

Instrument # 444155

HAILEY, BLAINE, IDAHO

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Recorded for : CITY OF KETCHUM

MARSHA RIEMANN

Fee: 30.00

Ex-Officio Recorder Deputy

index to: ORDINANCES

ORDINANCE NUMBER 842

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, CONFIRMING THE FINAL ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 6B LEVYING ASSESSMENTS AGAINST THE SEVERAL LOTS AND PARCEL OF LAND AS SHOWN ON THE ASSESSMENT ROLL, PROVIDING FOR THE PAYMENT OF ASSESSMENT IN INSTALLMENTS, FIXING INTEREST AND PENALTIES, AND PROVIDING FOR THE PAYMENT OF SUCH ASSESSMENTS, INTEREST AND PENALTIES INTO THE FUND OF LOCAL IMPROVEMENT DISTRICT NO. 6B; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Ketchum, Idaho (the "City") provided that a hearing on the final assessment roll in Local Improvement District No. 6B should be held at 6:00 o'clock p.m. on May 15, 2000 at City Hall; and,

WHEREAS, notice of such hearing was published and mailed to the owners of property in Local Improvement District No. 6B at the times and in the manner required by law; and,

WHEREAS, at said hearing the City Council considered all objections to the final assessment roll and determined that no objections were made at said hearing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Ketchum, Idaho, as follows:

SECTION 1. Except to the extent shown on the final assessment roll of Local Improvement District No. 6B as set forth on Exhibit A attached hereto and made a part hereof by reference, no protests against the assessment roll in Local Improvement District No. 6B of the City were made and the assessment roll as prepared by Galena Engineering, Inc., engineers for the City, and on file in the office of the City Clerk shall be and the same is hereby approved and confirmed. The amount of assessment roll hereby confirmed is \$87,207.00.

SECTION 2. Each lot and parcel of land appearing on the assessment roll is hereby found to be specially benefited by the improvements constructed in Local Improvement District No. 6B in at least the amount of the assessment charged against such property, and the assessments against each are found to be proper in proportion to the total assessments appearing upon the assessment roll. There is hereby levied and assessed against each such lot and parcel of land the amount appearing on the final assessment roll of Local Improvement District No. 6B (as modified by the adjustments provided in Exhibit A attached hereto).

SECTION 3. Each assessment or any portion thereof may be paid at any time within thirty (30) days from the date of the adoption of this Ordinance without penalty, interest or costs. Any property owner whose assessment has not been paid in full within thirty (30) days of the adoption of this Ordinance shall be conclusively presumed to have chosen to pay such assessment in installments. Assessments paid in installments shall be payable in three (3) annual installments, with interest on the whole unpaid sum from the date of adoption of this Ordinance at the rate of eight percent (8%) per annum. On June 15, 2000 and annually thereafter, one of the installments shall become due and shall be collected as provided by law. Annual installments may be prepaid in the manner provided by law.

SECTION 4. Any assessment or installment of an assessment not paid within twenty (20) days from the date it is due shall be delinquent. All delinquent installments shall, until paid, be subject to the charge for interest at the rate specified for the roll and there shall be added to the same a penalty of two percent (2%) of the amount of the overdue installment and interest. Delinquent assessments shall be collected and may be declared due, payable and delinquent in full in the manner provided by law. In addition to any other method of collection provided by law, the City Council may certify delinquent installments to the tax collector, and where so certified, they shall be extended on the tax rolls and collected as are property taxes, all as provided by law.

SECTION 5. Immediately upon the passage of this Ordinance, the City Clerk shall file with the County Recorder a notice which shall contain the date for adoption of this Ordinance and a description of the boundaries of the district, and the assessments herein confirmed shall thereafter be a lien upon the property assessed.

