

Presented by: The Manager
Introduced: 01/04/93
Drafted by: J.R.C.

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 93-01

~~SECTION 1. CLASSIFICATION. This ordinance is a noncode ordinance.~~
~~SECTION 2. Finding that L.I.D. is in the Public Interest. The Assembly of the~~
FINDING THAT SUCH LOCAL IMPROVEMENT DISTRICT IS IN THE PUBLIC INTEREST; SETTING THE BOUNDARIES OF SUCH LOCAL IMPROVEMENT DISTRICT; PROVIDING FOR THE IMPROVEMENTS TO BE ACQUIRED, CONSTRUCTED AND INSTALLED CONSISTING OF REGRADING AND SURFACING PORTIONS OF LONG RUN DRIVE, PORTAGE BOULEVARD, MCGINNIS DRIVE, TANIS DRIVE, TRIO STREET, DOGWOOD LANE, COLUMBIA BOULEVARD, SESAME STREET, ASPEN AVENUE, TONGASS BOULEVARD, AND DUDLEY STREET, AT AN ESTIMATED COST OF \$752,198 OF WHICH COST AN ESTIMATED \$316,099 IS TO BE BORNE BY THE PROPERTY SPECIALLY BENEFITTED AND AN ESTIMATED \$436,099 BY THE CITY AND BOROUGH; DIRECTING THAT THE WORK BE DONE, THAT ANY LAND NECESSARY OR USEFUL BE ACQUIRED AND THAT EMINENT DOMAIN INCLUDING USE OF DECLARATION OF TAKING IS AUTHORIZED; CREATING SPECIAL ASSESSMENT FUND NO. 75; AND FINDING THAT SPECIAL BENEFIT TO THE PROPERTY WITHIN THE DESCRIBED DISTRICT EXISTS AND THAT EACH LOT OR TRACT WITHIN THE DISTRICT WILL BE SPECIALLY BENEFITTED IN PROPORTION TO THE AMOUNT ASSESSED.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

- * Section 1. Classification. This ordinance is a noncode ordinance.
- * Section 2. Finding that L.I.D. is in the Public Interest. The Assembly of the City and Borough of Juneau, having considered all material factors including the detourance to property development, maintenance of property values, health, safety, and welfare of the businesses, employees, and property owners in the proposed local improvement district, finds that the formation of a local improvement district covering property described in Exhibit "A" attached to this ordinance, to be known as Local Improvement District No. 75 of the City and Borough of Juneau, Alaska, is in the public interest.

* Section 3. Creation and Boundaries. There is created Local Improvement District No. 75 (hereinafter "L.I.D. No. 75"). The boundaries of L.I.D. No. 75 are described in Exhibit "A" attached to this ordinance and made a part hereof.

* Section 4. Improvements to be Constructed. The improvements to be constructed, consist of regrading and surfacing portions of Long Run Drive, Portage Boulevard, McGinnis Drive, Tanis Drive, Trio Street, Dogwood Lane, Columbia Boulevard, Sesame Street, Aspen Avenue, Tongass Boulevard, and Dudley Street.

* Section 5. Estimated Cost. The estimated cost of construction of the project is \$752,198.

* Section 6. Source of Funds. The portion of the construction cost to be met with city and borough funds is estimated to be \$436,099. The remainder of the construction cost, will be met from the assessments against the property specially benefited, said amount estimated to be \$316,099.

* Section 7. Direction that Work be Done. The city and borough administration is hereby ordered to do or cause to be done all things necessary or useful to plan, acquire, construct, and install the improvements described in Section 4.

* Section 8. Authorization to Acquire Land. The city and borough is hereby authorized to acquire any lands or rights in land necessary or useful for the project.

* Section 9. Authorization for Eminent Domain. The city and borough administration is hereby authorized to use such eminent domain proceedings, including use of declaration of taking, as may be necessary or useful to acquire property needed for the project. The costs of any property so acquired shall be added to the project cost.

* Section 10. Appropriation. There is hereby appropriated the sum of \$752,198 for the cost of the project including the acquisition of property and construction of the improvements described in Section 4.

* Section 11. Special Assessment Fund. There is created within the central treasury a special fund of the city and borough known as Special Assessment Fund No. 75. Such fund shall be used for the purpose of paying the costs of the project. City and borough funds, assessments and all other receipts shall be paid into the fund.

* Section 12. Finding of Special Benefit. The Assembly of the City and Borough of Juneau hereby finds that the property within L.I.D. No. 75 described in Exhibit "A" will be specially benefited by the improvement and each lot or tract within such district will be specially benefited by the improvements and each lot or tract within such district will be specially benefited in proportion to the amount separately assessed to each lot

or tract.

