

ORDINANCE NO. 635

AN ORDINANCE DECLARING THE ASSESSMENT ON PROPERTY BENEFITTED FOR THE COST OF CONSTRUCTING WATER, SEWER, STREET AND DRAINAGE FACILITIES ON THIRD AVENUE, FROM CEDAR STREET NORTH TO FERN RIDGE ROAD AND DIRECTING THE FINANCE DIRECTOR TO ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS.

WHEREAS, the City of Stayton initiated a project to improve Third Avenue from Cedar Street north to Fern Ridge Road, and

WHEREAS, an informal survey of affected property owners indicated support for the improvement, whereupon an Engineer's Report was prepared and submitted July 3, 1986, and

WHEREAS, the Common Council approved the Engineers Report and created the Local Improvement District by Resolution No. 359 for the improvements of Third Avenue and called for a Public Hearing, and

WHEREAS, a Public Hearing was conducted by the Council on July 21, 1986, whereby testimony was entered in favor and opposition, the results showing sufficient support to proceed, and

WHEREAS, plans and specifications were drawn, competitive bids were received, and the contract awarded to North Santiam Paving Company, Inc., and

WHEREAS, the project was completed, final payment has been made, and the actual cost of the project has been determined;

NOW, THEREFORE;

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

SECTION 1. It is hereby determined that the proportionate share of the cost of construction of said improvement, on each parcel of property adjacent to said improvement and benefitted thereby is the amount set opposite the description of each piece or parcel of land below, and that each piece or parcel of land benefitted by the construction of said improvement, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportional benefits of said improvement to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described below is hereby assessed the amount set opposite each respective description, for the cost of the construction of said improvement.

Summary of cost assessed for the construction of water, sewer, street, and storm drainage facilities on Third Avenue, from Cedar Street north to Fern Ridge Road as follows:

<u>Item</u>	<u>Description</u>	<u>Total</u>
1	Water Improvements	\$ 34,844.36
2	Sewer Improvements	10,037.20
3	Street & Drainage	<u>101,209.24</u>
	subtotal	\$146,090.80
4	Administrative & Engineering	<u>14,609.08</u>
		\$160,699.88
5	Weddle's off-street parking lot	<u>15,200.00</u>
	TOTAL	\$175,899.88

SECTION 2. The costs assessed to each parcel is as follows:

Assessment Number 1

Robert D. Weddle
15212 Fern Ridge Road
Stayton, OR 97383

Situs Address: 1779 Third Avenue
Tax Lot Number: 60689-000
Deed Reference Number: R343, P1567 RD

Property to be assessed:

Beginning at a point on the North line of Section 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said point being 364.14 feet North 89 degrees 21' East from the quarter corner of the North line of said Section 10; Thence North 89 degrees 21' East 150.00 feet along said North line to a point on the West line of Third Avenue in the City of Stayton; Thence South along the West line of Third Avenue 150.00 feet; Thence South 89 degrees 21' West 150.00 feet parallel with the North line of Section 10; Thence North 150.00 feet parallel with the West line of said Third Avenue to the point of beginning.

Assessment:

Street	:	\$4,502.83	
Curbs	:	524.93	
Sidewalk	:	204.02	
Adm. & Eng.	:	523.18	
		<u>\$5,754.96</u>	TOTAL

Assessment #2

Robert D. Weddle
15212 Fern Ridge Rd.
Stayton, OR 97383

Situs address : 1777 Third Avenue
Tax Lot Number: 60691-000
Deed Reference Number: R343, P1567 RD

Property to be assessed:

Beginning at a point which is 364.14 feet North 89 degrees 21' East and 150.00 feet South of the North Quarter corner of Section 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence North 89 degrees 21' East 150.00 feet to a point on the West line of Third Avenue in the City of Stayton; Thence South, 95.00 feet along the West line of said Third Avenue; Thence South 89 degrees 21' West 150.00 feet; Thence North 95.00 feet parallel to the West line of said Third Avenue to the point of beginning and lying in the North-East Quarter of said Section 10.

Assessment:	Street	:	\$3,422.15	
	Curbs	:	398.95	
	Adm. & Eng.	:	392.94	
			<u>\$4,203.21</u>	TOTAL

ASSESSMENT NUMBER 3

Robert D. Weddle
15212 Fern Ridge Road
Stayton, Oregon 97383

Situs Address: 1775 Third Avenue
Tax Lot Number: 60687-000
Deed Reference Number: R343, P1567 RD

Property to be assessed:

Beginning at a point which is 364.14 feet North 89 degrees 21' East and 245.00 feet South of the North Quarter corner of Section 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence North 89 degrees 21' East 150.00 feet to a point on the West line of Third Avenue in the City of Stayton; Thence South 95.00 feet along the West line of said Third Avenue; Thence South 89 degrees 21' West 150.00 feet; Thence North 95.00 feet parallel to the West line of said Third Avenue to the point of beginning and lying in the North-East Quarter of said Section 10.

