

AFFIDAVIT OF POSTING

ORDINANCE CB-0-53-86

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 2nd day of July, 1986, I caused to be posted copies of the attached Ordinance CB-0-53-86, an Ordinance reapportioning the assessment for Local Improvement District No. 4 (AKA Kinsman Road Local Improvement District #4) within Tax Lot 300, in the following four public and conspicuous places of the city, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 7th day of July, 1986.

Vera A. Rojas
VERA A. ROJAS, City Recorder

Subscribed and sworn to before me this 7th day of July, 1986.

[Signature]
NOTARY PUBLIC STATE OF OREGON

My commission expires: 8-23-89

AFFIDAVIT OF POSTING

ORDINANCE CB-0-53-86

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 2nd day of April, 1986, I caused to be posted copies of the attached Ordinance CB-0-53-86, an Ordinance reapportioning the assessment for Local Improvement District No. 4 (AKA Kinsman Road Improvement District #4), in the following four public and conspicuous places of the city, to wit:

WILSONVILLE CITY HALL

WILSONVILLE POST OFFICE

LOWRIE'S FOOD MARKET

KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 21st day of April, 1986.

Vera A. Rojas
VERA A. ROJAS, City Recorder

Subscribed and sworn to before me this 22nd day of April, 1986.

Deanna Horn
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 8-23-89

AFFIDAVIT OF POSTING

ORDINANCE CB-0-53-86

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 30th day of July, 1986, I caused to be posted copies of the attached Ordinance CB-0-53-86, an Ordinance Reapportioning the Assessment for Local Improvement District No. 4 (AKA Kinsman Road Local Improvement District #4) Within Tax Lot 300, Clackamas County, Oregon; and Declaring an Emergency, in the following four public and conspicuous places of the city, to wit:

WILSONVILLE CITY HALL

WILSONVILLE POST OFFICE

LOWRIE'S FOOD MARKET

KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 4th day of August, 1986.

Vera A. Rojas
VERA A. ROJAS, City Recorder

Subscribed and sworn to before me this 15th day of August, 1986.

Rebecca Thomas
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 8-23 87

ORDINANCE NO. 299

AN ORDINANCE REAPPORTIONING THE ASSESSMENT FOR LOCAL IMPROVEMENT DISTRICT NO. 4 (AKA KINSMAN ROAD LOCAL IMPROVEMENT DISTRICT NO. 4) WITHIN SECTION 14C, TAX LOT 300, CLACKAMAS COUNTY, OREGON

WHEREAS, on September 4, 1984, the City Council enacted Resolution No. 423, levying assessments; and

WHEREAS, the owners of Tax Lot 300 has duly filed with the City Recorder, application for division and reapportionment of the assessment levied upon parcels of contiguous land as provided in Section 3.219 in the Wilsonville Code; and the City Recorder mailed notices to each property owner and party having an interest in such property that the City Council would consider such reapportionment at a regular meeting held April 7, 1986, commencing at 7:30 o'clock p.m.; and

WHEREAS, pursuant to the City Code, Section 3.219, the City Administrator has made a report and recommendation to the City Council for the reapportionment of the property purposed to be divided, describing the effect of such division upon security of the city; and

WHEREAS, the City Council, having heard and considered the matter, including the facts and findings contained in the report of the City Administrator; and

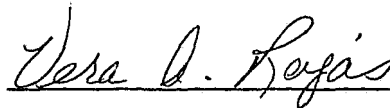
WHEREAS, it has been determined by the city and the owners of TAX Lot 300 that the Exhibit "A" setting forth the assessment was in error as to certain assessments and the property owners have been notified of the corrected assessments as set forth in Exhibit "A" as amended.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The assessment for Assessment District No. 4, Section 14C, Tax Lot 300, Clackamas County, is hereby reapportioned for the parcels of the property covered under the application on file as described in the reports of the City Administrator, dated March 28, 1986, July 1, 1986 and July 30, 1986.
2. The reports by the City Administrator are hereby adopted by reference and made a part of this Ordinance.
3. The Wilsonville City Council finds that the said reapportionment of the assessment liens will not impair the security of the bond holders or the City of Wilsonville for the collection of the assessment upon said property.

