reject	William Mehner	Public	008737
OCPD_SubWorkflow	2/17/10 2:45 PM	Approve	Tawny Klebesadel	Public	008737
PME_SubWorkflow	2/17/10 2:26 PM	Approve	Јеггу Hansen	Public	008737
AllOtherARWorkflow	2/17/10 1:16 PM	Checkin	Tish Millette	Public	008737
HLB_SubWorkflow	2/17/10 11:27 AM	Reject	William Mehner	Public	008737
OCPD_SubWorkflow	2/17/10 11:16 AM	Approve	Tawny Klebesadel	Public	008737
PME_SubWorkflow	2/17/10 11:16 AM	Арргоче	Sharilyn Mumaw	Public	008737
AllOtherARWorkflow	2/17/10 11:15 AM	Checkin	Tish Millette	Public	008737
PME_SubWorkflow	2/17/10 11:09 AM	Reject	Sharilyn Mumaw	Public	008737
AllOtherARWorkflow	2/17/10 10:06 AM	Checkin	Tish Millette	Public	008737
CFO_SubWorkflow	2/17/10 9:56 AM	Reject	Nina Pruitt	Public	008737
OCPD_SubWorkflow	2/16/10 8:42 AM	Approve	Tawny Klebesadel	Public	008737
PME_SubWorkflow	2/16/10 8:34 AM	Approve	Jerry Hansen	Public	008737
AllOtherARWorkflow	2/16/10 8:22 AM	Checkin	Tish Millette	Public	008737