

RESOLUTION NO. 464

A RESOLUTION TO CREATE A LOCAL IMPROVEMENT DISTRICT FOR EAST IDA STREET FROM FOURTH AVENUE EAST TO MILL STREAM WOODS, CITY OF STAYTON.

WHEREAS, property owners adjacent to East Ida Street from Fourth Avenue east to Mill Stream Woods have initiated a petition to construct street and drainage improvements; and

WHEREAS, the Common Council of the City of Stayton deems it appropriate to initiate a Local Improvement District (hereinafter LID) for the improvement of East Ida Street from Fourth Avenue east to Mill Stream Woods in the manner petitioned;

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:

a. NATURE AND SCOPE OF THE IMPROVEMENTS

The proposed improvement on East Ida Street includes street and drainage improvements from Fourth Avenue east to Mill Stream Woods.

b. BOUNDARIES OF THE LID

The boundary of the improvement district includes all those lots adjacent to the north and south sides of East Ida Street from Fourth Avenue east to Mill Stream Woods.

c. ASSESSMENT FORMULA

The proposed assessment formula consists of a pro rata sharing of the improvement costs based on the front footage of the lots abutting the public improvement, except that the owner of Mill Stream Woods has agreed to pay one-half the cost of the improvements, up to \$7,500.00, and the Pooler property, Tax Lot No. 60925-000, would be assessed for a minimum of 60 front feet. The estimated cost of the project amounts to \$12,951, of which a maximum of \$9,713 will be assessed to property owners.

SECTION 2. PUBLIC HEARING

- a. The Stayton City Council will hold a public hearing at 8:00 p.m. on the 17th day of June 1991 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* at least ten (10) days prior to the hearing, and notices shall be mailed to the affected property owners not later than ten (10) days prior to the public hearing.

- b. Notice of the public hearing shall include statements that:
1. The City Administrator has on file at City Hall a written project 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 project report is available for public inspection;
  2. The City Council will consider all objections and remonstrances to the proposed improvement at the public hearing; and
  3. 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.
  4. After the project is constructed and after the assessment is levied, property owners may either pay the City in full or may apply to the City to pay the assessments in monthly installments over a ten (10) year period. Assessments paid in installments will carry interest at not more than 2 percent above the prime lending rate.

**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 3 day of June 1991.

SIGNED BY THE MAYOR this 6<sup>th</sup> day of June 1991.

Willmer Van Vleet 6-6-91  
WILLMER VAN VLEET, Mayor Date

ATTEST

David W. Kinney 6-6-91  
DAVID W. KINNEY, City Administrator Date

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RESOLUTION NO. 464  
INITIATING EAST IDA STREET AND DRAINAGE IMPROVEMENTS  
Page 2 of 2