

RESOLUTION NO. 204

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF PAYETTE, IDAHO, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 98-1 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 COST TO 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; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

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 water and sewer 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. 98-1 ("L.I.D. No. 98-1"), to make the improvements as hereinafter set forth.

Section 2: The boundaries of the proposed L.I.D. No. 98-1 and of the properties to be assessed are generally described as follows: all real property subject to assessment located south of Sixth Avenue South, west of Highway Business 95, east of the Payette River and north of the south property line of the Idaho Power Service Center and a line running due west from the south side of Mountain View Drive to the Payette River.

Section 3: A general description of the improvements to be constructed (the "Improvements") is as follows: installation of municipal water and sewer lines, including service line stub-outs

to adjacent lots and lands, and related street repairs, 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 approximately \$995,500, approximately \$271,400 or 27.3% of which will be paid by a levy of assessments on the property benefited within L.I.D. No. 98-1, and the remainder of which will be paid from a grant from the U.S. Department of Agriculture.

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 benefits derived method of assessment, all as provided by Section 50-1707, Idaho Code.

Section 6: Tuesday, the 30th day of December, 1997, 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 in the 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. 98-1 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. 98-1 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, December 29, 1997, by any owner of any parcel of land to be assessed.

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

(A) By publication of such notice in The Independent Enterprise, 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.

(B) By mailing, at least ten (10) days prior to the date of said hearing, a copy of such notice to each owner of property, if known, or his agent, if known, within the limits of the proposed L.I.D. No. 98-1, addressed to such person at his or her post office address, if known, or if unknown, to the post office in Payette,

Idaho. Ownership of property shall be determined as of the date of the adoption of this Resolution.

Section 9: This Resolution shall take effect and be in full force form and after its passage and approval.

DATED this 15th day of December, 1997.

CITY OF PAYETTE
Payette County, Idaho

By James E. McAuley
Mayor

ATTEST:

John P. Franke
City Clerk

NOTICE OF HEARING OF CREATION OF LOCAL IMPROVEMENT DISTRICT

City of Payette, Idaho
Local Improvement District No. 98-1

NOTICE IS HEREBY GIVEN, that Tuesday, the 30th day of December, 1997, at the hour of 7:00 P.M. or as soon thereafter as the matter may be heard, at the Payette City Hall, 700 Center Avenue, Payette, Idaho, has been fixed, pursuant to Resolution No. 204, as the time and place for public hearing at which owners of property to be assessed within proposed Local Improvement District No. 98-1 (L.I.D. 98-1) may appear before the City Council (the Council) of the City of Payette (the City) and be heard as to the propriety and advisability of creating L.I.D. No. 98-1 and acquiring and constructing the improvements, as hereinafter described, and as the time and place when and where the Council will consider the creation of the proposed L.I.D. No 98-1 and the acquisition and construction of 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.

The boundaries of the property to be assessed for the costs of the improvements within the proposed L.I.D. No. 98-1 are generally described as follows: all real property subject to assessment located south of Sixth Avenue South, west of Highway Business 95, east of the Payette River and north of the south property line of the Idaho Power Service Center and a line running due west from the south side of Mountain View Drive to the Payette River.

A general description of the improvements to be constructed (the Improvements) is as follows: installation of municipal water and sewer lines, including service line stub-outs to adjacent lots and lands, and related street repairs, together with related improvements and costs of engineering, legal services, publications, interest on borrowed funds during construction, reserves and other related expenses.

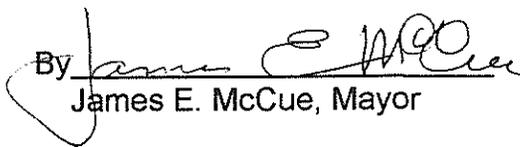
The estimated total cost of the proposed project is approximately \$995,500. Approximately \$271,400, or 27.3%, which will be paid by a levy of assessments on the property benefitted, with the remainder of which will be paid from a grant from the U.S. Department of Agriculture.

The cost of the Improvements to be paid from the special assessments shall be assessed against the tracts, lots, and lands benefitted by the Improvements according to the benefits derived method of assessment, all as provided by Section 50-1707, Idaho Code.

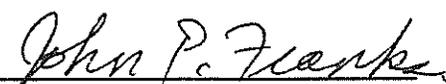
Written protests and objections to the creation of L.I.D. No. 98-1 or to the manner of assessment or inclusion of property therein may be filed with the City Clerk at Payette City Hall, 700 Center Avenue, Payette, Idaho, at or before 5:00 P.M. on Monday, December 29, 1997, by an owner of any parcel of land to be assessed.

Dated this 15th day of December, 1997.

CITY OF PAYETTE
Payette County, Idaho

By 
James E. McCue, Mayor

ATTEST:


John P. Franks, City Clerk