

ORDINANCE NUMBER 859

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, CREATING LOCAL IMPROVEMENT DISTRICT NUMBER 6C FOR THE CITY OF KETCHUM, IDAHO; PROVIDING FINDINGS; PROVIDING DISTRICT CREATED; PROVIDING BOUNDARIES OF DISTRICT AND REAL PROPERTIES INCLUDED WITHIN DISTRICT; PROVIDING FOR AND ORDERING THE CONVERSION OF EXISTING OVERHEAD ELECTRIC AND COMMUNICATION FACILITIES TO UNDERGROUND LOCATIONS; PROVIDING COSTS, EXPENSES, ASSESSMENTS AND PAYMENT IN THREE ANNUAL INSTALLMENTS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Ketchum, Idaho, is pursuant to the provisions of Title 50, Chapter 25 of the Idaho Code, granted authority to initiate the organization of a local improvement district; and,

WHEREAS, the Ketchum City Council adopted Resolution Number 767 declaring its intent to create Local Improvement District Number 6C, and held the public hearing as designated therein upon notice thereof as required by law, and,

WHEREAS, it is hereby found and declared by the Ketchum City Council for the purposes of public health, safety, and welfare that certain property adjacent to Sage Road in Ketchum, Idaho will derive benefit from the conversion of existing overhead electric and communication facilities to underground locations; and,

WHEREAS, it is desired to include within Local Improvement District Number 6C all lots and parcels of property abutting, adjoining, contiguous and/or adjacent to and benefited by said improvements as permitted by law; and,

WHEREAS, the Mayor and City Council of the City of Ketchum, Idaho, have heard and considered all protests which have been made in accordance with law.

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

SECTION 1. FINDINGS. The City Council hereby finds and declares:

- (a) That Local Improvement District Number 6C will be for the best interest of the property affected and the City;
- (b) That there is reasonable probability that the obligations of Local Improvement District Number 6C will be paid; and
- (c) That the value of the property within Local Improvement District Number 6C (such value to be determined by a reference to the assessed valuation of such property for property tax proposed in the current year) exceed the sum of the estimated costs to be assessed against the property within Local Improvement District Number 6C and all other outstanding and unpaid local improvement assessments against the property included in Local Improvement District Number 6C.

SECTION 2. DISTRICT CREATED. There shall be and is hereby created Local Improvement District Number 6C for the City of Ketchum, Idaho, (herein referred to as "Local Improvement District Number 6C"). The boundaries of Local Improvement District Number 6C shall be as set forth in Section 3 of this Ordinance and the real properties included therein shall be as particularly described in Section 3 of this Ordinance. The property within Local Improvement District Number 6C shall be benefited and improved by the conversion of existing

overhead electric and communication facilities to underground locations to serve each individual lot or parcel of property and the repair or resurfacing of asphalt paved surfaces located in the public right of way relating thereto as set forth in Section 4 of this Ordinance. The cost and expense of which are to be levied and assessed upon the real property within said district as set forth in Section 5 of this Ordinance.

SECTION 3. BOUNDARIES. There shall be and the same are hereby included within Local Improvement District Number 6C, the following property within the City of Ketchum, Idaho:

Unit A of the Valley Condominiums; and
Unit B of the Valley Condominiums; and
Lot 2 of Block 1, Warm Springs Village Subdivision, Fourth Addition; and
Lot 3 of Block 1, Warm Springs Village Subdivision, Fourth Addition; and
Lot 4 of Block 1, Warm Springs Village Subdivision, Fourth Addition; and
Lot 5A of 319 Sage Townhouses; and
Lot 5B of 319 Sage Townhouses; and
Unit 1 of the Bernath Condominiums; and
Unit 2 of the Bernath Condominiums; and
Lot 7 of Block 1, Warm Springs Village Subdivision, Fourth Addition; and
Unit 2 of the Sunbeam Villas; and
Lot 1 of Block 2, Warm Springs Village Subdivision, Fourth Addition; and
Lot 14 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Lot 15 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Lot 16 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Unit 3 of the Sage Terrace Condominiums; and
Unit 4 of the Sage Terrace Condominiums; and
Lot 18 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Lot 19 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Unit 1 of the Sage Condominiums; and
Unit 2 of the Sage Condominiums; and
Lot 21 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Lot 22 of Block 3, Warm Springs Village Subdivision, Fourth Addition; and
Lot 23 of Block 3, Warm Springs Village Subdivision, Fourth Addition.

SECTION 4. IMPROVEMENTS. The kind and character of the improvements shall consist of the conversion of existing overhead electric and communication facilities to underground locations to serve each individual lot or parcel of property, and the repair or resurfacing of asphalt surfaces located in the public right of way relating thereto.

SECTION 5. COSTS, EXPENSES, ASSESSMENTS AND PAYMENT. That the total estimated aggregate cost and expense of said improvements is \$47,359 of which amount it is estimated that \$43,059 will be assessed against the abutting, adjoining, contiguous and adjacent lots and parcels of property, included in the improvement district on the street or streets along or upon which said improvements are to be made and are benefited by said improvements and

included in said district, each lot as more particularly described in Section 3 of this Ordinance, benefited by said improvements shall be equally assessed.

The remaining amount will be paid by the City. To the extent of the estimate chargeable to the local improvement district hereinabove set out, the cost and expense of the improvements, including the contract price of the improvements, engineering and clerical service, advertising, cost of inspection, cost of collecting assessments and interest thereon, and for legal services for preparing proceedings and advising in regard thereto, payment of all necessary preliminary expenses permitted by law shall be apportioned and paid for in accordance with the provision of Chapter 17 of Title 50, Idaho Code, as amended, in three (3) annual installments, together with interest thereon not to exceed eight percent (8%) per annum.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective upon its passage, approval and publication according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO and approved by the Mayor this 16th day of January 2001.



GUY P. COLES
Mayor

ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk



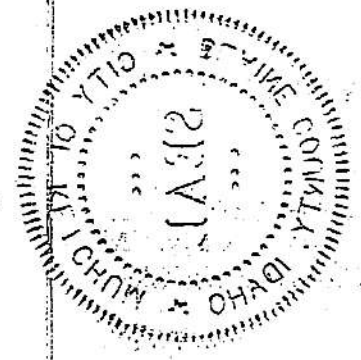
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