

CITY OF KENAI

SPECIAL ASSESSMENT PROCEDURES

A proposed Special Assessment project may be initiated by:

1. A petition from the property owners delivered to the City Clerk.
2. A resolution from the City Council.

Generally, the petition method is the most common. The petition must:

1. Contain a description of the desired improvements. Examples are: gravel road, paved road, water, sewer, curbs, lighting, storm sewers, driveways, etc.
2. Define the area of the work to be done. This generally could be accomplished by identifying streets (such as: pave "X" Street from "Y" Street to "Z" Road). If parts of the project will have different improvements than other parts (such as sewer in only part of the project), then care must be taken in explaining this.
3. Be signed by the owners of 50% or more of the benefited properties.

The petition should be in the following form:

Special Assessment Petition

We, the undersigned property owners, desire the City of Kenai to establish an assessment district in the following area: _____

Requested improvements include: _____

Legal Description of Benefited Property	Borough Parcel Number	Property Owner's Name	Property Owner's Signature

It would speed things up if the petition included a plat map of the area with the improvements drawn in.

No property may withdraw his approval for six (6) months after the petition is filed with the City Clerk, unless authorized by the City Council.

The City Charter says that the City cannot levy an assessment in excess of 25% of the fair market value of the property (after taking into account the value of the work in the proposed assessment project), unless all benefited property owners waive the 25% limitation, and agree to accept on a proportionately basis 100% of the costs of the improvements.

If the petitioners desire to waive the 25% limitation, then the above language must be included in the petition, and all property owners must sign the petition.

Many things affect the length of time that it could take to go from the petition stage to actual formation of an assessment district by Council: complexity or size of the district, availability of financing, verification of property ownership, council meeting dates, and advertising, just to name a few. However, it would be wise to figure on two or three months from the petition being submitted to the Clerk to formation of the district, if Council gives approval.

Title 16 of the Kenai Municipal Code gives full details of assessment procedures. The title should be consulted.

CITY OF KENAI
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Updated 7/30/01
clf

Title 16

**PUBLIC IMPROVEMENTS AND SPECIAL
ASSESSMENTS**

Chapters:

16.05 General Provisions

16.10 Procedure

16.15 Benefited Property Outside District

16.20 Collection of Assessments

Chapter 16.05

GENERAL PROVISIONS

Sections:

- 16.05.010 Assessment authority.
- 16.05.020 How improvement proposal initiated.
- 16.05.030 Requirements of petition.
- 16.05.040 Contents of resolution.
- 16.05.050 Permissible methods for financing local improvement districts.
- 16.05.060 Authorized capital improvements.
- 16.05.070 Property assessed.
- 16.05.080 Amount assessed.
- 16.05.090 Costs.
- 16.05.100 Method of assessment.

16.05.010 Assessment authority.

- (a) The City Council may assess against the property of a governmental unit and private real property benefited all or a portion of the cost of constructing or improving capital improvements. Any such special assessment shall be in proportion to, and shall not exceed, the value of the benefit from the improvement.
- (b) All benefited real property, including that which is exempt from taxation in accordance with law, shall be liable for the cost of public improvements assessed unless specifically exempted from assessments for public improvements by law. No assessments shall be levied in excess of twenty-five (25%) percent of the fair market value of property after giving effect to the benefit accruing from the work or action for which assessed, except where all benefited property owners waive the above 25% limitation and agree to accept on a proportional basis 100% of the costs of improvements.

(Ords. 791, 868-83)

16.05.020 How improvement proposal initiated.

An improvement proposal may be initiated by:

- (a) Petition to the City Council filed with the City Clerk, by the owners of property in the proposed improvement district, or,
- (b) Resolution of the City Council.
(Ord. 791)

16.05.030 Requirements of petition.

The petition shall include a description of the proposed improvements. Unless all benefited property owners' signatures are required by virtue of KMC 16.05.010, the petition shall be signed by the owners of fifty percent (50%) or more of the properties which will be benefited by the proposed improvement. No property owner may withdraw his approval of the proposed improvement for a period of six (6) months after the petition has been filed, unless authorized by Council. (Ords. 791, 868)

16.05.040 Contents of resolution.

The resolution of the City Council initiating an improvement proposal shall include a description of the proposed improvement and direct the City Manager to make an investigation and report thereon.
(Ord. 791)

16.05.050 Permissible methods for financing local improvement districts.

- (a) By general obligation bonds:
 - (1) Local improvement districts for capital improvements may be financed by use of funds obtained from the sale of general obligation bonds approved by the voters of the City of Kenai for such capital improvements.
 - (2) The principal and interest of general obligation bonds so issued shall be payable from the levy of assessments so issued shall be payable from the levy of assessments against the property benefited, but any deficiency in meeting payments of principal and interest shall be made up by an appropriation from the

general fund. The assessments shall constitute a sinking fund for the payment of principal and interest on the bonds.

