

**ORDINANCE NO. 466**

**AN ORDINANCE ASSESSING BENEFITED PROPERTY FOR THE COSTS OF CONSTRUCTING LOCAL IMPROVEMENT DISTRICT PROJECT NO. 11-94-ST, KNOWN AS THE RIDDER ROAD INDUSTRIAL AREA, DIRECTING THE CITY RECORDER TO ENTER THE ASSESSMENTS IN THE DOCKET OF CITY LIENS, AND DECLARING AN EMERGENCY.**

WHEREAS, based upon duly noticed public meetings and hearings the City Council for the City of Wilsonville has heretofore taken the following actions:

1. Local Improvement District No. 11-94-ST, known as the Ridder Road Industrial Area project was initiated by authority of Resolution No. 1139, accepting written petitions from 100 percent of the benefited property owners for formation of LID No. 11-94-ST, Adopted October 17, 1994. In adopting Resolution No. 1139, the Council declared the City's Intent to Make Street, Sanitary Sewer and Storm Drain Improvements Known as Local Improvement District No. 11-94-ST; to Initiate a Special Assessment According to Benefits Conferred for the Local Improvement; and Directed and City Engineer and the Finance Director to Prepare Written Reports. :

2. On January 24, 1995, the Council adopted Resolution No. 1157, A Resolution of the City of Wilsonville Accepting the Engineer's and Finance Director's Reports; Calling for and Setting the Date and Time for a Public Hearing; Requesting the Transfer of Jurisdiction of Ridder Road from Washington County to the City of Wilsonville; Authorizing the Mayor to Make Final Application for Funding; All in Association with Local Improvement District No. 11-94-ST (Renumbered 11-95-ST in Resolution No. 1157).

3. On March 6, 1995, the Council adopted Resolution No. 1166, A Resolution Declaring the City's Intent to Proceed with the Public Improvements Known as Local Improvement District No. 11-94-ST and Directing the City Engineer to Prepare Plans, specifications and then Advertise for Bids for Construction of the Proposed Improvements.

4. On June 19, 1995, the Council Adopted Resolution 1192, A Resolution of the City of Wilsonville Modifying the Engineer's Report and Reaffirming the Intent to Make the Improvements to the Ridder Road Industrial Area Known as Local Improvement District No. 11-94-ST.

5. On June 26, 1995, the Council enacted Ordinance No. 445, An Ordinance of the City of Wilsonville Authorizing a Loan from the Special Public Works Fund by Entering into a Loan Contract With the Oregon Economic Development Department for Funding to Complete the Construction of Sewer, Storm Sewer, and Street Improvements in the Ridder Road Industrial Area also Known as LID #11, and Declaring an Emergency.

WHEREAS, the Council finds the project has been completed and accepted, and a certification of completion has been issued; and,

WHEREAS, the final cost of the improvement is \$966,082.00 together with accrued net construction interest of \$39,931.72. The property owners' share is \$966,082.00 together with the aforementioned accrued interest of \$39,931.72. Final costs include contractor payments, advertising, progress payment interest, right-of-way acquisition, design and inspection engineering, legal fees, superintendent and administration, and financing costs associated with borrowing through the Oregon State Department of Economic Development Special Public Works Fund Loan to pay design and construction costs inclusive of repayment of principal, interest, legal fees, and associated fees; and,

WHEREAS, the project is consistent with the level of service contained in the city's Transportation Master Plan and Comprehensive Plan and the Wastewater Collection System Master Plan; and,

WHEREAS, each parcel of land within the local improvement district receives special and peculiar benefits from the project as set forth as follows:

**FINAL ASSESSMENT ROLL**

**WASHINGTON COUNTY**

		Net Construction	
	<u>Project</u>	<u>Interest</u>	<u>Total</u>
1. Map 3S-1W-2C Tax Lot 1400 Owner: Willamette Resources, Inc. Assessment:	\$ 356,587.94	\$14,739.09	\$371,327.03
2. Map 3S-1W-2C Tax Lot 1500 Owner: Willamette Resources, Inc. Assessment:	\$ 131,294.59	\$5,426.89	\$136,721.48
3. Map 3S-1W-2C Tax Lot 1600 Owner: Willamette Resources, Inc. Assessment:	\$ 98,888.83	\$4,087.44	\$102,976.27

