

RESOLUTION NO. 412

A RESOLUTION TO CREATE A LOCAL IMPROVEMENT DISTRICT FOR FERN RIDGE ROAD, FIRST AVENUE EAST TO CITY LIMITS, CITY OF STAYTON.

WHEREAS, the Common Council of the City of Stayton deems it appropriate to initiate a Local Improvement District (hereinafter LID) for the improvement of FERN RIDGE ROAD FROM FIRST AVENUE EAST TO CITY LIMITS FOR CITY OF STAYTON.

NOW THEREFORE,

THE STAYTON CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1:       DECLARATION OF INTENT TO CREATE AN LID

The City Council hereby declares its intent to create an LID, the nature and scope, boundaries, and proposed assessment formulas of which are as follows:

1.    NATURE AND SCOPE OF THE IMPROVEMENT

The proposed improvements on Fern Ridge Road from 610 Fern Ridge Road east to the city limits (approximately 2,800 feet in length) include installing concrete curbs, sidewalks, and driveways only on the south side of Fern Ridge Road where they do not now exist, and replacing those existing which are in poor condition or not compatible with the final design of the street and drainage system. Storm drainage facilities, such as piping, manholes, and catch basins, will be installed as required to provide proper drainage to the project site. The shoulder area of the street will be reconstructed and paved to match the existing paved section in the center of the right-of-way which is scheduled to be overlaid by Marion County. Incidental work will also be included as related to the construction, such as adjusting grades on manhole lids, valve and meter boxes, and miscellaneous items.

The proposed improvements on Fern Ridge Road from First Avenue to 610 Fern Ridge Road (approximately 1,200 feet in length) include installing concrete retaining walls

where required and concrete curbs the entire length of this project only on the south side of Fern Ridge Road. Related storm drainage facilities, such as piping, manholes, and catch basins, will be installed as required to develop proper drainage of the project. The south side shoulder area of the street will be reconstructed and paved to match the existing paved section in the center of the right-of-way, which is scheduled for a pavement overlay by Marion County. Incidental work will also be included related to the construction improvements, such as adjusting manhole lids, valve and meter box covers.

Water line extensions from the south side of Fern Ridge Road to the north side for future access will be installed but not assessed on the street portion of this project.

2. BOUNDARIES OF THE LID

The boundary of the improvement district includes all those lots adjacent to Fern Ridge Road from First Avenue east to the Stayton city limits.

3. ASSESSMENT FORMULA

The proposed assessment formula consists of a pro rata sharing of the improvement costs based on front footage of the lots abutting the public improvement. The estimated cost of the project from First Avenue to 610 Fern Ridge Road amounts to \$61,100, of which \$28,157 is to be assessed to the benefitting properties, yielding a front foot cost of approximately \$22.54 ( $\$28,157$  in assessments  $\div$  1249 front feet = \$22.54 assessment per front foot). The estimated cost of the project from 610 Fern Ridge Road east to the Stayton city limits amounts to \$70,735, of which \$62,306 is to be assessed to the benefitting properties, yielding a front foot cost of approximately \$25.26 ( $\$62,306$  in assessments  $\div$  3715 front feet = \$25.26 assessment per front foot). The estimated assessment for each lot is shown on the preliminary engineering report.

The maximum interest rate to be charged will be not more than 2 percent above prime lending rate and shall be established at the public hearing prior to bid.

SECTION 2: PUBLIC HEARING

1. The Stayton City Council will hold a public hearing at 8:00 p.m. on 22 May 1989 at the Stayton Community Center, 400 W. Virginia Avenue, Stayton, Oregon, respecting creation of the LID, and legal notice of the hearing shall be published in The Stayton Mail on 10 May 1989, and notices shall be mailed to the affected property owners not later than ten (10) days prior to the public hearing.
2. Notice of the public hearing shall include statements that:
  - a. The City Administrator has on file at City Hall a written engineer's report which describes the project, estimated costs, all properties to be specifically benefitted by the improvement, the estimated total cost of the improvement to be paid for by special assessments to benefitted properties and an estimate of the unit cost of the improvement and each property to be specially assessed and that this engineer's report is available for public inspection;
  - b. The City Administrator shall prepare and distribute a survey to the property owners to be specially assessed for the public improvement and results of the survey shall be tabulated and provided to the Council at the public hearing;
  - c. The City Council will consider all objections and remonstrances to the proposed improvement at the public hearing; and
  - d. If prior to the public hearing there are presented to the City Administrator valid written remonstrances of the owners of two-thirds of the property to be specially assessed by the proposed public improvement, then the improvement will be abandoned by the City or suspended for at least six (6) months.

**SECTION 3: DECISION TO PROCEED OR ABANDON PROJECT FOLLOWING PUBLIC HEARING**

During the Hearing, the City will consider all written remonstrances. If the written remonstrances represent owners of less than two-thirds of the property, the Council may proceed with the project. The City Council may, at the time of the hearing or within sixty (60) days thereafter: 1) adopt, correct, modify, or revise the proposed assessments, and 2) order the improvement to be carried out in accordance with this resolution, or 3) abandon the proposed improvement project.

PASSED BY THE COMMON COUNCIL THIS 15<sup>th</sup> DAY OF MAY, 1989.

SIGNED BY THE MAYOR THIS 30<sup>th</sup> DAY OF MAY, 1989.

  
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WAYNE L. LIERMAN, MAYOR Date

ATTEST:

  
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DAVID W. KINNEY, CITY ADMINISTRATOR 5-02-89  
Date

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JANET S. MCCOY, CITY ATTORNEY 5-3-89  
Date

dk:b(3-29-89)