- (3) Interest on funds borrowed to finance the capital improvement prior to the sale of general obligation bonds shall be a cost of the improvement district.
 - (b) By special assessment bonds:
 - (1) The City Council may, by ordinance, authorize the issuance and sale of special assessment bonds to pay all or part of the cost of an improvement in a local improvement district. The principal and interest of bonds so issued shall be payable solely from the levy of special assessments against property to be benefited. The assessments shall constitute a sinking fund for the payment of principal and interest on the bonds. The property benefited may be pledged by the Council to secure a payment.
 - (2) Interest on funds borrowed to finance the capital improvement prior to the sale of special assessment bonds shall be a cost of the improvement district.
 - (c) By City funds (with or without subsequent recovery by assessment against benefited property).
 - (d) By any combination of two or more of the above.
- (Ord. 791)

16.05.060 Authorized capital improvements.

A special assessment district for a public improvement may be initiated for any one or more of the following improvements:

- (a) Streets, roads, parkways, street lighting, curbs, gutters, driveways, curb cuts, and sidewalks;
- (b) Storm sewers, drains, or settling basins;
- (c) Sanitary sewers, including interceptors, collectors, laterals, and sewer service connections;
- (d) Parks or playgrounds;
- (e) Off-Street parking facilities;
- (f) Changes in channels of streams or watercourses;

- (g) Water supply systems, including water mains, water distribution lines, water service connections, and fire hydrants;
 - (h) Public shelters; or
 - (i) Street, road, parkway and sidewalk drainage, dust control, or snow removal.
- (Ord. 791)

16.05.070 Property assessed.

The Council may assess for an improvement any real property benefited or any interest in real property benefited, and the property benefited may include abutting, adjoining, adjacent, contiguous, non-contiguous, or other property or interest in property benefited directly or indirectly by the improvement. The property to be assessed may include any property which is otherwise for any reason exempt from taxation by law. A benefited property may be included in whole or in part in more than one local improvement district. (Ord. 791)

16.05.080 Amount assessed.

The Council may assess 100% of any or all costs of a public improvement against the parcels of property benefited by the improvement. Unless a specific method of computation of the benefit to the property is expressly provided in this chapter for ascertaining the amount to be assessed against the property benefited by a designated improvement, the Council shall assess each parcel of property in a local assessment district in proportion to the value of the benefits received from the improvements. (Ord. 791)

16.05.090 Costs.

The costs of an improvement shall be the actual costs of the improvement, including acquisition of interest in land for the improvement, design, engineering, administration, overhead, professional services, bond costs, and interest incurred as a result of the improvement, and all other costs resulting from the construction of the improvement. Bond interest shall be calculated from the first date when actual costs are incurred by the City. (Ord. 791)

16.05.100 Method of assessment.

The provisions of this chapter shall not prevent or be construed to prevent the collection of assessments or payment in lieu of assessments for improvements in any other manner as provided by law. The methods of assessment are described in general herein and will require decisions of policy by the Council to meet current needs. In general, the assessment rate for any special assessment district is computed by dividing the total assessable cost of such improvement by the total number of assessment units. The entire project is considered as a whole when computing the assessment rate and applying it to all properties. The cost of installing the improvement in front of or past any particular parcel of property is only one method permitted of assessment. Except as otherwise provided by law, ordinance, or by Council-approved policy for a particular local improvement district, costs will be allocated on a square footage basis extending one lot deep adjacent to improvements in subdivided areas, midway between streets up to 150 feet of depth in unsubdivided residential areas, and up to 300 feet of depth in unsubdivided commercial and industrial areas. Greater area may be included when assessing costs for interceptor sewers or water mains providing fire protection. (Ord. 791)

Chapter 16.10

PROCEDURE

Sections:

- 16.10.010 City Manager action.
- 16.10.020 Preliminary assessment roll.
- 16.10.030 Setting of public hearing on improvement district.
- 16.10.040 Notice of public hearing on improvement district.
- 16.10.050 Written objections.
- 16.10.060 Public hearing on improvement district.
- 16.10.070 Council action.
- 16.10.080 Assessment roll.
- 16.10.090 Setting hearing on assessment roll.
- 16.10.100 Notice of public hearing on assessment roll.
- 16.10.110 Public hearing on assessment roll.
- 16.10.120 Correction and determination of assessment roll.
- 16.10.130 Resolution confirming assessment roll and fixing payment.
- 16.10.140 Payment.
- 16.10.150 Notice of payment.
- 16.10.160 Objection and appeal.
- 16.10.170 Reassessment.
- 16.10.180 Supplemental assessment.

