



June 22, 2017

Troy Edward Kraus  
19813 E. 39<sup>th</sup> St  
Broken Arrow, Oklahoma 74014

In re: Request for Waiver of Assessment for the Glen Eagles/Steeplechase Farms  
Assessment District

Dear Mr. Kraus:

In 2007, the Broken Arrow City Council began the process of approving an Assessment District for the subdivisions of Glen Eagles and Steeplechase Farms. The purpose of the Assessment District was to make improvements to the stormwater system as a result of a significant rain event. Steeplechase Farms and portions of Glen Eagles were constructed pursuant to Wagoner County standards and subsequently annexed into the City of Broken Arrow. The significant rain event resulted in the flooding of numerous residences in this area and highlighted the fact that the stormwater system was undersized. Complicating factors included the fact that the system was not constructed in accordance with the design engineer's plans, the unavailability/disengagement of the developer, grossly overgrown detention ponds, and a disorganized homeowner's association. To resolve the stormwater issues, the Council elected to proceed with upgrades to the system that included using the street to handle stormwater. This option was chosen as a result of the incredible expense of upgrading underground stormwater pipes, among other things. The Council voted to bear the costs of construction. The cost of materials was to be borne by the homeowners.

The Assessment District process is long and complicated. It is a statutory creation that provides for multiple public hearings, passage of resolutions, several notifications by mail and publication, an ordinance, an Assessment Roll, and notification of various county officials. Assessment Districts can be a valuable tool in managing the costs of infrastructural improvements that benefit a particular area.

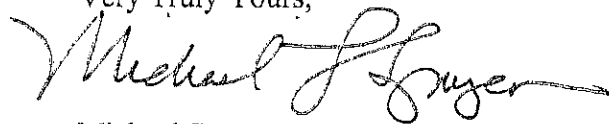
In the Glen Eagles/Steeplechase Farms District, the Assessment Roll originally contained 277 properties. Material costs attributable to each property were based upon the size of the lot. The total assessment was \$123,056.89. As of today's date, there are 76 properties that have unsatisfied assessments. Of this number, 55 properties remain with the original owners and 21 properties have been transferred or sold. Assessments for these properties with original owners total \$23,375.67. Assessments for the transferred properties total \$9,399.73. The total overall remaining assessments, excluding interest, is \$32,795.40. I bring these numbers to your attention to emphasize that the funds for this project essentially advanced by the City of Broken Arrow represent taxpayer dollars. I take my responsibility as a steward of the public's money very

seriously and I therefore, believe that it was important to consider not only the City's investment, but the equity of waiving any assessment, particularly when others have paid.

It is my understanding that you have requested waiver of the assessment for your property in the amount of \$408.39. It is also my understanding that this request is based upon the fact that you were not aware of the outstanding assessment at the time you acquired your property. As City Manager for the City of Broken Arrow, it is my position that the improvements made by the City benefit your land both now and into the future. I do not believe that it would be prudent for me to waive the assessment, particularly because a number of your neighbors have paid the assessment even though they acquired the land after the assessment was finalized. For the reasons set forth above, I am denying your request for an assessment waiver.

I understand that you may be disappointed with my decision. You do, however, have a right to appeal my decision to the City Council. If you are interested in pursuing that, please contact the City Clerk, Lisa Blackford, in writing within thirty (30) days of the date of this letter.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Michael Spurgeon". The signature is written in black ink and is positioned above the printed name.

Michael Spurgeon  
City Manager