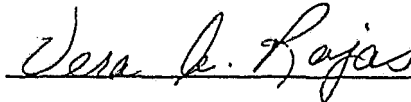
4. It being determined by the Wilsonville City Council an emergency exists, the Ordinance shall take effect upon final reading and passage of the Wilsonville City Council.

Submitted to the City Council and read the first time at a regular meeting thereof on the 7th day of April, 1986, and scheduled for second reading at a regular meeting of the Wilsonville City Council on the 21st day of April, 1986, at which time, the ordinance was withdrawn from the agenda. It was rescheduled for second reading at a regular meeting of the Wilsonville City Council on the 7th day of July, 1986, at which time the ordinance was tabled until August 4, 1986, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall,



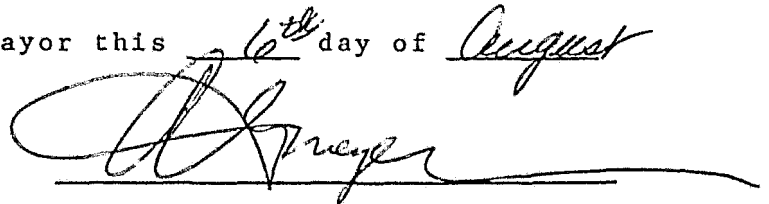
VERA A. ROJAS, City Recorder

ENACTED by the Council on the 4th day of August, 1986, by the following votes: YEAS 5 NAYS 0.



VERA A. ROJAS, City Recorder

DATED and signed by the Mayor this 16th day of August 1986.



A. G. MEYER, Mayor

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: PETE WALL
SUBJECT: REQUEST FOR REAPPORTIONMENT OF ASSESSMENT IN
LOCAL IMPROVEMENT DISTRICT NO. 4
DATE: JULY 1, 1986

This has been before the Council for first reading on April 7th. There were some concerns expressed by John Kinsman, owner of Tax Lot 100 and Stu Lindquist, owner of Tax Lot 300, at that meeting.

The Council directed the property owners to meet and resolve any concerns they may have had and work with the staff.

The staff researched the file and traced the assessment formula from the Board of Viewers recommendation to the assessments adopted by Council and did find where errors did exist in the original "Exhibit C" attached to Ordinance No. CB-0-53-86.

The assessment per acre is \$10,637.61. The acreage amount to be reapportioned changed per tax lot, but the total amount is the same, 4.47 acres.

Attached is "Exhibit D" to amend "Exhibit C".

RECOMMENDATION:

I recommend that the City Council reapportion the assessment for Tax Lot 300 as attached.

pw:vr

CITY OF WILSONVILLE

MEMO

July 30, 1986

TO: Honorable Mayor and Council

FROM Pete Wall

SUBJECT: Ordinance No. CB-0-53-86 Proposed Assessment Reapportionment -
Kinsman Road LID #4 - Tax Lot 300

In reviewing the original file and dedications of property between owners of Tax Lot 100 and 300 the acreage amount used in the assessment was in error. The acreage to establish the amount of assessment was in excess of .37 acres.

The City is not obligated to make any changes in the original assessment formula following the completion of the Assessment Bonding Application. But, in reviewing this matter with Pete Wall and Ray Shorten, it was agreed that it may prove to be beneficial to the City to make the appropriate corrections and for the City to pick up the assessment of the .37 acres in the amount of \$3,935.92. The City would not be required to pay this amount in cash, but absorb the assessment throughout the life of the Bond.

RECOMMENDATION:

Council adopt Ordinance CB-0-53-86 with the amended, attached Exhibit Schedule "D"

(Prepared By: Deanna J. Thom)

Kinsman Enterprises

3727 S.E. Spaulding Avenue
Portland, Oregon 97222
Telephone (503) 654-1668

April 7, 1986

RECEIVED
APR 7 1986
CITY OF WILSONVILLE

To: Wilsonville Mayor & City Council
From: John Kinsman
Subject: Request for an accurate apportionment of L.I.D. #4

I have been informed of the request by Stuart Lindquist for reapportionment of L.I.D. #4 and have the "new" figures and map.

The figures as compiled by Jim Weddle, registered land Surveyor and those on the memo from Pete Wall dated March 28, 1986, disagree to a large extent and not in my favor.