16.10.010 City Manager action.

The City Manager shall, within sixty (60) days after the filing of the petition or passage of the resolution, make a survey of, and report on, the proposed improvement to the City Council concerning the need for, the desirable scope of, and the estimated cost of the proposed improvement, prospective grants that might be secured to assist in payment for the improvement, recommendation as to grant application, and the recommended percentage of the improvement plan cost to be assessed against the property benefited. The report shall contain a de-

scription defining the district and the properties to be assessed and showing the desirable scope of the proposed improvement. The proposed improvement district may be defined by:

- (a) Metes and bounds description; or
 - (b) By a designation of the benefited properties to be assessed by lot, block, and subdivision.
- (Ord. 791)

16.10.020 Preliminary assessment roll.

Within thirty (30) days after consideration by the Council of the survey and report, the City Manager will prepare and file with the City Clerk a preliminary assessment roll for the proposed improvement. This preliminary assessment roll will include the name of the record owner, a brief description or designation of the property, and the estimated amount to be assessed against the property. (Ord. 791)

16.10.030 Setting of public hearing on improvement district.

Within thirty (30) days after the presentation of the preliminary assessment roll by the City Manager, the Council shall by resolution set a date within sixty (60) days after the date of setting for a public hearing on the proposed improvement. (Ord. 791)

16.10.040 Notice of public hearing on improvement district.

Prior to the date of hearing, the City Clerk shall publish a notice at least once a week for four (4) consecutive weeks in a newspaper of general circulation distributed within the municipality. This notice shall include a summary of the improvement, the designation of the properties to be assessed in the local improvement district, the purpose of the public hearing, the time and place fixed for the public hearing, the fact that a preliminary assessment roll is on file with the City Clerk, and information as to the manner and method of making written protest or objection to the action to be taken. The City Clerk shall also send notice by mail to every record owner of property within the proposed local improvement district at least fifteen (15) days

prior to the public hearing which, in addition to the information contained in the published notice, shall include a designation of the addressee's property to be assessed and the estimated cost to be assessed against such property. (Ord. 791)

16.10.050 Written objections.

Objection to the improvement plan may be filed in writing with the City Clerk until, but not on, the date of public hearing. The City Clerk shall present to Council at the time of the hearing, all objections filed in writing. (Ord. 791)

16.10.060 Public hearing on improvement district.

At the time and place noticed, the Council shall hold a public hearing upon the necessity for the proposed improvement. The Council shall hear all interested persons favoring or opposing the proposed improvements and shall consider all written objections filed. (Ord. 791)

16.10.070 Council action.

After the public hearing is closed, the Council may increase or decrease the scope or value of the improvement, or may delete from the proposed improvement district properties not benefited by the improvement or add properties which would be benefited and shall adopt a resolution directing continuation or termination of the modified improvement district. No change may be made resulting in an improvement district objected to by owners of properties bearing fifty percent (50%) or more of the estimated cost to be borne by the property owners except with the approval of at least six (6) members of the Council. The resolution directing continuation shall find that the improvement is necessary and of benefit to the properties to be assessed, and that it is not objected to by owners of properties bearing fifty (50) percent or more of the estimated costs to be borne by property owners or, in the alternative, that it has been approved by at least six (6) members of the Council. The findings of the Council are conclusive. The resolution shall further require that an account be kept of all costs

of the improvement and that after all costs are known the City Manager shall prepare an assessment roll for the improvement. The resolution shall state the estimated percentage of the costs of the improvement to be assessed against the benefited properties. (Ord. 791)

