

CITY OF PALMER, ALASKA  
RESOLUTION NO. 147

A RESOLUTION DETERMINING THE NECESSITY FOR WATER IMPROVEMENTS AND PROVIDING A METHOD OF ASSESSMENT ON PROPERTY SPECIALLY BENEFITTED WITHIN WATER IMPROVEMENT DISTRICT NO. 5, AND CAUSING AN ASSESSMENT TO BE LEVIED THEREON.

BE IT RESOLVED BY THE CITY OF PALMER:

1. That pursuant to the provisions of the Code of Ordinances of the City of Palmer, the owners of more than one-half in value of property specially benefitted by the improvement described as the construction of water mains and appurtenances for the following described area:

Water Improvement District No. 5  
Lots 1 through 6, Block 11, and  
Lots 22 through 27, Block 11, and  
Lots 13 through 18, Block 12, all in  
T. A. Smith Subdivision (North Bailey  
Street and North Alaska Street)

have in writing requested the City Council of the City of Palmer that the improvements hereinafter described be made.

2. That the requested improvement consists of laying out, performing necessary engineering and design, constructing and/or contracting for the construction of water mains and appurtenances for the above described property. Said water improvement shall be constructed of approximately 210 feet of water main on North Bailey Street and 390 feet on North Alaska Street which shall be shown by plans and specifications which shall be filed in the office of the City Engineer.

3. That the proposed improvement in accordance with the Code of Ordinances of Palmer was duly advertised for public hearing and a public hearing thereon was held on August 10, 1965, and that the City Manager recommended to the City Council that the proposed improvement be approved.

4. That the property owners who have in writing requested the improvement consist of property owners owning property on lots which abut upon or are adjacent to said water line. All property included within such limits of Water Improvement District No. 5 shall be considered and held to be the property and to be all 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, which cost and expense shall be assessed upon all of said property so benefitted in accordance to the proportion of the area of each lot, or parcel to the total area within the improvement district. The owners of the described property have signed the petition as follows:

Lots 1 through 3, Block 11, T. A. Smith Subdivision	Rex. E. Ehrhart and Violet Ehrhart
Lots 4 through 6 and 25 through 27, Block 11, T. A. Smith Subdivision	Martha Smith
Lot 22                      Block 11, T. A. Smith Subdivision	C. A. Sandvik and Lula Sandvik
Lots 23 and 24, Block 11,      T. A. Smith Subdivision	Eldon Sandvik

5. That the Council hereby makes the following Findings of Fact in this matter:

- (a) That the requested improvements are necessary and should be made.
- (b) That the written request is signed by all the owners of at least one-half in value of the property specially benefitted by such improvement.
- (c) That all facts set out in paragraphs 1, 2, 3 and 4 of this resolution are true.

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6. The City Council having hereby determined that the requested improvements are necessary, and that the property specially benefited by the improvements is in accordance with the intent and meaning of the Palmer Code of Ordinances, hereby orders that total cost of constructing the requested improvement herein mentioned, but not to exceed three cents (3¢) per square foot or the actual cost, whichever is less, as to any parcel, within the district, be assessed and levied against the real property specially benefited in proportion to the amounts of such benefits received by each tract or parcel of said property in accordance to the proportion of the area of each lot or parcel to the total area of the improvement district.

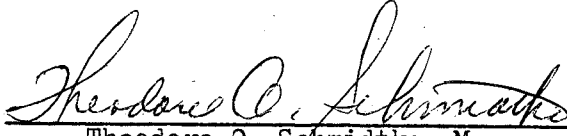
7. The City Manager is hereby directed to proceed with the improvements above authorized and described when funds become available, and to keep correct accounts of all expenses of the said improvements, so that proper assessments may be levied and collected.

8. When the requested improvements shall be completed, the City Council shall apportion such percentage of the cost in accordance with and in proportion to the amount of benefits received by each tract of each property as previously determined, and an assessment roll shall be prepared which shall contain a brief description or designation of each tract of property, the name of the owner or reputed owner thereof, and the amount of the assessment. Thereupon the City Council shall fix a time to hear objections to such assessments. The municipal clerk shall then send a written notice by mail to each owner of the tract of land against which an assessment is made, which notice shall state the amount of the assessment against such particular tract and shall state the time fixed by the Council for hearing objections. Such notice shall be mailed by the municipal clerk at least fifteen days before the time of such hearing.

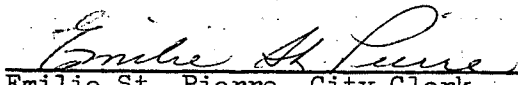
9. At the time of such hearing all persons concerned shall have a right to present their objections, if any they have, to the assessment or any part thereof and to point out errors and inequalities, if any exist, and submit such reasons for amendments and corrections as they may have, and such hearing may be continued from time to time as the Council shall decide. After the Council has heard all objections and suggestions, they shall correct all errors, if any, which they find to exist in the assessment roll as originally made, and when the same is finally settled, the Mayor shall sign the assessment roll certifying that it is the assessment roll as finally settled by the City Council.

Publication of this resolution shall be made by posting a copy hereof on the City Hall bulletin board for a period of ten days following its passage and approval.

Passed and approved by the City Council of the City of Palmer, Alaska, the 28th day of September, 1965.

  
Theodore O. Schmidtke, Mayor

ATTEST:

  
Emilie St. Pierre, City Clerk