**CLACKAMAS COUNTY**

4. Map 3S-1W-11 Tax Lot 3001 Owner: Oregon Glass Co. Assessment:	\$ 32,935.11	\$1,361.33	\$34,296.44
5. Map 3S-1W-11 Tax Lot 3003 Owner: Oregon Glass Co. Assessment:	\$ 68,118.80	\$2,815.60	\$70,934.40
6. Map 3S-1W-11 Tax Lot 3002 Owner: LD. McFarland Co. Ltd. Assessment:	\$ 83,618.96	\$3,456.28	\$87,075.24
7. Map 3S-1W-11 Tax Lot 2900 Owner: Edward L. Bolf Assessment:	\$ 95,432.90	\$3,944.59	\$99,377.49
8. Map 3S-1W-11 Tax Lot 2500 Owner: Mt. Tahoma Leasing Co. Assessment:	\$ 99,204.87	\$4,100.50	\$103,305.37

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<b>Total Assessment for State Loan &amp; Net Construction Interest</b>	<b>\$966,082.00</b>	<b>\$39,931.72</b>	<b>\$1,006,013.72</b>
<b>Total Assessments:</b>	<b><u>\$1,006,013.72</u></b>		

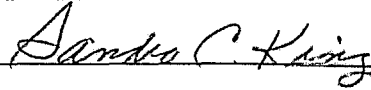
WHEREAS, the City Recorder has notified property owners of the assessment hearing conducted by the City Council, the rights and manner to object to the proposal, and the amount of the proposed assessment on benefited property set forth above; and,

WHEREAS, the Council has considered the proposed assessments and all objections made by owners of benefited property.

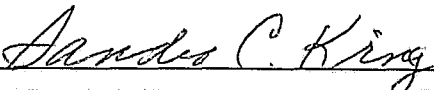
NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The findings as recited above are adopted and approved.
2. The final assessment roll recited above for each of the special and peculiarly benefited properties is hereby adopted and approved.
3. The City Recorder shall enter the assessments in the Docket of City Liens.
4. The City Recorder shall mail final assessment notices to all owners of benefited property as described in the recital above.
5. The final assessments set forth above are for a capital construction local improvement, instituted and incurred at the request and for the benefit of all the property owners, and are not subject to property tax limitation established by Article XI, Section 11b of the Oregon Constitution.
6. Installment payments shall be calculated based on the costs of the Special Public Works Fund Loan of 5.22% per annum, together with the administrative costs to pay financing and loan processing fees of .5% of the benefited property owners' loan amount, for a total interest charge of 5.72%, effective November 6, 1996.
7. The Finance Director is authorized to collect a 2% one time early call interest premium computed on the final assessment amount for any assessment prepayment in order to fund a ratable portion of the city's debt service obligations under the State loan contract for early payment.
8. That in order to ensure timely payment on the underlying Special Public Works Fund Loan, time is of the essence, and an emergency is hereby declared and this ordinance is to take effect immediately upon its passage.

SUBMITTED to the Wilsonville City Council for first reading at a regular meeting thereof the 16th day of September, 1996 and second reading at a regular meeting thereof on the 7th day of October, 1996 commencing at the hour of 7 p.m. at the Wilsonville Community Development Hearings Room.

  
SANDRA C. KING, CITY RECORDER

ENACTED by the City Council on the 7th day of October, 1996, by the following votes: YEAS: 3 NAYS: -0-

  
SANDRA C. KING, CITY RECORDER

DATED and signed by the Mayor this 9th day of October, 1996.

  
GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel Yes  
Councilor Lehan Excused\_  
Councilor Hawkins Yes\_  
Councilor MacDonald Yes