16.10.080 Assessment roll.

After the improvement has been completed and the costs of the improvement computed, the City Manager shall prepare and file with the City Clerk an assessment roll for the assessment district. The assessment roll shall contain, as to each property to be assessed, a brief description or designation of the property, the name of the record owner of the property to be assessed, and the amount to be assessed against the property. The person in whose name property is listed on the municipal property tax roll as owner is conclusively presumed to be the legal owner of record. If the owner is unknown, the assessment may be made against the "unknown owner." (Ord. 791)

16.10.090 Setting hearing on assessment roll.

After the assessment roll is filed, the Council shall fix the time and place for a public hearing on objections to the assessment roll. (Ord. 791)

16.10.100 Notice of public hearing on assessment roll.

Notice shall be given for the public hearing on the assessment roll as prescribed in KMC 16.10.040. The notice to be published shall include a summary of the improvement, the designation of the properties to be assessed in the assessment district, the purpose of the public hearing, and the time and place fixed for the public hearing. The notice by mail, in addition to the information contained in the published notice, shall include the amount of the actual assessment against the property owned by the addressee. Each notice by mail shall generally inform the property owner of the manner and method of protesting or objecting to the action to be taken at the public hearing. (Ord. 791)

16.10.110 Public hearing on assessment roll.

At the public hearing, an owner of the property to be assessed shall have the right to present his objections to the assessment roll by showing errors and inequalities in the assessment roll and by submitting any reason for amendment and correction of the assessment roll. (Ord. 791)

16.10.120 Correction and determination of assessment roll.

After the public hearing, the Council may correct any error or inequality in the assessment roll. When the roll is finally determined, the City Clerk shall so certify and the roll shall be officially recorded. (Ord. 791)

16.10.130 Resolution confirming assessment roll and fixing payment.

After the public hearing and determination of the assessment roll, Council, by resolution, shall confirm the assessment roll of the local improvement district. The resolution shall provide for the levying of the assessment against the property included within the district and may establish a sinking fund for payment of principal and interest on any bonds which may be sold to finance the improvement. The resolution shall also fix times of payment, schedule of payments, rate of interest on unpaid installments, the date of delinquency of assessments, and the penalty and interest to be paid on delinquent assessments. On delinquent assessments, penalty shall be in accordance with the provisions of KMC 1.75.010. (Ords. 791, 944)

16.10.140 Payment.

Payment may not be required sooner than sixty (60) days after assessment. Payment may be in a lump sum or by installments. (Ord. 791)

16.10.150 Notice of payment.

(a) Within thirty (30) days after the time of payment has been fixed, the City Clerk shall mail a statement to each owner of record designating the property, the assessment amount, the time of delinquency, and penalties.

(b) Within five (5) days after the statements are mailed, the City Clerk shall publish notice that the statements have been mailed.

(Ord. 791)

16.10.160 Objection and appeal.

(a) The regularity or validity of an assessment may not be contested by a person who did not file with the City Clerk a written objection to the assessment roll before its confirmation.

(b) The decision of the City Council upon an objection may be appealed to the Superior Court within thirty (30) days of confirmation of the assessment roll.

(c) If no objection is filed or an appeal taken within the time provided in this section, the assessment procedures shall be considered regular and valid in all respects.

(Ord. 791)

16.10.170 Reassessment.

(a) The City Council shall within one (1) year correct any deficiency found by a court in an assessment.

(b) Procedure for notice and public hearing for reassessment must conform to that utilized for the initial assessment procedures.

(c) Payments on the initial assessments are credited to the property upon reassessment.

(d) The reassessment becomes a charge upon the property notwithstanding failure to comply with any provision of the assessment procedure.

(Ord. 791)

16.10.180 Supplemental assessment.

(a) If additional costs are incurred that are chargeable to an assessment district after the initial assessment roll has been approved by the City Council, the City Manager may prepare and file with the City Clerk a supplemental assessment roll.

(b) Procedure for notice and public hearing for a supplemental assessment must conform to that utilized for the initial assessment.

- (c) Billings and payments on a supplemental assessment shall be kept separate from the initial assessment. Supplemental assessments may have payment terms and due dates different from the initial assessment.
- (d) More than one supplemental assessment may be allowed.
- (e) The sum of all supplemental assessments in any one assessment district may not exceed twenty percent (20%) of the initial approved assessment roll.

(Ord. 1180)

Chapter 16.15

BENEFITED PROPERTY OUTSIDE DISTRICT

Sections:

- 16.15.010** Receipt of services.
- 16.15.020** "In-lieu payment" credited on subsequent assessment.
- 16.15.030** Liens for "in-lieu payments."
- 16.15.040** Initiation of benefits and "in-lieu payments."
- 16.15.050** Establishment of amount.
- 16.15.060** "In-lieu payment" rate determination.