Exhibit "B" shows land areas and swaps between Lindquist and me.

Area A 1. (T.L. 304 on the County map marked exhibit "A") contain .59 acres, not .85 acres. If the argument is that the other .26 acres is street, then why is T.L. 203 (A 4. exhibit "B") shown as less than a net basis?

I'm afraid the County has completely confused the issue regarding T.L. 100. The survey figures show this contains .641 Acres (A 5. exhibit "B".) I think the County is including A 6. (exhibit "B") which I already owned and was included with my original property.

I don't disagree with the possible need for new figures. I will contest any figures which are not accurate.

I'm in the final stages of Jim Weddle's computation of the square footage of my property.

I suggest that if all parties involved provide a registered surveyor's computation of areas, then an accurate apportionment can result.

The only thing I ask is that the figures be derived on an equal basis -- either including the areas that are now Kinsman Road or excluding those areas.

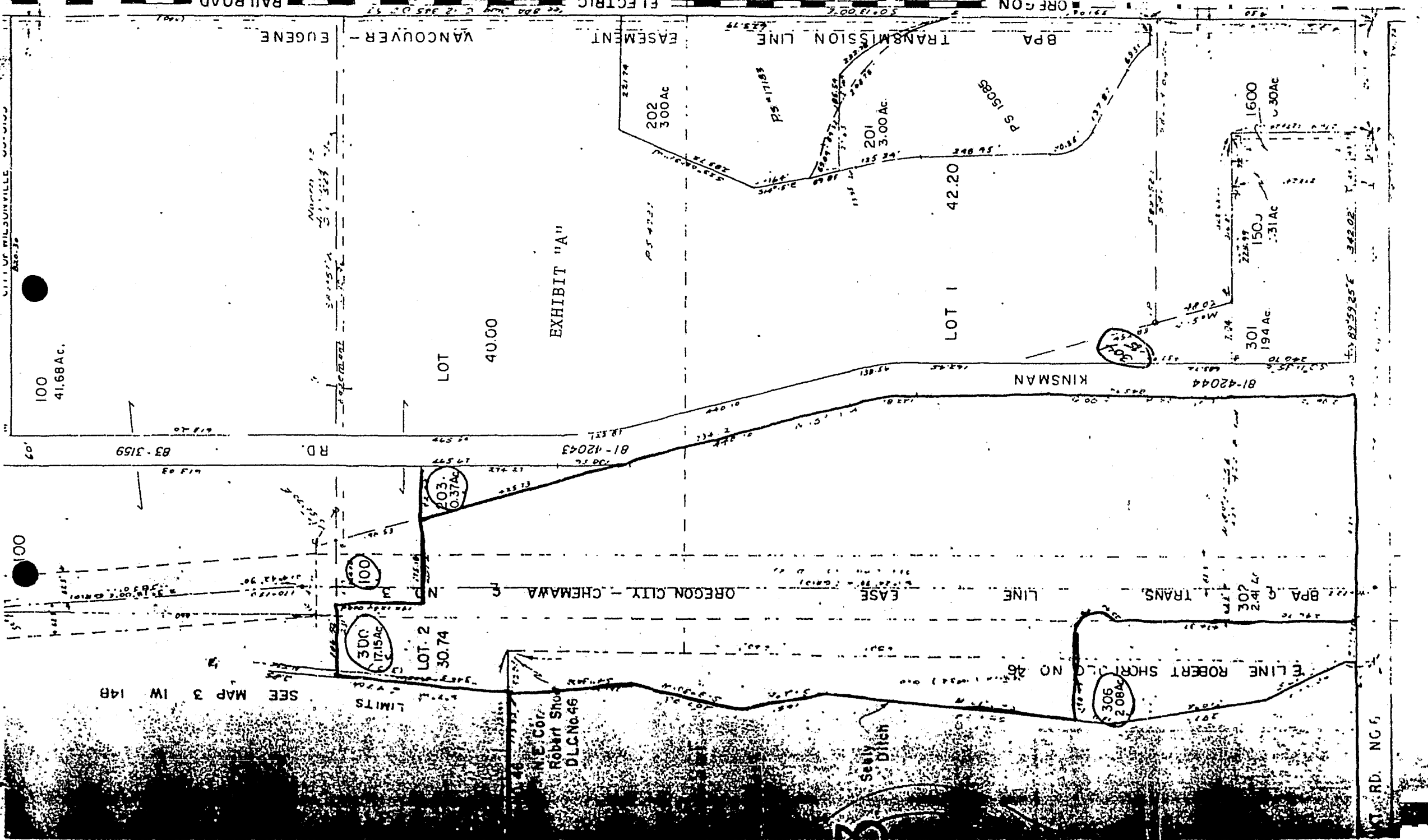
Thank you for your consideration in this matter.

