

SUMMARY OF ORDINANCE NO. 2020-188

**CITY OF FERNAN LAKE VILLAGE
KOOTENAI COUNTY, IDAHO**

LOCAL IMPROVEMENT DISTRICT NO. 1

An Ordinance creating Local Improvement District No. 1 for the City of Fernan Lake Village, Kootenai County, Idaho; describing and setting forth the boundaries of said local improvement district; providing for the improvements to be made therein; authorizing the advertising for bids for said work as provided by law; providing for the payment of costs and expenses of said improvements to be assessed against the property within the district benefited thereby and the method of assessment; providing for the issuance of local improvement district bonds and/or warrants; providing for the publication of a summary of this ordinance; and providing for other matters properly relating thereto.

A summary of the principal provisions of Ordinance No. 2020-188 of the City of Fernan Lake Village, Kootenai County, Idaho (the "City"), adopted on February 10, 2020 (the "Ordinance"), is as follows:

Section 1. Finds and declares that formation of City of Fernan Lake Village Local Improvement District No. 1 ("LID No. 1") is in the best interest of the property affected and the City; there is a reasonable probability that the obligations of LID No. 1 will be paid; the value of the property subject to assessment within LID No. 1, including the proposed improvements, is sufficient to provide for the repayment of the obligations of proposed LID No. 1 and exceeds the sum of the estimated costs to be assessed against the property; and that a public hearing to consider all protests to the formation of LID No. 1 was held on January 7, 2020, and the City Council did not receive any testimony at the hearing or written protests prior thereto.

Section 2. Creates and establishes City of Fernan Lake Village Local Improvement District No. 1 ("LID No. 1") the boundaries of which are set forth in Exhibit A attached to the Ordinance.

Section 3. Describes the improvements to be made within LID No. 1 as follows (the "Improvements"):

A. The design, acquisition, construction and installation of replacement grinder lift pumps and pump basins, duplex solids handling pumps, pump controls, alarm controls and all related appurtenances;

B. Acquisition of easements and/or rights-of-way, as necessary; and

C. Engineering, legal, accounting, costs of bond issuance, costs of interim financing, costs of financial advice, the funding of a guarantee fund or reserves fund to secure payment of financings, if any, and other costs incidental thereto. All work will be performed and all materials supplied after the advertisement for bids therefor by giving notice calling for sealed bids for the construction of work.

Section 4. The estimated total cost and expenses of the proposed Improvements is approximately \$185,000, all of which shall be borne by and assessed against the properties specially benefited by such Improvements based upon a benefits derived method of assessment as set forth in Section 50-1707, Idaho Code. Upon final confirmation of the assessment roll under Idaho Code Section 50-1715, the City anticipates it will permit unpaid assessments to be payable in installments.

Section 5. Appoints the City engineer and directs design of the Improvements.

Section 6. Provides for the issuance of warrants, if necessary, for the immediate payment of the costs of the Improvements, and provides for the issuance of bonds upon the final assessment on the benefited property.

Section 7. Incorporates all matters and things done in regard to the creation of LID No. 1.

Section 8. States that the Ordinance shall take effect after its passage, approval, and publication of a summary thereof.

Exhibit A: Provides the boundaries of LID No. 1.

Exhibit B: Sets forth the substantial form of this Summary for publication (to be revised pursuant to City Council action).

The full text of the Ordinance is available at the office of the City Clerk and will be provided to any citizen upon personal request during normal business hours.

DATED this 17 day of February, 2020.

CITY OF FERNAN LAKE VILLAGE,
KOOTENAI COUNTY, IDAHO

David H. Hoffman
Mayor

ATTEST:

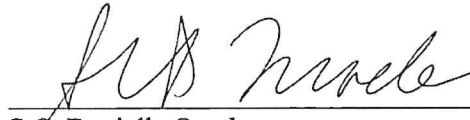
[Signature]
City Clerk

CERTIFICATION OF BOND COUNSEL

I, the undersigned Bond Counsel for the City of Fernan Lake Village, Kootenai County, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 2020-188 of said City and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

DATED as of this 17th day of February, 2020.

HAWLEY TROXELL ENNIS & HAWLEY LLP



S.C. Danielle Quade



Advanced Technology Surveying & Engineering

EXHIBIT 1
CITY OF FERNAN
COMMERCIAL SEWER LID #1

A PARCEL OF LAND SITUATE IN A PORTION OF GOVERNMENT LOT 1, SECTION 19, TOWNSHIP 50 NORTH, RANGE 03 WEST OF THE BOISE MERIDIAN, CITY OF FERNAN, KOOTENAI COUNTY, IDAHO; AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 19, WITNESSED BY A 2.5 INCH DIAMETER ZINC CAP MONUMENT (PER GP&F INSTRUMENT #2032368000), FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 19, WITNESSED BY A 2.5 INCH DIAMETER ALUMINUM CAP MONUMENT IN A CITY MONUMENT CASE (PER GP&F INSTRUMENT #2500247000) BEARS NORTH 89°41'32" WEST, 2646.05 FEET; THENCE SOUTH 89°47'00" EAST, 337.3 FEET MORE OR LESS A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COEUR D'ALENE LAKE DRIVE (A.K.A. HIGHWAY 10); THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 09°42'41" EAST, 30.5 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF MULLAN AVENUE AND BEING THE TRUE POINT-OF-BEGINNING FOR THIS DESCRIBED PARCEL OF LAND;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°47'00" EAST, 202.48 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 90;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY AS FOLLOWS;

SOUTH 09°45'55" EAST, 255.30 FEET;
SOUTH 06°35'05" EAST, 194.70 FEET;
SOUTH 12°48'12" WEST, 175.94 FEET;
SOUTH 00°53'05" WEST, 94.00 FEET TO THE NORTH SHORE OF FERNAN CREEK;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND TRAVERSING SAID NORTHERLY EDGE OF FERNAN CREEK AS FOLLOWS;

SOUTH 65°21'04" WEST, 17.51 FEET;
SOUTH 03°38'56" EAST, 12.02 FEET;
SOUTH 51°21'04" WEST, 14.00 FEET;
SOUTH 77°21'04" WEST, 33.00 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF COEUR D'ALENE LAKE DRIVE (A.K.A. HIGHWAY 10);

THENCE LEAVING SAID NORTH EDGE OF FERNAN CREEK ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS;

NORTH 09°13'56" WEST, 47.00 FEET;
NORTH 31°50'56" WEST, 64.99 FEET;
NORTH 09°13'56" WEST, 221.01 FEET;
SOUTH 80°46'04" WEST, 20.00 FEET;
NORTH 09°13'56" WEST, 147.60 FEET;
NORTH 09°42'41" WEST, 288.52 FEET MORE OR LESS, RETURNING TO THE POINT-OF-BEGINNING.

DESCRIBED PARCEL CONTAINING 2.812 ACRES, MORE OR LESS.



Z:\Proj\18-000\18-141\survey\Legal\Description\Commercial\LID #1.doc

P.O. Box 3467, Hayden, Idaho 83835
PH. (208) 772-2745 Fax. (208) 762-7731