16.15.010 Receipt of services.

Real property contiguous to or adjoining local improvement districts may receive the services from said contiguous improvement districts if a payment is made in lieu of assessments which is at least equal to the rate of assessments within the district. Such a payment may be referred to as an "in-lieu payment." (Ord. 791)

16.15.020 "In-lieu payment" credited on subsequent assessment.

If an "in-lieu payment" has been made for a public improvement to a property, then the amount of that payment may be credited to the amount due for payment of any later assessment if said property is included in a local improvement district established in the future for the same service. (Ord. 791)

16.15.030 Liens for "in-lieu payments."

Any lien created by an "in-lieu payment" shall have the same priority and characteristics as a counterpart assessment and may be collected in the same manner. (Ord. 791)

16.15.040 Initiation of benefits and "in-lieu payments."

Receipt of the benefits by paying an "in-lieu payment" for benefits of public improvements may be initiated by either:

- (a) The initiative of the Council in the event benefits are being received for which no payment has been made; or
- (b) Upon the application of the owner of a property to be benefited by a public improvement which will be paid for by "in-lieu payments." (Ord. 791)

16.15.050 Establishment of amount.

If the Council deems it necessary, the establishment of the amount of the "in-lieu payment" may be processed as required by KMC 16.10.070 through 16.10.130 of this Code. (Ord. 791)

16.15.060 "In-lieu payment" rate determination.

After determination that services from a public improvement should be paid for by an "in-lieu payment" procedure, rather than by assessment of benefited property, then the Council shall establish rates for such improvements as follows:

- (a) For benefits from connection to the water distribution system, an "in-lieu payment" shall be computed at the same rate per square foot of property to be benefited as was applied in the improvement district;
- (b) For benefits from connection to the sewer distribution system an "in-lieu payment" shall be computed at the same rate per square foot of property to be benefited as was applied in the improvement district; or,
- (c) Other public services other than those enumerated in this section shall be paid for at a rate to be determined at the time of application for the requested service. (Ord. 791)

Chapter 16.20

COLLECTION OF ASSESSMENTS

Sections:

- 16.20.010** Use of improvements.
- 16.20.020** Foreclosure of assessment liens.
- 16.20.030** Cumulative enforcement.
- 16.20.040** Penalty and interest.
- 16.20.050** Payment of assessments upon transfer of title.
- 16.20.060** Penalty.
- 16.20.070** Proration of assessment.

16.20.010 Use of improvements.

Whenever public improvements have been constructed by the City of Kenai in any of the public streets, alleys, or other places of the City and whenever assessments or charges of any portion of the cost of such improvements have been made upon the properties specifically benefited by such improvements, no permit shall be issued by any City official or employee for any private connection to the public improvement from any property so assessed and benefited unless the amount of the assessment or the charges placed against said parcel of property have been paid, or if the assessment or charges are due in installments, unless all payments due at the time of application is made for the permit have been paid. This provision shall apply to all cases in which assessments have been levied, whether void or otherwise, and which are uncollected or on which installments are due and unpaid, and all cases where charges have been made and have not been paid. Nor shall a permit for any connection to the public improvement be issued by any City officer or employee for parcels of property owned by the United States or the State of Alaska without having said governments pay an equal amount to the assessment otherwise levied. (Ord. 791)

16.20.020 Foreclosure of assessment liens.

Assessments are liens upon the property assessed and are prior and paramount to all liens except municipal tax liens. They may be enforced

as provided in Alaska Statutes, Section 29.45.290 through Section 29.45.500. Upon default in a payment due on an assessment district financed by general obligation bonds, the City Council may enforce payment of principal and interest, and cost of collection in a civil action in the same manner and with the same effect as actions for the foreclosures of mortgages on real property. Foreclosure shall be against all property on which assessments are in default. The period of redemption shall be the same as in the case of mortgage foreclosures on real property. Monies received from actions taken against property for non-payment of assessment shall be credited to the Sinking Fund. Upon default in a payment due on an assessment district financed by special assessment bonds, a bond holder or the City Council may also enforce payment of principal and interest and costs of collection in a civil action as herein above outlined. (Ords. 791, 1174)

