

RESOLUTION NO. 438

A RESOLUTION TO CREATE A LOCAL IMPROVEMENT DISTRICT FOR EAST SANTIAM STREET from the west lot line of Lot 8, Block 6, Highland Estates, Second Addition, to Green Acres Court.

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 Santiam Street;

NOW, THEREFORE, THE CITY OF STAYTON CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1:       DECLARATION OF INTENT TO CREATE AN LID

The Stayton 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 include paving the shoulder to the existing curb on the north side of Santiam Street (approximately 628.08 feet x 9.5 feet). The shoulder will be built to the same standard as the street with a 3-1/2 inch AC plug, capped with 2-inch AC overlay.

2.    BOUNDARIES OF THE LID

The boundary of the improvement district includes all those lots adjacent to the north side of East Santiam Street from the west lot line of Lot 8, Block 6, Highland Estates, Second Addition, to Green Acres Court.

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. Each parcel of land abutting the improvement is

assessed, on a unit price basis, that portion of the total assessable cost that its frontage bears to the total frontage of the improvement. The estimated cost of the project amounts to \$6,000.00, all to be assessed to the benefiting properties, yielding a front foot charge of approximately \$9.55.

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.

SECTION 2: PUBLIC HEARING

1. The Stayton City Council will hold a public hearing at 8:30 p.m. on 21 May 1990 at the Stayton Community Center, 400 W. Virginia Street, Stayton, Oregon, respecting the creation of the LID, the legal notice of the hearing shall be published in the Stayton Mail on 9 May 1990, 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 report which describes the project, estimated costs, all properties to be specifically benefited by the improvement, the estimated total cost of the improvement to be paid for by assessments to benefited properties, and an estimate of the unit cost of the improvement and each property to be specially assessed, and that this report is available for public inspection;
  - b. The city administrator shall prepare and distribute surveys 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

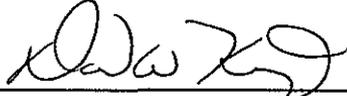
During the hearing, the city will consider all written remonstrances. If the written remonstrances represent owners of less than two-thirds of the property, the council may proceed with the project. The city council may, at the time of the hearing or within sixty (60) days thereafter: 1) adopt, correct, 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 7th day of May 1990.

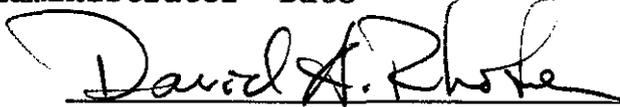
SIGNED BY THE MAYOR this 7<sup>th</sup> day of May 1990.

  
WAYNE L. LIERMAN, Mayor

ATTEST

  
DAVID W. KINNEY, City Administrator Date 5-8-90

APPROVED AS TO FORM:

  
DAVID A. RHOTEN, City Attorney Date MAY 22 1990

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