Since I am unable to attend the meeting tonight, I'll be in touch with the City soon.

Sincerely,

John Kinsman

John Kinsman
mlb
Encls.



100
41.68AC.

100

VANCOUVER - EUGENE RAILROAD

BPA TRANSMISSION LINE EASEMENT

EXHIBIT "A"

LOT
40.00

LOT 1
42.20

81-42044
KINSMAN

203
0.37AC

300
17.15AC

LOT 2
30.74

NE COR.
ROBERT SHO
DLC No. 46

SEELY
DITCH

306
2.08AC

150J
194 Ac

1600
U 30AC

SEE MAP 3 IW 14B

LIMITS

RD. NG 5

RD. 83-3159

OREGON CITY - CHEWAWA EASE LINE TRANS.

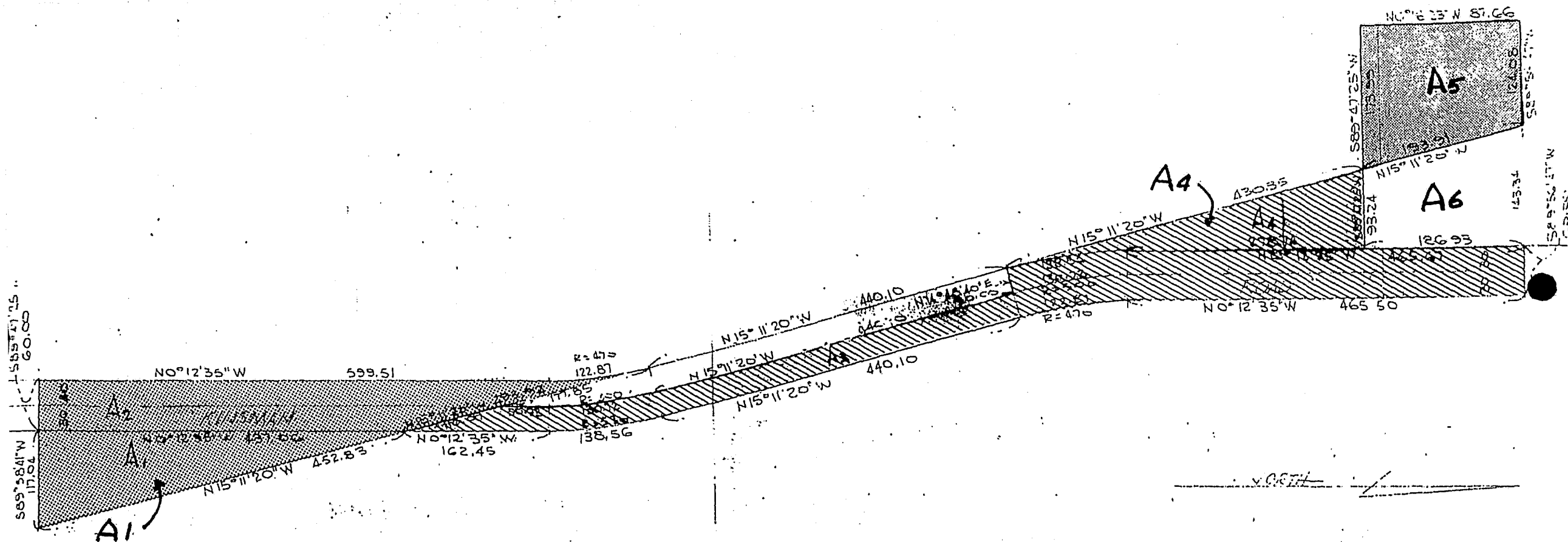
ROBERT SHORT NO 26

81-42044
BPA

VILLAGE WILSONVILLE

OREGON ELECTRIC

825925E 3420E



To KINSMAN $\begin{cases} A_1 = 25,577.23 \text{ S.F.} \\ A_2 = 33,117.29 \text{ S.F. (STREET)} \end{cases}$

