

ORDINANCE NO. 692

AN ORDINANCE DECLARING THE ASSESSMENT ON PROPERTY BENEFITING FROM THE IMPROVEMENTS TO IDA STREET FROM THE INTERSECTION ON FOURTH AVENUE EAST TO MILL STREAM WOODS, AND DIRECTING THE FINANCE DIRECTOR TO ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS.

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

SECTION 1: On 31 May 1991, property owners of 100 percent of the property petitioned the city to improve Ida Street from the intersection at Fourth Avenue and Ida Street east 200 lineal feet to the east end of Ida Street, terminating at the Mill Stream Woods development. The Common Council of the City of Stayton created the Local Improvement District (LID) by adopting Resolution No. 494 on 3 June 1991. The Common Council of the City of Stayton awarded the bid for improvements to Ida Street from Fourth Avenue east to the end of Ida Street to North Santiam Paving in the amount of \$7,400.00.

The project is complete and the actual cost of the project has been determined.

SECTION 2: It is hereby determined that the proportionate share of the cost of construction of the improvements on each parcel of property adjacent to the improvements and benefited thereby, is the amount set opposite the description of each piece or parcel of land described herein, and that each piece or parcel of land benefited by the construction of the improvements, to the full extent of the amount so set opposite each piece or parcel, and that the respective amounts represent the proportional benefits of the improvement to the respective parcels of property, and the Council does hereby declare that each of the parcels of property described herein is hereby assessed the amount set opposite each respective description for the cost of the construction of the improvements.

Summary of the costs of the improvements of Ida Street from Fourth Avenue to the east end of Ida Street is as follows:

Construction	\$ 7,400.00
Inspection and Engineering	\$ 789.50
Administration	\$ <u>222.00</u>
TOTAL	\$ <u>8,411.50</u>

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SECTION 3: The costs assessed to each parcel are as follows:

ASSESSMENT NUMBER 1

Creekside Apartments, et al
Zellner H. Giles, Jr.
Bonnie G. Giles
1748 Bagpipe Way
San Jose, California 95121

Situs Address: 384 - 386 N. Fourth Avenue
Tax Lot Number: 60937-000

Assessment: 105 lineal feet \$ 473.82

ASSESSMENT NUMBER 2

Ralph A. Harold
Constance Harold et al
443 E. Ida Street
Stayton, Oregon 97383

Situs Address: 443 E. Ida Street
Tax Lot Number: 60936-000

Assessment: 101 lineal feet \$ 455.77

ASSESSMENT NUMBER 3

Allan K. Pooler
482 E. Ida Street
Stayton, Oregon 97383

Situs Address: 482 E. Ida Street
Tax Lot Number: 60923-000

Assessment: 60 lineal feet \$ 270.76

ASSESSMENT NUMBER 4

Michel Lau
444 E. Ida Street
Stayton, Oregon 97383

Situs Address: 444 E. Ida Street
Tax Lot Number: 60924-000

Assessment: 65 lineal feet \$ 293.32

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ASSESSMENT NUMBER 5

Marjorie Nason
438 E. Ida Street
Stayton, Oregon 97383

Situs Address: 438 E. Ida Street
Tax Lot Number: 60925-000

Assessment: 60 lineal feet \$ 270.76

ASSESSMENT NUMBER 6

Harry Robert Berk
c/o Marie Sanders
No. 1, Norblad Lane
Stayton, Oregon 97383

Situs Address: 284 N. Fourth Avenue
Tax Lot Number: 60928-000

Assessment: 76 lineal feet \$ 338.45

SECTION 4: On 17 September 1991, the Common Council of the City of Stayton approved an agreement for public improvements with Donal McIntosh, developer of Mill Stream Woods, in which the developer agreed to share in one-half the cost of improvements, up to \$7,500.00, if improvements were initiated prior to 30 June 1991. The portion to be paid by the developer is as follows:

Donal and Kathreen McIntosh \$4,205.75

SECTION 5: The non-assessable portion (45,126 lineal feet) to be paid by city funds is as follows:

Street Fund \$2,102.87

SECTION 6: A recapitulation of the assessments is as follows:

<u>Assmnt No.</u>	<u>Name</u>	<u>Amount Assessed</u>
1	Creekside Apartments	\$ 473.82
2	Ralph A. and Constance Harold	\$ 455.77
3	Allan K. Pooler	\$ 270.76
4	Michel Lau	\$ 293.32
5	Marjorie Nason	\$ 270.76
6	Harry Robert Berk	\$ 338.45
	Subtotal	\$2,102.88
	Mill Stream Woods	\$4,205.75
	Non-Assessable Portion	<u>\$2,102.87</u>
	TOTAL	<u>\$8,411.50</u>

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SECTION 7: The city administrator of the City of Stayton is hereby directed to enter a statement of these assessments in the docket of city liens, publicize the assessments, and give notice of assessment and installment payment provisions pursuant to Stayton Municipal Code Section 12.12.530. The installment payment provision will reflect an interest rate of ten percent (10%), not to exceed sixty (60) monthly payments.

SECTION 8: It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for maintaining the public credit, an emergency is declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage by the Stayton City Council.

PASSED BY THE COMMON COUNCIL of the City of Stayton this 16th day of September, 1991.

Signed by the Mayor this 20 day of September, 1991.

Willmer Van Vleet 9-20-91
WILLMER VAN VLEET, Mayor Date

ATTEST D.W.K. 9-17-91
DAVID W. KINNEY, City Administrator Date

APPROVED AS TO FORM David A. Rhoten SEP 19 1991
DAVID A. RHOTEN, City Attorney Date

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