* Section 13. Method of Apportioning Costs. Costs to be borne by the property specially benefitted shall be apportioned at the rate of \$1,500 per lot for the first 100 feet of front footage, plus \$10 for each foot of front footage thereafter, plus \$450 per lot for any lot abutting a street requiring application of aggregate for surface stabilization, plus \$384 per lot for any lot abutting Tongass Boulevard or Dudley Street.

* Section 14. Prepayment-in-Full Discount. No prepayment-in-full discount is provided.

* Section 15. Effective Date. This ordinance shall be effective thirty days after its adoption.

Adopted this 8th day of February, 1993.



Mayor

Attest:



Clerk

EXHIBIT "A"

BOUNDARY DESCRIPTION

1993 MENDENHALL VALLEY STREET PAVING PROJECT

L.I.D. No. 75

Lot 21, Lots 58 through 63, inclusive, lots 84 through 88, inclusive, lots 106 through 109, inclusive and lots 112 through 115, inclusive of Mendenhaven Subdivision, U. S. Survey No.1799; Lots 1, 2, 3, and 4 of Birch Lane Subdivision, U.S. Survey No.1799;

Lots 34, 35, 36 and lots 43 through 47, inclusive of Sleepy Hollow Subdivision No. 2, U.S. Survey No.1799; Lots 1, 2, 3, and 4 of Aspen Subdivision, U.S. Survey No.1799;

Lots 1A, 1B, 1C, 2 and 3 of Block "A"; Lots 2 through 9, inclusive, of Block "B"; Lots 1, 2, 4, 6, 8 and 10 of Block "D"; Lots 1A, 1B and 2B of Block "E"; Lots 1 through 7, inclusive, of Block "G", Lots 1 through 8, inclusive, of Block "H", Lots 2, 4, 6, and 8 of Block "I" and Lot 4, Block "F" of Lu-Re-Co Homes Subdivision, Plat No. 366, U.S. Survey No.3144. Lot 1, Block "J" of Resubdivision of Lots 1 & 2, Block "J", Lu-Re-Co Homes Subdivision, U.S. Survey No.3144.

Lots 1 through 9, inclusive, of Block "A" and Lots 1 through 9, inclusive, of Block "B" of Mountain View Subdivision, Plat No. 691, U.S. Survey No.3144. Lots 1, 2, 3 and 7 of Duck Creek Subdivision, Plat No.400, U.S. Survey No. 3144. Lots 1, 2A, 2B and 4 of Duck Creek Manor Subdivision, U.S. Survey No. 3144.

Lot 12, Block "A" and Lot 1, Block "D" of Mountain View Subdivision No. 2, U.S. Survey No.3144. Lots 1A and 1B of Haffner Subdivision, U.S. Survey No.3144.

Lot 2, Block "D", Field Acres Subdivision, Plat No.238, U.S. Survey No. 2544. Lots A, B, C, D and E of Lot 1, Block "D"; and Lots A, B, C, D and E of Lot 4, Block "B" of a Resubdivision of Field Acres Subdivision, Plat No.61-2157, U.S. Survey No.2544. Lots A, B, C and D of Lot 1, Block "C", Field Acres Subdivision, U.S. Survey No.2544. Lots 1, 2, 3 and 4 of a Resubdivision of Block "C", Field Acres Subdivision, U.S. Survey No.2544.

East half and West half of Lot 1, Block "B", Field Acres Subdivision, Plat No.238, U.S. Survey No.2544. Lots 2B, 3A, 3B, 3C and 3D of De Long Lots Subdivision, Plat No.439, U.S. Survey No.2544. Lot 1 of Resubdivision of Lot 2C, De Long Lots Subdivision, U.S. Survey No.2544. Lots 14 and 15, Evergreen Park Subdivision, Plat No.299, U.S. Survey No.2100.

Lots 3A and 3G, Short Court Subdivision, Plat No.435, U.S. Survey No.2544. Lot 3, Block "A"; Lots 1 through 6, inclusive, Block "B"; Lots 1, 3, 4 and 9, Block "C" of Forest Grove

Subdivision, Plat No.685, U.S. Survey No.3751. Lot 100'X152.83' within the northwest corner of U.S. Survey No.3751, Labeled "Exception" of Forest Grove Subdivision. Lots 1A, 1B, 2A and 2B, of Forest Grove Subdivision Unit II, Plat No.83-5790, U.S. Survey No.3751.

Containing 156 parcels of land.

page 2, Attachment "A"