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RESOLUTION NO. 46-90

MOUNTAIN HOMES UNIT II COUNTY ROAD IMPROVEMENT DISTRICT

RESOLUTION CONFIRMING ASSESSMENT AND APPROVING AND RATIFYING ALL PROCEEDINGS; AND AUTHORIZING THE SUPERINTENDENT OF STREETS TO CERTIFY THE ASSESSMENT ROLL

WHEREAS, on March 5, 1990, the Board of Directors of the Mountain Homes Unit II County Road Improvement District adopted a Resolution of Intention to construct certain improvements within the District; and

WHEREAS, on April 9, 1990, the Board of Directors of the Mountain Homes Unit II County Road Improvement District adopted a Resolution which, among other things, is a Resolution Approving the Diagram; and

WHEREAS, on May 14, 1990, the Board of Directors of the Mountain Homes Unit II County Road Improvement District adopted a Resolution which, among other things, acknowledges and approves 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 48-928; and

WHEREAS, the Board of Directors of the Mountain Homes Unit II County Road Improvement District held a hearing on June 11, 1990, to hear any objections to the assessments in the District; and

WHEREAS, the Board of Directors of the Mountain Homes Unit II 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 assessment, and hereby determines that any objections received were not

sufficient to affect the legality of any proceedings of the Mountain Homes Unit II 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 48-935, the Board may sell the Bonds at a public or private sale; and

WHEREAS, the Superintendent of Streets prepared an Assessment; and

WHEREAS, the time period allowed by statute for property owners to payoff the Assessment for their parcel of property in cash will expire on June 25, 1990; and

WHEREAS, the Board of Directors is desirous of having the Superintendent of Streets certify the unpaid Assessments after June 25, 1990.

THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors of the Mountain Homes Unit II County Road Improvement District hereby confirms the diagram and assessment as heretofore recorded.

2. The Board of Directors of the Mountain Homes Unit II 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 prescribed by Arizona Revised Statutes Section 48-938.

4. In confirming said assessment, the Board of Directors reaffirms 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 benefitted 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 Board of Directors of the Mountain Homes Unit II County Road Improvement District hereby authorizes the Superintendent of Streets to certify the unpaid Assessments for the Mountain Homes

Unit II County Road Improvement District upon the conclusion of the prepayment period.

DATED this 11th day of June, 1990.

BOARD OF DIRECTORS
MOUNTAIN HOMES UNIT II COUNTY
ROAD IMPROVEMENT DISTRICT

Martin F. Gillespie
Chairman

ATTEST:

Sharon R. Geens
Clerk

APPROVED AS TO FORM:

MDFYASM2.RES/MTHOMES