

RESOLUTION NO. 194

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF PAYETTE, IDAHO, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 95-2 FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING CERTAIN PUBLIC IMPROVEMENTS; DESCRIBING THE BOUNDARIES OF THE PROPOSED IMPROVEMENT DISTRICT AND THE PROPERTY PROPOSED TO BE ASSESSED FOR THE COSTS OF THE IMPROVEMENTS; GENERALLY DESCRIBING THE IMPROVEMENTS PROPOSED TO BE CONSTRUCTED AND THE ESTIMATED COSTS AND EXPENSES OF THE IMPROVEMENTS; STATING THE PERCENTAGE OF THE COST WHICH WILL BE PAID FROM A LEVY OF ASSESSMENTS ON PROPERTY BENEFITED BY THE IMPROVEMENTS; STATING THE METHOD OF DETERMINING ASSESSMENTS; FIXING THE TIME WITHIN WHICH AND THE PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO CONSIDER SUCH PROTESTS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO

WHEREAS, the City of Payette, Payette County, Idaho (the "City"), is a municipal corporation operating and existing under and pursuant to the laws of the State of Idaho, and as such is authorized and empowered to create local improvement districts to finance the construction of improvements pursuant to Title 50, Chapter 17, Idaho Code; and

WHEREAS, the City Council (the "Council") of the City has initiated the creation of a local improvement district for certain curb, gutter, sidewalk, storm drain, approaches, and street reconstruction improvements within the City; and

WHEREAS, the Council is of the opinion that it is in the best interest of the owners of property and of the inhabitants within the proposed local improvement district, and within the City, that the proposed local improvement district be formed and the proposed improvements as hereinafter described be constructed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO, as follows:

Section 1: The Council hereby determines and states that it is its intention to form a local improvement district, to be designated Local Improvement District No. 95-2 ("L.I.D. No. 95-2"), to make the improvements as hereinafter set forth.

Section 2: The boundaries of the proposed L.I.D. No. 95-2 and a description of the properties to be assessed are set forth in Exhibit "A" which is annexed hereto and by reference made a part of this resolution.

Section 3: A general description of the improvements to be constructed (the "Improvements") is as follows: curb, gutter, sidewalk, storm drain, approaches, and street reconstruction on South Ninth Street from its intersection with Second Avenue South south to Business Alternative Highway 95, together with related improvements and costs of engineering, legal services, publication, interest on borrowed funds during construction, bond issuance costs and reserves, and other related expenses.

Section 4: The estimated total cost of the Improvements is \$173,420, all of which will be paid by a levy of assessments on the property benefited within L.I.D. No. 95-2.

Section 5: The costs and expenses of the Improvements shall be assessed against the tracts, lots, and lands benefited by the Improvements according to the front-foot method of assessment, as provided by Section 50-1707, Idaho Code.

Section 6: Monday, the 23rd day of January, 1995, at the hour of 7:00 o'clock P.M., or as soon thereafter as the matter may be heard, at the Council meeting chambers, Payette City Hall, 700 Center Avenue, Payette, Idaho, is hereby fixed as the time and place when and where the owners of the property to be assessed may appear before the Council and be heard as to the propriety and advisability of acquiring the Improvements, and which is the time and place when and where the Council will consider the creating of the proposed L.I.D. No. 95-2 and constructing the proposed Improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the City Clerk on or before said time, by any owner of any parcel of land to be assessed.

Section 7: Written protests and objections to the creation of L.I.D. No. 95-2 or to the manner of assessment or inclusion of property therein may be filed with the City Clerk at or before 5:00 o'clock P.M. on Monday, January 23, 1995, by any owner of any parcel of land to be assessed.

Section 8: Notice of Hearing substantially in the form attached hereto as Exhibit "B" and hereby made a part hereof shall be given as follows:

(A) By publication of such notice in a newspaper of general circulation within the City, which notice shall be published once a week for two consecutive weeks, the first publication being at least ten (10) days prior to the date of said hearing.