

**RESOLUTION NO.782**

**A RESOLUTION DECLARING THE CITY'S INTENT TO PROCEED WITH A TRANSPORTATION IMPROVEMENT KNOWN AS LOCAL IMPROVEMENT DISTRICT NO. 10; AND DIRECTING THE CITY ENGINEER TO PREPARE PLANS, SPECIFICATIONS AND THEN ADVERTISE FOR BIDS FOR CONSTRUCTION OF ALL OF THE IMPROVEMENT PROJECT.**

WHEREAS, the Wilsonville City Council has deemed it necessary to make a local improvement, as defined in ORS 223.387, to be paid by special assessment according to benefits conferred; and

WHEREAS, the improvement known as 95th Avenue, is necessary for the orderly development of Industrially zoned property within the Wilsonville city limits; and

WHEREAS, the owners of over sixty-six and two-thirds per cent of the property that will benefit and incur assessments by the improvement known as 9th Avenue, have presented the City with written petitions in support of the local improvement district formation; and

WHEREAS, the City Engineer and Finance Director have prepared reports in accordance with Ordinance No. 350, and the reports were approved by the City Council as presented; and

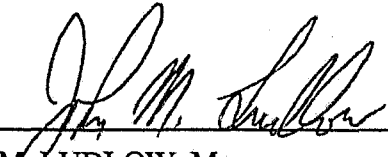
WHEREAS, the City Recorder has given notice of the proposed improvement by posting the notice in the City Hall and by sending a copy of the notice by certified mail (Exhibit "A") that a public hearing will be held to hear objections, if any, to the proposed improvement.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Wilsonville that:

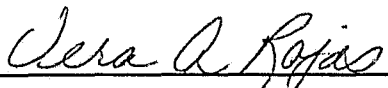
1. Having conducted a public hearing and failing to receive remonstrances from owners representing 2/3 or more of the area to be assessed, the City Council declares intent to make the improvement known as LID No. 10, 95th Avenue.

2. The City Engineer shall enter into a special services agreement with the engineering firm of Mackay and Sposito for the purpose of preparing plans, specifications and then advertise for bids for construction of the improvement project. Prior to the City Engineer commencing work on this project, the City shall have sufficient evidence of the proper value on the property.

ADOPTED by the Wilsonville City Council at a regular meeting thereof the 16th day of July, 1990, and filed with the Wilsonville City Recorder this same date.

  
\_\_\_\_\_  
JOHN M. LUDLOW, Mayor

ATTEST:

  
\_\_\_\_\_  
VERA A. ROJAS, CMC, City Recorder


SUMMARY of Votes:

Mayor Ludlow	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Clarke	<u>AYE</u>
Councilor Dant	<u>AYE</u>

City of  
**WILSONVILLE**  
in OREGON

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(503) 682-1011

COMMUNITY DEVELOPMENT DEPARTMENT  
MEMORANDUM

**DATE:** JULY 11, 1990  
**TO:** HONORABLE MAYOR AND CITY COUNCILORS  
**FROM:** STEVE STARNER   
COMMUNITY DEVELOPMENT DIRECTOR  
**RE:** LID NO. 10

The attached Resolution, if approved, will give city staff the authority to proceed with the construction of 95th Avenue under the basis that the improvements will be financed by local improvement district assessments. The City will use an interim financing mechanism to meet the obligations of progress draw payments throughout the design and construction stage, and actually assess the benefited properties only after the construction is complete and all related costs are known.

The sequence of events remaining for LID completion include:

1. Prepare plans and specifications. (LID participants have requested that Mackay and Sposito be retained for this task due to the engineering design work recently performed by this firm for the Wilsonville Business Center improvements.)
2. Advertise for construction bids.
3. Recognize low bid and award contract. (Council action required.)
4. Acquire suitable interim financing for meeting progress draw and related expenses during construction. (Council action required.)
5. Approve change orders. (Council action required.)
6. Approve final payment to the contractor and accept the project. (Council action required.)
7. Determine amount of final assessments and fix a date for a public hearing. (Council action required.)
8. By ordinance, allocate the assessments. (Council action required.)
9. City Recorder to send notice of assessment to each property owner.