SECTION 6. Immediately upon the passage of this Ordinance, the City Clerk shall further mail a postcard or letter to each property owner assessed at his post office address, if known, or, if unknown, to the City post office, in substantially the following form:

NOTICE OF ASSESSMENT
LOCAL IMPROVEMENT DISTRICT NO. 6B
KETCHUM, IDAHO

Notice is hereby given that the assessment roll for the improvement of property located within Local Improvement District No. 6B; Ketchum, Idaho, for the construction and installation of improvements has been confirmed. The property and the assessment with reference to which this notice is given is as follows:

<u>Owner</u>	<u>Lot or Parcel</u>	<u>Assessment</u>
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The above assessment may be paid by June 15, 2000 without penalty, interest, or costs. If the assessment is not paid in full by June 15, 2000, the assessment will be payable in three (3) annual installments with the first installment due on June 15, 2000. Interest on the unpaid balance of the assessment from June 15, 2000, will be payable on June 15, 2001, and annually thereafter at the rate of eight percent (8%) per annum. If you choose to pay in three (3) annual installments, your payments are as follows:

Due June 15, 2000	\$ _____
Due June 15, 2001	\$ _____
Due June 15, 2002	\$ _____

If any installment is not paid within twenty (20) days from the date it is due, the same shall become delinquent and a penalty of two percent (2%) shall be added thereto. In the event assessments are paid in full after June 15, 2002, such payment in full shall include the full principal amount of the unpaid assessment plus penalties and all interest payable on the same, plus additional interest thereon, at the rate provided for L.I.D. No. 6B, from the date of the last installment due.

Treasurer, Ketchum, Idaho

An affidavit of mailing the foregoing notice shall be filed in the office of the Treasurer in the file of L.I.D. No. 6B.

SECTION 7. Assessment payments received not more than thirty (30) days after the adoption of this Ordinance shall be utilized to pay the costs and expense of the improvements in Local Improvement District No. 6B. Assessment payments, exclusive of interest and penalties thereon, received more than thirty (30) days after the adoption of this Ordinance as installment payments shall be deposited in a fund to be known as the "Local Improvement District No. 6B Fund", hereby created. Interest and penalties on assessments payable in installments shall be deposited in a fund to be known as the "Local Improvement District No. 6B Interest Fund", hereby created.

SECTION 8. The confirmation of the final assessment roll as provided in this Ordinance is the final determination of the regularity, validity and correctness of the assessment roll and of each assessment contained therein, and of the amount levied on each lot, tract or parcel of property subject to appeal as provided in Section 50-1718, Idaho Code. After the thirty (30) day appeal period has expired, no one shall have any cause or right of action to contest the legality, validity, formality or regularity of any assessment.

SECTION 9. If any provision of this Ordinance or any assessment shall be held invalid or unenforceable for any reason by a Court of competent jurisdiction, such decision shall not effect any remaining portion of this Ordinance or other assessment. The partial invalidity of any assessment shall not prevent such assessment from being valid and enforceable to the extent permitted by law.

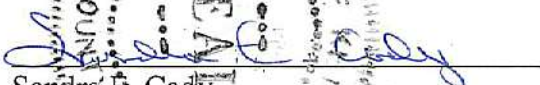
SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

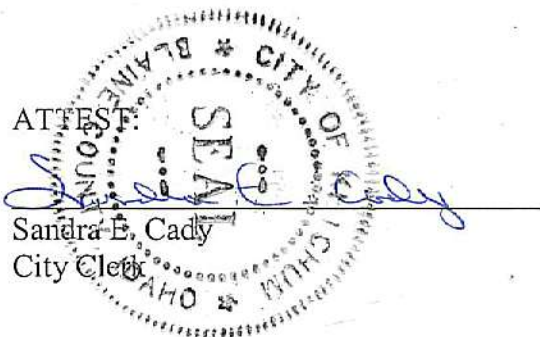
PASSED BY THE CITY COUNCIL and approved by this Mayor this 15th day of

May, 2000.



GUY P. COLES
Mayor

ATTEST:

