

ORDINANCE NUMBER 769

AN ORDINANCE DECLARING THE ASSESSMENT ON PROPERTY BENEFITED FROM THE IMPROVEMENTS ON LOCUST STREET FROM GARDNER AVENUE TO WILCO ROAD AND DIRECTING THE FINANCE OFFICER TO ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Stayton initiated a project to improve Locust Street from Gardner Avenue to Wilco Road. An engineer's report was prepared and submitted on 03 June 1994 and was revised 19 September 1994; and,

WHEREAS, the Council of the City of Stayton created the Local Improvement District (LID) by Resolution No. 538 for the improvements to Locust Street and called for a public hearing. A public hearing was conducted by the City Council on 27 June 1994, whereby testimony was entered in favor and in opposition, the results showing sufficient support to proceed; and,

WHEREAS, the project is complete and the actual cost of the project has been determined; and,

WHEREAS, existing conditions are such that this ordinance assessing improvements to Locust Street is necessary for maintaining the public credit, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Stayton City Council;

NOW, THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

It is hereby declared and determined that:

SECTION 1: The proportionate share of the cost of construction of said improvements on each parcel of property adjacent to said 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 said improvement, to the full extent of the amount so set opposite each 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 herein is hereby assessed the amount set opposite each respective description, for the cost of the construction of said improvements.

Summary of the cost of the improvements on Locust Street from Gardner Avenue to Wilco Road follows:

Storm Drain	\$ 8721.33
Street	\$83,980.00
Sidewalks and Curbs	\$37,311.00
Driveways	\$ 2,478.00
Railroad Cross Improvement (PUC required)	\$32,500.00
Stop Work Order (railroad negotiations)	\$10,289.80
Administration and Engineering	<u>\$11,355.29</u>
TOTAL	<u>\$ 186,635.42</u>

SECTION 2: The costs assessed to each parcel are as follows:

ASSESSMENT NUMBER 1

Wells-Dorn Investments
Post Office Box 56
Stayton, Oregon 97383

Tax Lot Number: 60625-000

Assessment:	Storm Drain	\$ 1,058.06
	Street	\$ 15,048.00
	Sidewalks and Curbs	\$ 5,172.75
	Engineering and Administration	\$ 3,317.83
	TOTAL	<u>\$ 24,596.64</u>

ASSESSMENT NUMBER 2

Dick Hatten
Best-bilt Construction
Post Office Box 7104
Salem, Oregon 97303

Tax Lot Number: 60626-000

Assessment:	Storm Drain	\$ 146.25
	Street	\$ 2080.00
	Sidewalks and Curbs	\$ 715.00
	Engineering and Administration	\$ 458.64
	TOTAL	<u>\$ 3,399.89</u>

ASSESSMENT NUMBER 3

Calvin Marshall
5494 Marion Hill Road
Turner, Oregon 97383

Tax Lot Number: 60621-651

Assessment:	Storm Drain	\$ 373.50
	Street	\$ 5,312.00
	Sidewalk and Curb	\$ 1,826.00

Sidewalk	<u>\$ 1,171.30</u>
TOTAL	<u>\$ 8,682.80</u>

ASSESSMENT NUMBER 4

William and Morgan Crawford
 Post Office Box 645
 Stayton, Oregon 97383

Tax Lot Number: 60624-000

Assessment:	Storm Drain	\$ 742.50
	Street	\$ 10,560.00
	Sidewalk and Curb	\$ 3,630.00
	Engineering and Administration	<u>\$ 2,328.48</u>
	TOTAL	<u>\$ 17,260.98</u>

ASSESSMENT NUMBER 5

Guerdon Real Estate Trust
 c/o Guerdon Industries
 Post Office Box 537
 Stayton, Oregon 97383

Tax Lot Number: 60632-000

Assessment:	Storm Sewer	\$ 6,396.50
	Street	\$ 49,500.00
	Sidewalks and Curbs	\$ 6,050.00
	Driveways	\$ 2,478.00
	Engineering and Administration	<u>\$ 4,079.04</u>
	TOTAL	<u>\$ 68,503.54</u>

SECTION 3: The non-assessable portion to be paid by city funds is as follows:

Street Fund	<u>\$ 64,191.57</u>
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SECTION 4: A recapitulation of the assessments is as follows:

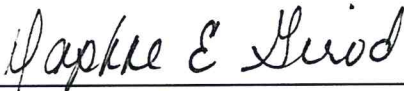
<u>Assmnt No.</u>	<u>Name</u>	<u>Amount Assessed</u>
1	Wells-Dorn	\$ 24,596.64
2	Hatten	\$ 3,399.89
3	Marshall	\$ 8,682.80
4	Crawford	\$ 17,260.98
5	Guerdon	\$ 68,503.54
	Subtotal	\$ 122,443.85
	Non-Assessable	\$ 64,191.57
	TOTAL	<u>\$186,635.42</u>

SECTION 5: 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%), and not to exceed one-hundred twenty (120) monthly payments.

SECTION 6: It is hereby adjudged and declared that existing conditions are such that this ordinance assessing improvements to Locust Street is necessary for maintaining the public credit, an emergency is declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Stayton City Council.

PASSED BY THE STAYTON CITY COUNCIL this 3rd day of March, 1997.

Signed by the Mayor this 5th day of March, 1997.



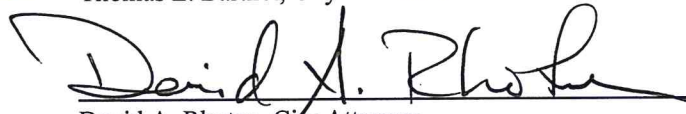
DAPHNE E. GIROD, Mayor Date 3-5-97

ATTEST



Thomas L. Barthel, City Administrator Date 3-5-97

APPROVED AS TO FORM



David A. Rhoten, City Attorney Date 2/18/97