Assessment:

Street	:	\$	3,422.15	
Curbs	:		398.95	
Sidewalks	:		155.06	
Adm. & Eng.	:		397.61	
		\$	<u>4,373.77</u>	TOTAL

ASSESSMENT NUMBER 3A

Robert D. Weddle
 15212 Fern Ridge Road
 Stayton, Oregon 97383

Situs Address: 1775 Third Avenue
 Tax Lot Number: 60687-000
 Deed Reference Number: R343, P1567 RD

Property to be assessed:

Beginning at a point which is 364.14 feet North 89 degrees 21' East and 245.00 feet South of the North Quarter corner of Section 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence North 89 degrees 21' East 150.00 feet to a point on the West line of Third Avenue in the City of Stayton; Thence South 95.00 feet along the West line of said Third Avenue; Thence South 89 degrees 21' West 150.00 feet; Thence North 95.00 feet parallel to the West line of said Third Avenue to the point of beginning and lying in the North-East Quarter of said Section 10.

Assessment:

Off-Street Parking: \$15,200.00

ASSESSMENT NUMBER 4

Raymond L. and Marjorie A. Forrest
1769 Third Avenue
Stayton, Oregon 97383

Situs Address: 1769 Third Avenue
Tax Lot Number: 60685-000
Deed Reference Number: V 566, P121 DE

Property to be assessed:

Beginning at a point which is 364.14 feet North 89 degrees 21' East and 340.00 feet South of the North Quarter Corner of Section 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence 89 degrees 21' East 150.00 feet to a point on the West line of Third Avenue in the City of Stayton, Marion County Oregon; Thence South 100.22 feet along the West line of said Third Avenue; Thence South 89 degrees 21' West 150.00 feet; Thence North 100.22 feet parallel to the West line of said Third Avenue to the point of beginning and lying in the North-East Quarter of said Section 10.

Assessment:

Street	:	\$4,300.65	
Curbs	:	400.88	
Sidewalks	:	340.76	
Adm. & Eng.	:	504.23	
		<u>\$5,546.52</u>	TOTAL

ASSESSMENT NUMBER 5

James R. and Judith A. Templin
42039 Mt. Pleasant Drive
Scio, Oregon 97374

Situs Address: 1749 Third Avenue
Cedar Terrace Condominiums
Tax Lot Number: 60682-000

Deed Reference Number: R374, P0265 RD

Property to be assessed:

Beginning at a point that is 30 feet West of the Southwest corner of premises described in Volume 39, page 29, Deed Records for

Marion County, Oregon; Thence South along the West line of a strip of land conveyed to the Town of Stayton for street purposes 306.28 feet; Thence West to a point that is South 746.50 feet and East 210 feet from the Quarter Section corner between Sections 3 and 10 in Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence North 306.28 feet; Thence East 354 feet, more or less to the place of beginning.

Assessment

Street	:	\$13,065.01	
Curb	:	1,225.12	
Sidewalk	:	1,041.37	
Water	:	3,889.79	
Adm. & Eng.	:	1,922.13	
		<u>\$21,143.42</u>	TOTAL

ASSESSMENT NUMBER 6

William D. and Helen L. Bennett
 1600 NE 14th
 Lincoln City, Oregon 97367

Situs Address: 1721 - 1729 Third Avenue
 Tax Lot Number: 60679-000
 Deed Reference Number : R212, P1217 RD

Property to be assessed:

Beginning at a point on the Westerly boundary line of Third Avenue in the City of Stayton, which point is South 746.50 feet and East 500 feet, more or less from the Quarter Corner between Sections 3 and 10, in Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; and running Thence South along said West boundary line 100 feet; Thence West 100 feet; Thence North parallel with said West boundary line 100 feet; Thence East 100 feet to the place of beginning.