Sandra E. Cady
City Clerk



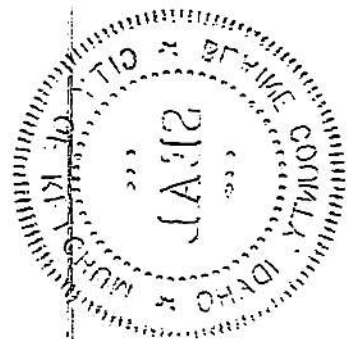


Exhibit A
City of Ketchum
Local Improvement District 6B
Final Assessment Roll

<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
Warm Springs Village Subdivision Third Addition:		
1. Lot 1 of Block 1	Alex & Patricia Higgins Box 552 Ketchum, ID 83340	\$ 2,127
2. Lot 2 of Block 1	Harold & Ludmila Wiedemann Box 2290 Ketchum, ID 83340	\$ 2,127
3. Lot 3 of Block 1	Larry & Michele Bender Bender Family Trust 16315 SE River Forest Pace Milwaukie, OR 97267	\$ 2,127
4. Lot 4 of Block 1	Marson Blair Hull 311 South Wacker Dr. #1400 Chicago, IL 60606	\$ 2,127
5. Lot 7 of Block 1	Don & Judith Oliphant Box 446 Rancho Santa Fe, CA 92067	\$ 2,127
6. Lot 8 of Block 1	Edna Bruffey c/o Alan Bruffey 18110 Rivera Pl. S.W. Seattle, WA 98166-3856	\$ 2,127
7. Lot 9 of Block 1	Terry Whittier & Kimberly Vorse Box 1569 Sun Valley, ID 83353	\$ 2,127
8. Lot 10 of Block 1	Inge Lorenz Box 1094 Sun Valley, ID 83353	\$ 2,127
9. Lot 11 of Block 1	Robert & Debbie McCallum 18620 94 th Ave. West Edmonds, WA 98020	\$ 2,127

<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
10. Lot 12 of Block 1	Michael & Elaine Phillips Box 3296 Ketchum, ID 83340	\$ 2,127
11. Lot 14 of Block 1	Edward Formann & Janet Swanberg 184 Catalpa Drive Atherton, CA 94027	\$ 2,127
12. Lot 16 of Block 1	Chester & Jacqueline Paulson 3153 S.W. Fairmount Blvd. Portland, OR 97201-1441	\$ 2,127
13. FR of Lot 17 of Block 1	John & Gwen Hanley Box 2606 Sun Valley, ID 83353	\$ 2,127
14. Lot 18 of Block 1	Bar Beth Orphan Box 621 Sun Valley, ID 83353	\$ 2,127
15. Lot 19 of Block 1	David & Georgia Hutchinson Box 2216 Sun Valley, ID 83353	\$ 2,127
16. Lot 20 of Block 1	Aida Engelhart and Julie & Stephen Stillman 1117 Leavitt Unit 101 Flossmoor, IL 60422	\$ 2,127
17. Lot 21 of Block 1	Michael & Lucinda Fabian 4706 Dovercourt Circle Carmichael, CA 95608	\$ 2,127
18. Lot 22 of Block 1	Elizabeth Harmon c/o Moana/Kauai Corporation Box 8000 Mill Valley, CA 94942	\$ 2,127
19. Lot 23 of Block 1	Lawrence & Carol Mast 5211 148 th Ave. S.E. Bellevue, WA 98006	\$ 2,127
20. Lot 4 of Block 2	Richard & Mary Ann Roberts Roberts Family Trust 256 Martin St. Twin Falls, ID 83301	\$ 2,127

<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
21. Lot 5 of Block 2	Mark Klingerman and C. Jerome Galiley Box 1312 Sun Valley, ID 83353	\$ 2,127
22. Lot 9 of Block 2	Lynn & Janice Johnson Box 10193 Ketchum, ID 83340	\$ 2,127
23. Lot 1 of Block 3	Robert & Judith Fisher 629 Paseo De Los Reyes Redondo Beach, CA 90277	\$ 2,127
24. Lot 2 of Block 3	Richard & Mary Roberts Roberts Family Trust 256 Martin St. Twin Falls, ID 83301	\$ 2,127
25. Lot 4 of Block 3	David & Trudi Syferd 8006 Avalon Place Mercer Island, WA 98040	\$ 2,127
26. Lot 2 of Bronson Subdivison	Paul & Renee Kuross Box 1962 Ketchum, ID 83340	\$ 2,127
27. Lot 3 of Bronson Subdivision	Mary Anne Hache 66 Rue De La Montagne Sainte Genevieve, 75005 Paris <u>FRANCE</u>	\$ 2,127
28. Lot 4 of Bronson Subdivision	James & Ann McElveen 1694 Hedden Road Versailles, KY 40383	\$ 2,127
29. Tax Lot No. 4601	Frank & Delores Kopecky Geoffrey, Kim and Kraig Kopecky 720 Bromfield Road Hillsborough, CA 94010	\$ 2,127
30. FR HES 292 Tax Lot No. 3605 Sec. 11 & 14 4N 17E (Renumbered to 7443)	Russell & Carey Pillar 1920 San Vicente Blvd. Santa Monica, CA. 90402	\$ 2,127
31. FR HES 292 Tax Lot No. 3766 Sec. 11 & 14 4N 17E	Perry Family Partnership 3023 B. Kalakaua Ave. Honolulu, HI 96815	\$ 2,127