16.20.030 Cumulative enforcement.

The collection, foreclosure, or enforcement of any installment or any part of a special assessment shall not bar, prevent, or otherwise extinguish the right of the City to collect, foreclose, or enforce the payments of any other installment or part of the same or any other special assessment. (Ord. 791)

16.20.040 Penalty and interest.

(Ord. 791, Repealed Ord. 886)

16.20.050 Payment of assessments upon transfer of title.

All past due installments on any special assessments levied on property in any improvement district within the City of Kenai shall be paid in full with applicable interest and penalty prior to the time any transfer of title to that property is duly recorded in accordance with statute. The transferor of the property shall be responsible for ensuring that the provisions of this section are complied with. (Ord. 791)

16.20.060 Penalty.

Any person who violates the provisions of

KMC 16.20.050 is guilty of a misdemeanor and punishable by a fine not to exceed \$300. The penalty provided for herein may be assessed for each parcel to which title is transferred and shall not bar regular foreclosure proceedings provided for herein nor be applied on, or as a set-off to, any assessments or charges against said properties. (Ord. 791)

16.20.070 Proration of assessment.

- (a) Where any property on the approved assessment roll or for which in-lieu payments have been established is subsequently subdivided or resubdivided, then the amount of principal and interest due on such property at the time of such subdivision or resubdivision shall be prorated between or among the subdivided or resubdivided lots in proportion to the benefited area contained in each such subdivided or resubdivided lot by the subdivider and approved by the administration.
- (b) In the event that any portions of the property subject to assessment is dedicated for public street or other public purpose, then the entire unpaid amount of principal and interest assessed against the original property will be prorated between or among the lots resulting from the subdivision or resubdivision in proportion to the benefited area contained in each such lot.

(Ord. 791)

Suggested by: Councilmember Swarner

City of Kenai

RESOLUTION NO. 2003-02

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA, AMENDING THE GENERAL POLICY REGARDING COSTS TO BE ASSESSED TO BENEFITED PROPERTIES IN SPECIAL ASSESSMENT DISTRICTS.

WHEREAS, by KMC 16.10.070, the City Council has the authority to determine the percentage of costs to be assessed in special assessment districts; and,

WHEREAS, reduced State financing for public improvement projects makes it necessary that more costs be assessed to benefited properties; and,

WHEREAS, citizens desiring to form assessment districts have a need to know in advance of the petitioning process the portion of the project that is likely to be assessed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, that:

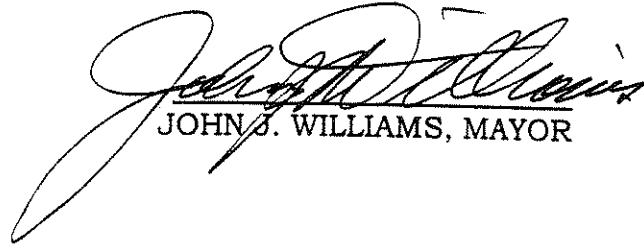
Section 1: The policy of the Council regarding percentages of costs to be assessed in special assessment districts is a general rule. It is meant to inform the City administration and citizens of a usual rule to be followed, and it applies to all types of improvements. The Council reserves the right to apply percentages different from those that follow based upon unique characteristics of each project. It is not implied that the Council must form an assessment district with each project. The policy is subject to all State, City Charter and Kenai Municipal Code requirements and restrictions.

Section 2: In developed areas that include numerous property owners, each benefiting somewhat equally, the assessment rate will be 50% of all eligible costs. The Council intends that all eligible costs include the entire project costs defined by KMC 16.05.090.

Section 3: In partially developed or undeveloped areas that include one or a small number of property owners, the assessment rate will be 100% of all eligible costs. This rate will apply in situations where the owner or owners are essentially acting as developers with the intent of marketing and profiting from the developed land. The owners may have to waive the limitations placed on assessments, as provided by KMC 16.05.010(b) and Section 7-3 of the City Charter. In addition, the City may require cash or other assets to be advanced or pledged to the City as security that the assessments will be paid. Generally, the unsecured portion of the assessments should not exceed 30% of the cost of the improvements.

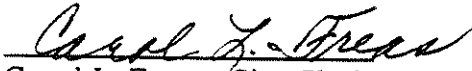
The City may require that the owner or owners enter into a contractual relationship with the City to ensure payment of the assessments.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this second day of January, 2003.



JOHN S. WILLIAMS, MAYOR

ATTEST:



Carol L. Freas, City Clerk

Approved by Finance: _____

(12/19/02 sp)