To OLIN $\begin{cases} A_3 = 56,211.75 \text{ S.F. (STREET)} \\ A_4 = 16,451.45 \text{ S.F.} \end{cases}$

To KINSMAN - $A_5 = 2 [(A_3 + A_4) - (A_1 + A_2)] = \underline{27,938 \text{ S.F.}}$

EXHIBIT "B"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jim Weddle 8-31-81

GREGG
JAMES O. WEDDLE
M-1

PREPARED BY
JIM WEDDLE & ASSOCIATES, INC.
200 EYE CROSS
1725 SW SKYLINE BLVD.
REPLACES 64-1720

EXHIBIT "D"

	<u>Original Acreage</u>	<u>Original Acreage Assessment</u>
Tax Lot 300	21.60	\$229,772.38
		Sewer Line <u>+ 11,700.00</u>
		\$241,472.38

Tax Lot 300 - Acres reduced as follows:

-(.64) acres transferred to Tax Lot 100
-(1.36) acres transferred to Tax Lot 100 (was known as Tax Lot 304)
-(.37) acres transferred to Tax Lot 203
-(2.08) acres transferred to Tax Lot 306
4.45 net acres - 21.60 = 17.15 acres

\$10,637.61/acre assessment x 17.15 = \$182,435.01
Sewer Line + 11,700.00
Total Assessment Retained by Lindquist et al \$194,135.01

NOTE: The City will absorb \$3,935.92

DATE: APRIL 2, 1986
TO: MAYOR AND CITY COUNCIL
FROM: PETE WALL
SUBJECT: REQUEST FOR REAPPORTIONMENT OF ASSESSMENT IN
LOCAL IMPROVEMENT DISTRICT #4

On November 7, 1985, Stuart Lindquist met with Larry Blanchard and Dee Thom and requested that a reapportionment of Tax Lot 300 in Section 14C be reviewed. Mr. Lindquist's request was in accordance with Wilsonville Code, Section 3.219(a).

Assessments were levied by Resolution No. 433, entitled "Kinsman Road Local Improvement District No. 4" - LID #4, and adopted by City Council September 4, 1984.

Owners and parties having an interest in Tax Lot 300 to be reapportioned have been duly notified of the date, time and place the City Council will consider the request for the reapportionment of Tax Lot 300. Preliminary Title Reports on Tax Lot 300 revealed that the sale of property has taken place and has been recorded with Clackamas County. The reapportionment includes R.O.W. access of 1.27 acres to Tax Lot 100 from Tax Lot 300 and the sale of 2.08 acres from Tax Lot 300, creating an additional Tax Lot 306. An additional 1.15 acres was deeded from Tax Lot 300 to Tax Lot 100. (See attached map)

Tax Lot 300 to be reapportioned has frontage from Kinsman Road and the newly created Tax Lot has frontage on Wilsonville Road.

Tax Lot 300 is unplatted. The reapportionment of this Tax Lot will leave buildable lots.

The petitioner requests that the reapportionment of the assessment on Tax Lot 300 be made on a pro-rata acreage basis. The relative value, area, frontage on public streets are proportionate to the proposed separation, and reapportionment of the original assessments so there should be no impairment to the

security of the City or the holders of the Bancroft Bonds.

The assessment per acres is \$11,179.28.

RECOMMENDATION: I recommend the City Council apportion the assessment as follows:

Original Assessment to be Reapportioned

Tax Lot 300 Contained 21.60 Acres

Assessment \$241,472.38

Tax Lot 300 Containing 17.15 Acres	-	\$191,724.63
Tax Lot 306 Containing 2.08 Acres (New Tax Lot)	-	23,252.89
Tax Lot 100 Containing 1.15 Acres (Add to Existing Tax Lot 100)	-	12,856.16
Tax Lot 203 Containing .37 Acres	-	4,136.32
Tax Lot 304 Containing .85 Acres	-	9,502.38
		<hr/>
		21.60 Acres
		<hr/>
		\$241,472.38
		<hr/>