Assessment:

Street	:	\$2,873.40	
Sidewalk	:	340.00	
Adm. & Eng	:	321.34	
		<u>\$3,534.74</u>	TOTAL

ASSESSMENT NUMBER 7

William D. and Helen L. Bennett
1600 NE 14th
Lincoln City, Oregon 97367

Situs Address: 1721 - 1729 Third Avenue
Tax Lot Number: 60678-000
Deed Reference Number : R212, P1217 RD

Property to be assessed:

Beginning at the Northwest corner of that tract conveyed to North Santiam Publishing Co., Inc., by mortgage recorded in Volume 617, Page 285, Mortgage Records, Marion County, Oregon, said beginning point being 746.50 feet South and 400 feet, more or less, East from the Quarter Corner between Sections 3 and 10, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; Thence running South 100 feet along the West line of said tract; Thence East 100 feet along the South line of said tract to the point of beginning; Thence South 10 feet along the Westerly line of Third Avenue; Thence West 110 feet on a line parallel to the South line of said tract; Thence North 110 feet on a line parallel to the West line of said tract; Thence East 10 feet to the place of beginning.

Assessment:

Street	:	\$287.34
Sidewalk	:	34.00
Adm. & Eng.	:	32.13
		<u>353.47</u>

ASSESSMENT NUMBER 8

Northridge Associates
C/O Landura Corporation
P.O. Box 608
Woodburn, OR 97071

Situs Address: 1637 Third Avenue
Tax Lot Number: 60677-000
Deed Reference Number: R81, P1124 RD

Property to be assessed:

Ordinance No. 635
Assessments for Third Avenue from Cedar to Fern Ridge
Page 7

Beginning at an iron pipe at the Northwest corner of Third Avenue and Cedar Street in the City of Stayton, Marion County, Oregon, which iron pipe is 60.00 feet North 0 degrees 33' West from the Northeast corner of Block 1 in Pines addition in said City of Stayton; and running Thence South 89 degrees 59' West, along the North line of Cedar Street, 229.21 feet to an iron rod in the centerline of Second Avenue if extended Northerly; Thence North 0 degrees 3' West, along said centerline if extended Northerly, 425.66 feet to an iron rod at the Northwest corner of that certain tract of land conveyed to G.S.M., Inc. by deed recorded in Volume 630, page 497, Marion County Deed Records; Thence North 89 degrees 19' East 115.49 feet to an iron rod at the Northwest corner of that certain tract of land conveyed to North Santiam Publishing Co. by deed recorded in Volume 642, Page 607, Marion County Deed Records; Thence South 0 degrees 33' East 110.00 feet to an iron rod at the Southwest corner of said tract; Thence North 89 degrees 19' East 110.00 feet to an iron rod at the Southeast corner of said tract and also being in the West line of Third Avenue; Thence South 0 degrees 33' East, along said West line, 318.30 feet to the point of beginning.

SAVE AND EXCEPT THE SOUTHERLY 187.50 FEET

Assessment:

Street	:	\$3,787.17	
Adm. & Eng.	:	378.72	
		<u>\$4,165.89</u>	TOTAL

ASSESSMENT NUMBER 9

Northridge Associates
 C/O Landura Corporation
 P.O. Box 608
 Woodburn, Oregon 97071

Situs Address: 1633 Third Avenue
 Tax Lot Number: 60675-000
 Deed Reference Number: R 81 - P1124 RD

Property to be assessed:

The Southerly 187.50 feet of the following described parcel, to wit:

Beginning at an iron pipe at the Northwest corner of Third Avenue and Cedar Street in the City of Stayton, Marion County, Oregon, which iron pipe is 60.00 feet North 0 degrees 33' West

Ordinance No. 635

Assessments for Third Avenue from Cedar to Fern Ridge

from the Northeast corner of Block 1 in Pines Addition in said City of Stayton; and running Thence South 89 degrees 59' West, along a North line of Cedar Street, 229.21 feet to an iron rod in the centerline of Second Avenue if extended Northerly; Thence North 0 degrees 3' West, along said centerline if extended Northerly, 425.66 feet to an iron rod at the Northwest corner of that certain tract of land conveyed to G.S.M., Inc. by deed recorded in Volume 630, Page 497, Marion County Deed Records; Thence North 89 degrees 19' East 115.49 feet to an iron rod at the Northwest corner of that certain tract of land conveyed to North Santiam Publishing Co. by deed recorded in Volume 642, page 607, Marion County Deed Records; Thence South 0 degrees 33' East 110.00 feet to an iron rod at the Southwest corner of said tract; Thence North 89 degrees 19' East 110.00 feet to an iron rod at the Southeast corner of said tract and also being on the West line of Third Avenue; Thence South 0 degrees 33' East, along said West line, 318.30 feet to the point of beginning.

