

ORDINANCE NUMBER 896

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, CONFIRMING THE FINAL ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 6C 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. 6C; 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. 6C should be held at 6:00 o'clock p.m. on April 16, 2001 at City Hall; and,

WHEREAS, notice of such hearing was published and mailed to the owners of property in Local Improvement District No. 6C 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. 6C 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. 6C of the City were made and the assessment roll as prepared by the City Administrator 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 \$43,056.00.

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. 6C 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. 6C (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 March 15, 2002 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 extended on the tax rolls an 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. 6C
KETCHUM, IDAHO

Notice is hereby given that the assessment roll for the improvement of property located within Local Improvement District No. 6C; 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 March 15, 2002 without penalty, interest, or costs. If the assessment is not paid in full by March 15, 2002, the assessment will be payable in three (3) annual installments with the first installment due on March 15, 2002. Interest on the unpaid balance of the assessment from March 15, 2002, will be payable on March 15, 2003, 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 March 15, 2002	\$ _____
Due March 15, 2003	\$ _____
Due March 15, 2004	\$ _____

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 March 15, 2004, 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. 6C, 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. 6C.

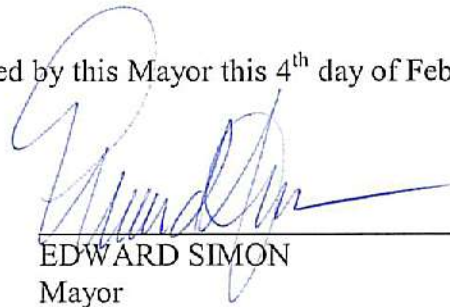
SECTION 7. Assessment payments received not more than thirty (30) days after the adoption of this Ordinance shall be utilized to pay the costs and expense of the improvements in Local Improvement District No. 6C. Assessment payments, exclusive of interest and penalties thereon, received more than thirty (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. 6C 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. 6C 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 4th day of February 2002.



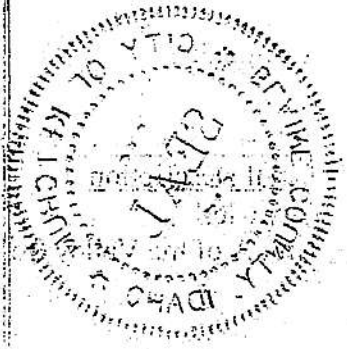
EDWARD SIMON
Mayor

ATTEST:



Sandra E. Cady
City Clerk

Sandra E. Cady



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EXHIBIT A

Local Improvement District 6C
Final Assessment Roll
February 4, 2002

	<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
1.	Unit A of the Valley Condominiums	Gayle Moore P.O. Box 584 Sun Valley, ID 83353	\$ 1,794
2.	Unit B of the Valley Condominiums	John & Jane Lundin 2726 10 th Ave. E. Seattle, WA 98102	\$ 1,794
3.	Lot 2 of Block 1, Warm Springs Village Subdivision, Fourth Addition	Toolson Family Limited Partnership 533 - 14 th Street Rupert, ID 83350	\$1,794
4.	Lot 3 of Block 1, Warm Springs Village Subdivision, Fourth Addition	Allan & Valerie Williams P.O. Box 5689 Ketchum, ID 83340	\$1,794
5.	Lot 4 of Block 1, Warm Springs Village Subdivision, Fourth Addition	Robert Nimmo c/o Distinctive Properties P.O. Box 1230 Sun Valley, ID 83353	\$1,794
6.	Lot 5A of 319 Sage Townhouses	Charles Dunn 40820 - 196 th Ave. S.E. Enumclaw, WA 98022	\$1,794
7.	Lot 5B of 319 Sage Townhouses	Everett Eaves 24 N. Portola Rd. Laguna Beach, CA 92651	\$1,794
8.	Unit 1 of the Bernath Condominiums	Simon and Barbara Ostler P.O. Box 3306 Ketchum, ID 83340	\$1,794
9.	Unit 2 of the Bernath Condominiums	W.C. & Heidi Gardiner P.O. Box 564 Ketchum, ID 83340	\$1,794
10.	Lot 7 of Block 1, Warm Springs Village Subdivision, Fourth Addition	Baird & Michelle Gourlay P.O. Box 1221 Ketchum, ID 83340	\$1,794

	<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
11.	Unit 2 of the Sunbeam Villas	Dale Bloomquist & Heidi Horowitz 2520 Mt. Baker Dr. S. Seattle, WA 98144	\$1,794
12.	Lot 1 of Block 2, Warm Springs Village Subdivision, Fourth Addition	Lynn & JoAnn Levy P.O. Box 46 Sun Valley, ID 83353	\$1,794
13.	Lot 14 of Block 3, Warm Springs Village Subdivision, Fourth Addition	David Nixon 685 Quince Lane Milpitas, CA 95035	\$1,794
14.	Lot 15 of Block 3, Warm Springs Village Subdivision, Fourth Addition	David Nixon 685 Quince Lane Milpitas, CA 95035	\$1,794
15.	Lot 16 of Block 3, Warm Springs Village Subdivision, Fourth Addition	Robert & Sally Behnke – Trustee c/o REB Enterprises 520 Pike Street STE 2620 Seattle, WA 98101	\$1,794
16.	Unit 3 of Sage Terrace Condominiums	Hayward Sawyer 167 Cherry St. #288 Milford, CT 06460	\$1,794
17.	Unit 4 of the Sage Terrace Condominiums	Robert & Sally Behnke – Trustees c/o REB Enterprises 520 Pike Street STE 2620 Seattle, WA 98101	\$1,794
18.	Lot 18 of Block 3, Warm Springs Village Subdivision, Fourth Addition	Corneil Therrien P.O. Box 828 Ketchum, ID 83340	\$1,794
19.	Lot 19 of Block 3, Warm Springs Village Subdivision, Fourth Addition	Corneil Therrien P.O. Box 828 Ketchum, ID 83340	\$1,794
20.	Unit 1 of the Sage Condominiums	Bruce & Nancy Hensel, Trustees 1212 Old Orchard Road Vincennes, IN 47591	\$1,794
21.	Unit 2 of the Sage Condominiums	Scott & Cindy Curtis & Sandy Hall P.O. Box 1835 Ketchum, ID 83340	\$1,794

	<u>Legal Description</u>	<u>Property Owner</u>	<u>Assessment</u>
22.	Lot 21 of Block 3, Warm Springs Village Subdivision, Fourth Addition	Willard Chinn Jr. P.O. Box 1181 Ketchum, ID 83340	\$1,794
23.	Sublot 1 & 2 of Living Springs Townhomes	Mary Handelsman 1946 Overland Ave. #206 Los Angeles, CA 90025 - 5820	\$1,794
24.	Lot 23 of Block 3, Warm Springs Village Subdivision, Fourth Addition	Fred Bostick P.O. Box 4102 Ketchum, ID 83340	<u>\$1,794</u>
		Total	\$ 43,056