The only major concern expressed by the city council during the presentation of the engineering and financial reports pertained to the ratio of assessed valuation and estimated potential assessment for each property owner. The ratio may be presented as follows:

Memo To: Mayor & City Councilors  
Re: LID No. 10  
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	<u>Estimated Assessment</u>	<u>Total Valuation</u>	<u>Ratio</u>
Nike	\$315,674.06	\$11,927,310.00	1:37.8
Hillman	\$374,294.31	\$4,711,610.00	1:12.6
Martin	\$195,784.71	\$149,060.00	1:0.8 *
Schneider	\$179,661.27	\$5,590.00	1:0.03 *
Ogden	\$345,272.10	\$115,010.00	1:0.3 *
Circle V	\$47,794.50	\$281,900.00	1:5.9
Rollins	\$30,289.05	\$182,900.00	1:6.0

- \* Prudent administration and bond sale terms usually require that a ratio of at least 1:2 be maintained for each property owner in the event of foreclosure or enforced collection of assessment liens.

**Recommendation:**

Approve Resolution CB-R-453-90, but condition the approval to require evidence of farm deferral tax transfers for those property owners whose total property valuation currently does not exceed their total estimated valuation by a ratio of 2:1 prior to performing any further action by the City Engineer.

ss:md

Attachment:

cc: Project file  
Inter-Office Communications - CD

**NOTICE TO OWNERS OF REAL PROPERTY IN THE  
95TH AVENUE LID #10  
(For Street, Drainage, Water, Sewer and Traffic  
Control Signage and Striping)**

Pursuant to action by the Wilsonville City Council at a regular meeting thereof on Monday, July 2, 1990, and its Resolution No. 777 adopted on that date and in accordance with the provisions of Chapter 3.230 of the Wilsonville Code, the undersigned City Recorder for the City of Wilsonville, Clackamas and Washington Counties, Oregon, hereby gives the following notice to the owners of real property within the improvement district which is known as "95TH AVENUE LID #10", the tax lots of which are as follows:

Tax Lot 3S1-2DC-00200; Tax Lot 3S1-2DC-00202; Tax Lot 3S1-2DC-00300; Tax Lot 3S1-2DC-00600; Tax Lot R31W-11-1700; Tax Lot R31W-11-1701; Tax Lot R31W-1801; Tax Lot R31W-11-1900; Tax Lot R31W-11-1901; Tax Lot R31W-11-1902; Tax Lot R31W-11-1903; Tax Lot R31W-11-1904; Tax Lot R31W-11-2000; Tax Lot R31W-11-2001; Tax Lot R31W-11-2002; Tax Lot R31W-11-2003; Tax Lot R31W-11-2004.

A. The purposed improvement is for the purpose of laying out and constructing a public way extending from the southern portion of Commerce Circle to the north line of Hillman Court. The roadway to be constructed is approximately 4,240 lineal feet of concrete street, 48 feet wide from curb-to-curb, complete with storm sewer, sanitary sewer, waterline and traffic control signage and striping. The properties to be specially benefited by such improvement project are immediately adjacent to the said "95th Avenue" and the assessment area for each of said property and the extent of the proposed improvement district is shown in a map in the report of the City's Engineer report. The Wilsonville City Council declared its intentions to make such improvements by its Resolution No. 777, adopted July 2, 1990.

B. Preliminary Plans and written report of the City's Engineer as referred to in the foregoing paragraph A, as well as a Financial Investigation Report, were approved by the Wilsonville City Council at a regular meeting on Monday, July 2, 1990. Said Plans, Reports, Specifications, Maps and cost estimates and the entire record of this local improvement district project is now on file with the Wilsonville Community Development Director at the Wilsonville City Hall Annex, and is subject to the examination of any person or persons whomsoever. Said reports and records may be examined at the Wilsonville City Hall Annex at 8455 SW Elligsen, Wilsonville, Clackamas County, Oregon, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday in each week hereafter and prior to Wednesday, July 18, 1990.