Assessment

Street	:	\$3,923.08	
Adm. & Eng.	:	392.31	
		<u>\$4,315.39</u>	TOTAL

ASSESSMENT NUMBER 10

George and Helen Peterson
 1726 Georgia Avenue SE
 Salem, OR 97302

Situs Address: 1598 Third Avenue - Vacant Parcel
 Tax Lot Number: 60673-738
 Deed Reference Number: R280, P1512 RD

Property to be assessed:

Beginning at a 1/2 inch iron pipe on the West line of a tract of land conveyed to Phillip C. and Rodney M. Goble by Deed recorded in Volume 704, page 551, Deed Records for Marion County, Oregon, said iron pipe being 733.00 feet North and 100.00 feet North 0 degrees 9' 27" West from the Northwest corner of Block 3 of Annex No. 1 of George Hollister's Addition to the Town of Stayton in Marion County, Oregon; and running Thence North 89 degrees 45' 44" East 100.00 feet to a 1/2 inch iron pipe Thence North 0 degrees 9' 27" West 99.95 feet to a 1/2 inch iron pipe on the North line of the aforesaid Goble tract of land; Thence South 89 degrees 47' 19" West along the North line of said Tract, 100.00

feet to the Northwest corner thereof; Thence South 0 degrees 9' 27" East along the West line of said tract 100.00 feet to the point of beginning.

Assessment:

Street	:	\$1,436.72	
Adm. & Eng.	:	<u>143.67</u>	
		\$1,580.39	TOTAL

ASSESSMENT NUMBER 11

Douglas K. Siebert and Company
c/o Gale P. and Patricia Goyins
2115 E. Pine Street
Stayton, OR 97383

Situs Address: 363 E. Cedar Street and
1640 N. Third Avenue, a duplex
Tax Lot Number: 91560-460
Deed Reference Number: R175, P0098 RD

Property to be assessed:

Beginning at a point which is South 89 degrees 26' West 373.66 feet, North 0 degrees 59' West 260 feet, and South 89 degrees 45' West 72 feet from the Southeast corner of Lot 8, of G.W. Hollister's Annex No. 2 to the Town of Stayton, in Marion County, Oregon; Thence South 89 degrees 45' West 72 feet; Thence North 165 feet; Thence North 89 degrees 45' East 72 feet; Thence South 165 feet to the place of beginning.

Assessment:

No monetary consideration of benefit,
compensatory with prior completed improvements.

0.00 TOTAL

ASSESSMENT NUMBER 12

Kay L. & Lucille Kelley
380 E. Regis Street
Stayton, OR 97383

Situs Address: 1666 N. Third Avenue
Tax Lot Number: 91560-370
Deed Reference Number: R02 P0734 RD

Property to be assessed:

Beginning on the South line of Regis (Tower) Street in the City of Stayton, Marion County, Oregon, at a point which lies 108.00 feet South 89 degrees 7' West of the West line of Fourth Avenue projected in Annex No. 2 to G.W. Hollister's Addition in the NE quarter of Section 10, T9S, R1W, WM; Thence South, 161.12 feet, Thence South 89 degrees 30' West 108.00 feet to a point on the East line of Third Avenue, said point being 733.00 feet North and 395.00 feet North 0 degrees 9' 27" West of the Northwest corner of Block 3, Annex No. 1 to G.W. Hollister's Addition; Thence North along the East line of said Third Avenue 80.56 feet, Thence East 50.00 feet; Thence North 3 degrees 27' East 81.02 feet to a point on the South line of Regis Street, 58 feet more or less from the beginning point; Thence North 89 degrees 7' East along the South line of Regis Street to the point of beginning.

Assessment:

Street	:	\$3,063.46	
Curb	:	458.97	
Sidewalk	:	242.73	
Adm. & Eng.	:	376.52	
		<u>\$4,141.68</u>	TOTAL

ASSESSMENT NUMBER 13

Kay L. and Lucille Kelley
380 E. Regis Street
Stayton, OR 97383

Situs Address: 1684 N. Third Avenue
Tax Lot Number: 60680-000
Deed Reference Number: R02, P0734 RD

Property to be assessed:

Beginning at the Westerly Northwest corner of Lot 7, Annex No. 2 to Hollister's Addition in Township 9 South, Range 1 West of the Willamette Meridian in Stayton, Marion County, Oregon; Thence North 6 degrees 26' East 81.22 feet on a line between said point of beginning and the Southwest corner of the premises described in Volume 37 Page 29, Deed Records for Marion County, Oregon; Thence North 89 degrees 7' East 45.77 feet on an extension of the Southerly line of Regis Street to a point on the Westerly line of said Lot 7; Thence South 3 degrees 27' West to a re-entrant corner of said Lot 7; Thence Westerly 50 feet to the place of beginning.

