

RESOLUTION NO. 95-3

A RESOLUTION DECLARING THE INTENTION OF BOISE COUNTY, IDAHO, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 95-1 FOR THE PURPOSE OF PROVIDING MATERIALS FOR RECONSTRUCTING BUNCH DRIVE BRIDGE, LOCATED IN BOISE COUNTY, IDAHO; 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, Boise County, Idaho (the "County"), is a political subdivision 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 Board of Commissioners (the "Board") of the County has received a petition for the creation of a local improvement district for certain bridge reconstruction improvements within the County, signed by not less than sixty percent (60%) of the resident owners of property within the proposed local improvement district; and

WHEREAS, the Board 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 County, that the proposed local improvement district be formed and the proposed improvements as hereinafter described be constructed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BOISE, IDAHO, as follows:

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

Section 2: The boundaries of the proposed L.I.D. No. 95-1 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: acquisition of materials for the reconstruction of Bunch Drive Bridge located approximately one-eighth mile east of the Middle Fork Road in Boise County, Idaho, together with costs of engineering, legal services, publication, interest on borrowed funds during construction, bond issuance costs and reserves, and other related expenses. The Improvements do not include labor, which will be provided by the County as a general benefit to the County.

Section 4: The estimated total cost of the Improvements is \$75,000, all of which will be paid by a levy of assessments on the property benefited within L.I.D. No. 95-1. Necessary labor and supervision of the Improvements will be provided by the Road and Bridge Department of the County as a general benefit to the County.

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, as provided by Section 50-1707, Idaho Code, with each separate ownership of property within L.I.D. No. 95-1 being assessed an equal portion of the cost of the Improvements.

Section 6: Monday, the 20th day of March, 1995, at the hour of 10:00 o'clock A.M., or as soon thereafter as the matter may be heard, at the Board's meeting chambers, Boise County Courthouse, Idaho City, Idaho, is hereby fixed as the time and place when and where the owners of the property to be assessed may appear before the Board and be heard as to the propriety and advisability of acquiring the Improvements, and which is the time and place when and where the Board will consider the creating of the proposed L.I.D. No. 95-1 and constructing the proposed Improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the County 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. 95-1 or to the manner of assessment or inclusion of property therein may be filed with the County Clerk at or before 10:00 o'clock A.M. on Monday, March 20, 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:

NOTICE OF HEARING ON CREATION
OF LOCAL IMPROVEMENT DISTRICT

BOISE COUNTY, IDAHO

Local Improvement District No. 95-1

NOTICE IS HEREBY GIVEN, that Monday, the 20th day of March, 1995, at the hour of 10:00 o'clock A.M., or as soon thereafter as the matter may be heard, at the Board of Commissioners' meeting room in the Boise County Courthouse, Idaho City, Idaho, has been fixed, pursuant to Resolution No. 95-3, adopted on March 6, 1995, as the time and place for public hearing at which owners of property to be assessed within proposed Local Improvement District No. 95-1 ("L.I.D. No. 95-1") may appear before the Board of Commissioners (the "Board") of Boise County, Idaho (the "County") and be heard as to the propriety and advisability of creating L.I.D. No. 95-1 and acquiring the improvements, as hereinafter described, and as the time and place when and where the Board will consider the creation of the proposed L.I.D. No. 95-1 and the acquisition of the proposed improvements, and hear all complaints, protests, and objections which may be made in writing and filed with the County Clerk on or before said time, by any owner of any parcel of land to be assessed.

The boundaries of and the property to be assessed for the costs of the improvements within the proposed L.I.D. No. 95-1 are described in Exhibit "A" which is annexed to this Notice.

A general description of the improvements to be constructed (the "Improvements") is as follows: acquisition of materials for the reconstruction of Bunch Drive Bridge, located approximately one-eighth mile east of the Middle Fork Road in Boise County, Idaho, together with costs of engineering, legal services, publication, interest on borrowed funds during construction, bond issuance costs and reserves, and other related expenses.

The estimated total cost of the proposed improvements is \$75,000, all of which will be paid by a levy of assessments on the property benefited. The County intends to provide necessary labor and supervision as a general benefit to the County.

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

with each separate ownership of property within L.I.D. No. 95-1 being assessed an equal portion of the cost of the Improvements.

Written protests and objections to the creation of L.I.D. No. 95-1 or to the manner of assessment or inclusion of property therein may be filed with the County Clerk at the Boise County Courthouse, Boise County, Idaho, at or before 10:00 o'clock A.M. on March 20, 1995, by an owner of any parcel of land to be assessed.

DATED this 6th day of March, 1995.

BOISE COUNTY, IDAHO

By John M. Dyer
Chairman

By Janice Doolan
Commissioner

By David E. Ryan
Commissioner

ATTEST:

Rora A. Canody
County Clerk

(A) By publication of such notice in a newspaper of general circulation within the County, 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. 95-1, 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 from and after its passage and approval.

DATED this 6th day of March, 1995.

BOISE COUNTY, IDAHO

By John A. Dyer
Chairman

By Janice Donley
Commissioner

By Harold E. Taylor
Commissioner

ATTEST:

Rosal A. Canody
County Clerk

Section 23, Township 10 North, Range 4 East, B.M., Boise County, Idaho.

NE 1/4 of the NE 1/4

NW 1/4 of the NE 1/4

SW 1/4 of the NE 1/4 North of the Middle Fork of the Payette River

SE 1/4 of the NE 1/4 South of the Middle Fork of the Payette River

~~NW~~ 1/4 of the SW 1/4

Section 14, Township 10 North, Range 4 East, B.M., Boise County, Idaho.

S 1/2 of the SE 1/4 of the SE 1/4 South of the Middle Fork of the Payette River

Exhibit "A"