

RESOLUTION NO. 31-85

EAST LANE COUNTY ROAD IMPROVEMENT DISTRICT

RESOLUTION CONFIRMING ASSESSMENT AND APPROVING AND RATIFYING ALL PROCEEDINGS; APPROVING FORM OF NOTICE OF SALE OF BONDS; AND AUTHORIZING THE SUPERINTENDENT OF STREETS TO CERTIFY THE ASSESSMENT ROLL AND EXECUTE THE CERTIFICATE THEREFOR

WHEREAS, on January 8, 1985, the Board of Directors of the East Lane County Road Improvement District adopted a Resolution of Intention to order certain improvements within the District; and

WHEREAS, on March 12, 1985, the Board of Directors of the East Lane County Road Improvement District adopted a Resolution Approving the Diagram and Acknowledging the Recording of the Assessment; and

WHEREAS, a Notice of Assessment has been published and mailed to the property owners of record within the area to be assessed in accordance with Arizona Revised Statutes Section 11-727E; and

WHEREAS, the Board of Directors of the East Lane County Road Improvement District held a hearing on April 16, 1985, to hear any objections to the assessments in the District; and

WHEREAS, the Board of Directors of the East Lane County Road Improvement District has heard any and all objections by any owner, the contractor and all other persons interested in the work or in the assessment who have any objections to the legality of the assessment or to any of the previous proceedings connected therewith and hereby determines that any objections received were not sufficient to cause the modification of the assessments or effect the legality of any proceedings of the East Lane County Road Improvement District; and

WHEREAS, all lawful proceedings prior to the issuance and sale of bonds of the District have been completed or are being completed; and

WHEREAS, pursuant to Arizona Revised Statutes Section 11-734F, the Board may sell the bonds at a public or private sale; and

WHEREAS, in order to effectuate the sale of the bonds, it is necessary to have a Notice Inviting Proposals to Purchase the Bonds prepared by the District and circulated among the potential buyers; and

WHEREAS, the Superintendent of Streets prepared an Assessment; and

WHEREAS, by Resolution the Board of Directors acknowledged the recording of said Assessment; and

WHEREAS, the Board of Directors of the East Lane County Road Improvement District adopted a resolution approving the Assessment; and

WHEREAS, the time period allowed by statute for property owners to payoff the Assessment for their parcel of property in cash has expired; and

WHEREAS, the Board of Directors is desirous of having the Superintendent of Streets certify the unpaid Assessments.

THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the East Lane County Road Improvement District hereby confirms the diagram and assessment as heretofore recorded.
2. The Board of Directors of the East Lane County Road Improvement District hereby approves, ratifies, confirms and validates all proceedings in this matter heretofore taken.
3. The annual assessment installments are to be collected in the same manner as Navajo County taxes.
4. That in confirming said assessment the Board of Directors has reaffirmed its position set forth earlier in these proceedings in the Resolution forming said District and the Resolution of Intention to order the improvements that each parcel set forth in the assessment will be benefited by the improvements to be constructed.
5. The assessment so confirmed includes the sum due for the work performed and specified in the Contract and incidental expenses of said work and assessment.
6. The form of the Notice Inviting Proposals for the Purchase of Bonds attached hereto is hereby approved in substance and the Clerk of the Board of Supervisors, ex officio Clerk of the Board of Directors, is authorized to execute said notice, and to make such minor corrections in said notice as may be necessary in the opinion of bond counsel, John G. Gliege, which do not materially effect the information presented therein.

7. The Board of Directors of the East Lane County Road Improvement District hereby authorizes the Superintendent of Streets to certify the unpaid Assessments for the East Lane County Road Improvement District.

DATED this 16th day of April, 1985.

BOARD OF DIRECTORS,
EAST LANE COUNTY ROAD IMPROVEMENT DISTRICT

John L. Butler
Chairman

ATTEST:

Sharon J. Green
Clerk

APPROVED AS TO FORM:

DW/RConfAssmt