Assessment:

Street	:	\$1,660.25	
Curb	:	248.74	
Sidewalk	:	131.55	
Adm. & Eng.:		<u>204.05</u>	
		\$2,244.59	TOTAL

ASSESSMENT NUMBER 14

Archdiocese of Portland in Oregon
P.O. Box 351
Portland, Oregon 97207

Situs Address: 1740 N. Third Avenue
Tax Lot Number: 91560-000
Deed Reference Numbers: R130, P0392; V695, P0020; R37, P0029;
R410, P0546; EV216, P0380DE

Property to be assessed:

Beginning at a point on the North line of Lot 7, Annex Number 2 to G.W. Hollister's Addition to Stayton, said point being 9 chains 11 feet North 89 degrees 7' East of the Northwest corner of said Lot 7 in the Northeast quarter of Section 10, T9S, R1W, W.M., Marion County, Oregon; Thence South 219.59 feet to the North line of Regis (Tower) Street; Thence South 89 degrees 7' East along the said North line of Regis Street 647.56 feet to the East line of Third Avenue; Thence North 6 degrees 26' West along the said East line of Third Avenue 221.42 feet to a point which would be on the North line of said Lot 7 if projected Westerly; Thence North 89 degrees 7' West along said projection 31 feet more or less to the point of beginning.

Assessment :

Street	:	\$7,379.97	
Curbs	:	948.65	
Sidewalk	:	584.74	
Adm. & Eng.:	:	891.34	
		<u>\$ 9,804.70</u>	TOTAL

ASSESSMENT NUMBER 15

Lone Oak Cemetery
 Stayton Lodge, I.O.O.F. #64
 Stayton, Oregon 97383

Situs Address: 1778 N. Third Avenue
 Tax Lot Number: 60684-000
 Deed Reference Number: V037 P0029 DE

Property to be assessed:

Beginning nine (9) chains East of the Quarter Section Corner between Sections Three (3) and Ten (10) in Township Nine South, Range One West, of the Willamette Meridian, in Marion County, Oregon; Thence East nine (9) chains; Thence South six chains and sixty-seven (67) links; Thence West nine (9) chains; Thence North six (6) chains and sixty-seven (67) links to the place of beginning.

Assessment:

Street	:	\$15,672.28	
Curb	:	1,723.71	
Sidewalk	:	1,241.77	
Adm. & Eng.	:	1,863.78	
		<u>\$20,501.54</u>	TOTAL

SECTION 3. The non-assessable portions to be paid by City funds are as follows:

Water Fund	-	\$34,050.03
Sewer Fund	-	\$11,040.92
Street Fund	-	<u>\$23,944.66</u>
		\$69,035.61

SECTION 4. A recap of the assessments is as follows:

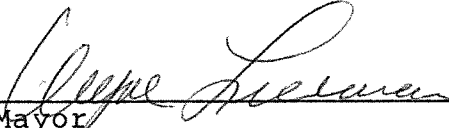
<u>Assessment Number</u>	<u>Name</u>	<u>Amount Assessed</u>	
1	Weddle	\$ 5,754.96	
2	Weddle	\$ 4,203.21	
3	Weddle	\$ 4,373.77	
3A	Weddle	\$15,200.00	
4	Forrest	5,546.52	
5	Templin	21,143.42	
6	Bennatt	3,534.74	
7	Bennatt	353.47	
8	Northridge	4,165.89	
9	Northridge	4,315.39	
10	Peterson	1,580.39	
11	Goyins	0.00	
12	Kelley	4,141.68	
13	Kelley	2,244.59	
14	Archdiocese	9,804.70	
15	Lone Oak	20,501.54	
		<u>\$106,864.27</u>	SUBTOTAL
	NON-ASSESSABLE	<u>69,035.61</u>	
		<u>\$175,899.88</u>	TOTAL

SECTION 5. The Finance Director 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 City Ordinance Number 557. The installment payment provision will reflect an interest rate of 10%, not to exceed 120 monthly payments.

SECTION 6. 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.

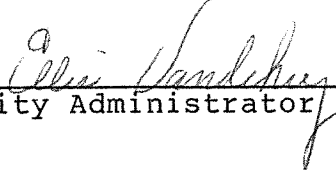
PASSES BY THE COMMON COUNCIL THIS 1st DAY OF June, 1987.

Signed by the Mayor this 9th day of JUNE, 1987.



Mayor

Attest:



City Administrator

(lid2.ord.kf)