**C. OBJECTIONS TO THE SAID REPORTS, PLANS AND IMPROVEMENT PROJECT WILL BE CONSIDERED BY THE WILSONVILLE CITY COUNCIL AT A REGULAR MEETING AND PUBLIC HEARING AT THE WILSONVILLE CITY HALL, SCHEDULED TO BEGIN AT 7:30 p.m. ON MONDAY, JULY 16, 1990.**

D. Written remonstrances may be filed against the proposed improvement project, and any such remonstrances must be filed at the office of the Wilsonville City Recorder not later than 5:00 p.m. on Monday, July 16, 1990. Oral objections or written remonstrances may be made or filed at the time of the public hearing.

E. The estimated total cost of the project is \$1,488,770, all of which will be financed by assessments to the benefited properties as described in said Engineer's report; and a summary description of said properties, the owners thereof and the assessed values are as follows:

1. Tax Lot 3S1-2DC-00200  
Owner: Circle V. Associates  
Assessed Value: \$6,200
2. Tax Lot 3S1-2DC-00201  
Owner: Rollins Leasing Corp.  
Assessed Value: \$182,900
3. Tax Lot 3S1-2DC-00300  
Owner: Circle V. Associates  
Assessed Value: \$275,700
4. Tax Lot 3S1-2DC-00600  
Owner: Orland O. Ogden  
Assessed Value: \$101,000
5. Tax Lot R31W-11-1700  
Owner: Nike, Inc.  
Assessed Value: \$10,649,030
6. Tax Lot T31W-11-1701  
Owner: Wilsonville Land Association  
Assessed Value: \$2,289,000
7. Tax Lot R31W-11-1801  
Owner: Howard Rosen  
Assessed Value: \$1,404,350
8. Tax Lot R31W-11-1802  
Owner: Hayden Corp., Hillman Properties NW  
Assessed Value \$917,260
9. Tax Lot R31W-11-1900  
Owner: U.S. National Bank Trust  
Assessed Value \$300
10. Tax Lot R31W-11-1901  
Owner: U.S. National Bank Turst  
Assessed Value: \$2,040
11. Tax Lot R31W-11-1902  
Owner: Schneider National, Inc.  
Assessed Value: \$1,330

12. Tax Lot R31W-11-1903  
Owner: Jack Martin  
Assessed Value: \$145,470
13. Tax Lot R31W-11-1904  
Owner: Jack Martin  
Assessed Value: \$1,810
14. Tax Lot R31W-11-2000  
Owner: U.S. National Bank Trust  
Assessed Value: \$200
15. Tax Lot R31W-11-2001  
Owner: Orland O. Ogden  
Assessed Value: \$14,010
16. Tax Lot R31W-11-2002  
Owner: Schneider National, Inc.  
Assessed Value: \$4,260
17. Tax Lot R31W-11-2003  
Owner: Jack Martin  
Assessed Value: \$1,780
18. Tax Lot R31W-11-2004  
Owner: Nike, Inc.  
Assessed Value: \$1,278,280

The estimated total cost of the proposed improvement project which is to be paid by the special assessment of benefited properties is AN ESTIMATE ONLY which includes construction costs, engineering, surveying, inspection, administration, legal and contingencies. The estimated assessments of the various properties within the improvement district are as follows:

<u>Owner</u>	<u>Area (acres)</u>	<u>Project Percentage</u>	<u>Assessment</u>
Nike, Inc.	27.41	21.20	\$315,674.06
Hillman Prop. NW	32.50	25.15	374,294.31
Jack Martin	17.00	13.15	195,784.71
Schneider National	15.60	12.07	179,661.27
Ogden	29.98	23.19	345,272.10
Circle V. Assoc.	4.15	3.21	47,794.50
Rollins Truck Leasing	2.63	2.03	<u>30,289.05</u>
			\$1,488,770.00

Dated, posted and mailed this 6th day of July, 1990.

*Vera A. Rojas*

VERA A. ROJAS, CMC, City Recorder  
Wilsonville City Hall  
30000 SW Town Center Loop East  
(PO Box 220)  
Wilsonville, Oregon 97070