<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
32. FR HES 292 Tax Lot No. 3959, FR 4846 Sec. 11 & 14 4N 17E (Renumbered to 7585)	Vincent & Madeleine Mennella Christopher, Mark, Scott & Cynthia Mennella 1400 SW 171 St. Place Seattle, WA 98166	\$ 2,127
33. FR HES 292 Tax Lot No. 7288 FR 4846 (well) 4N 17E Sec. 14	Robert & Mahealani Riley Box 1524 Ketchum, ID 83340	\$ 2,127
34. FR HES 292 Tax Lot No. 3810 FR 4846 (well) 4N 17E Sec. 14	Bonnie Gayle Meyer 56 Midway Street Campbell, CA 95008	\$ 2,127
35. FR NENW Tax Lot No. 7354 FR 4846 (well) Sec. 14 4N 17E	George B. Fisher Box 598 Sun Valley, ID 83353	\$ 2,127
36. FR HES 292 Tax Lot No. 4611 Sec. 11 & 14 4N 17E	Prospector Condo Owner Assoc. Box 666 Hailey, ID 83333	\$ 2,127
37. Units 1 & 2 of Casa Shalom Condominiums:		\$ 2,127
Unit 1	R. Miles Stanislaw 2000 1 st Ave. Apt. 1504 Seattle, WA 98121-2170	
Unit 2	Irving Serlin Box 2017 Ketchum, ID 83340	
38. Units 1 & 2 of Kyance Condominiums:		\$ 2,127
Unit 1	William Prosch and Bonnie Moore-Prosch Box 3115 Ketchum, ID 83340	
Unit 2	Fred & Jane Van Sickle & Nancy A. Tidd Box 2209 Spokane, WA 99210	

<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
39. Units 1 & 2 of Pine Tree Condominiums:		\$ 2,127
Unit 1	Thomas & Charlotte Unger Box 417 Ketchum, ID 83340	
Unit 2	Thomas & Charlotte Unger Box 417 Ketchum, ID 83340	
40. Units 1 & 2 of Cedars Condominiums:		\$ 2,127
Unit 1	John & Krista Sampson Box 2895 Hailey, ID 83333	
Unit 2	Wilma A. Waters 4115 B. Beach Dr. SW Seattle, WA 98166	
41. Buildings A & B of the Piedmont Condos:		\$ 2,127
Bldg. A, Unit 101	David Pent & Sherrie Chessen 4324 E. McDonald Dr. Paradise Valley, AZ 85253	
Bldg. A, Unit 102	Donald & Barbara Todd HC 66 Box 12G Island Park, ID 83429	
Bldg. A, Unit 103	Patricia A. Holley Box 1656 Ketchum, ID 83340	
Bldg. A, Unit 201	William H. Murphy, Jr. Box 2595 Ketchum, ID 83340	
Bldg. A, Unit 202	Earl & Susan Engelmann Box 781 Ketchum, ID 83340	
Bldg. A, Unit 203	Mark Isaac Box 481 Ketchum, ID 83340	

Legal Description

Property Owner

Assessment

Bldg. B, Unit 101

Selley LTD.
1107 Cliffside Dr.
Logan, UT 84321

Bldg. B, Unit 102

Anthony P. Davis
Box 4105
Ketchum, ID 83340

Bldg. B, Unit 103

Jennifer J. Harper
Box 10106
Ketchum, ID 83340

Bldg. B, Unit 201

Gary Brettnacher
147 Surfside Dr.
Campbell River, B.C. V9H-1H6
CANADA

Bldg. B, Unit 202

Rickie & Katherine Levelle
Box 3753
Ketchum, ID 83340

Bldg. B, Unit 203

John & Carol McKune &
Michael & Susan McKune
3382 Bay Avenue
Chico, CA 95926

Total:

\$87,207