

ORDINANCE NO. 682

AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS AND TRACTS OF PROPERTY FOR STREET AND SANITARY SEWER IMPROVEMENTS MADE OR BEING MADE TO NORTHWEST THIRD AVENUE AND NORTHWEST BAKER DRIVE IN LID NO. 9; DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, the Common Council for the City of Canby, Oregon, is proceeding to make improvements to Northwest Third Avenue and Northwest Baker Drive within the City of Canby pursuant to the Charter of said City, the laws of the State of Oregon, the Ordinances of said City and the Resolutions of said Council as for such matters provided; and

WHEREAS, notices of intention to make such improvements were duly given and made as provided by Ordinance No. 393, as amended by Ordinance No. 598, of the City of Canby, Oregon, and a hearing thereon was duly and regularly scheduled and held after notice thereof, and said hearing was held during a regular meeting of the Canby City Council on June 20, 1979, and there were insufficient objections made or filed against said improvement project; and the Common Council has heretofore considered the probable cost of making said improvements and did after due notice to each of the owners of the property abutting upon said street where said improvement is being made or is to be made and which is the property to be specially benefited by said improvements, given in accordance with an Ownership Report of said property as furnished by the City's Engineer, adopted Council Resolution No. CCLXIX (269) on August 1, 1979, and therein and thereby determined to proceed with the said improvement project and assess the costs thereof to the benefited properties as provided by Ordinance No. 393 as amended by Ordinance 598, and the Bancroft Bonding Act;

WHEREAS, the Council did on November 7, 1979, enact Ordinance No. 667 entitled "An Ordinance Authorizing Contract for Construction of Industrial Streets, Storm Sewer System and Sanitary Sewer in LID #9", and the completion of that

contract is now in progress; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: The costs of making improvements within LID #9 in the City of Canby, Oregon, as heretofore provided for and approved by the Common Council for said City and the property owners specially benefited thereby, are hereby ascertained and determined to be in the amount of \$325,571.76. The assessable cost to the benefited properties is also \$325,571.76 or \$13.719707 per front foot; \$0.0492489 per square foot for street improvements; \$5.031887 per front foot for curbs where required; \$11.474441 per front foot for sanitary sewer main where required; and \$406.61 for each sewer lateral installed to the property line. (The additional amount of \$22,899.93 assessed against Globe Union and the sum of \$998.66 assessed against Potters Industries is for other requested improvement work that will benefit their property.) The assessments are made upon the lots, parts of lots and tracts of land abutting on that part of Northwest Third Avenue, Northwest Baker Drive and Northwest Fifth Place which are within this local improvement district (LID No. 9) and found to be specially and directly benefited by said improvement, and the cost thereof is to be and hereby is assessed upon each lot, part of lot and tract of land thereof as set forth in the attached Exhibit A, which is by reference incorporated herein and made a part hereof, and said Assessment Roll is hereby adopted and approved as the assessment for said improvement.

Section 2: That the Recorder for the City of Canby, Oregon, is hereby ordered and directed to enter a statement of said assessments hereby made in the Docket of City Liens as provided for under the Charter of the City of Canby, Oregon, and Ordinance No. 393 as amended by Ordinance No. 598.

Section 3: That the City Recorder for the City of Canby, Oregon, shall within ten days after the final passage of this ordinance cause to be posted in

three (3) public and conspicuous places within said City and also publish in the Canby Herald, a Notice of Assessment, which said Notice shall contain a description of each lot, parcel or tract of land, together with the name of the owner or owners thereof and the amount of their respective assessments as in the annexed Assessment Roll provided; and said Notice shall state that within ten days after notice of such assessment is first published, the owner of the property as assessed, if such assessment exceeds the sum of \$25.00 may file with the Recorder for said City his written application to pay the assessment in semi-annual installments not exceeding ten (10) years as provided under Oregon Revised Statutes, Sections 223.205 to 223.295, inclusive, commonly known as the Bancroft Bonding Act, and said Notice shall further provide that all assessments which are not bonded shall be due and payable in full within thirty (30) days next following the date said Notice is first published, and assessments which are not paid or bonded within the time stated in such Notice shall bear interest at the rate of 10% per annum, and the Lien as docketed on that property so assessed shall be subject to foreclosure as provided by Ordinance No. 393 as amended by Ordinance No. 598.

Section 4: That the Common Council, after due investigation, deems and considers that the benefits of said improvements to and upon each lot, and part thereof, and tract of land assessed for said improvement is more than the amount assessed against each lot or part thereof and tract of land as the cost of said improvement; and that the share of the cost of said improvement assessed against each lot and part thereof and tract of land is proportionate to the benefits to and upon each lot and part thereof and tract of land respectively as compared with other property benefited.

Section 5: All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 6: That it being deemed by the Common Council for the City of Canby, Oregon, that an emergency exists, this Ordinance shall go into effect immediately upon its final passage by the City Council.

Submitted to the Council and read the first time at a regular meeting on August 6, 1980, ordered posted for a period of two (2) full calendar weeks as provided by the City Charter and scheduled for second reading at a regular meeting of the City Council on the 3rd of September, 1980, commencing at the hour of 7:30 o'clock P.M. at the Council's regular meeting place in the Council Meeting Chambers at the Canby City Hall in Canby, Oregon.

Harold A. Wyman  
Harold A. Wyman, City Recorder

ENACTED by the Canby City Council at a regular meeting thereof on the 3<sup>rd</sup> day of Sept., by the following vote: YEAS 5 NAYS 0 (one abstention due to previously declared conflict of interest)

Robt. E. Rapp  
Robt. E. Rapp, Mayor

ATTEST:

Steph A. Lashbrook  
Stephan A. Lashbrook, City Recorder Pro Tem

NORTHWEST THIRD AVENUE AND NORTHWEST BAKER DRIVE STREET AND SANITARY SEWER IMPROVEMENT  
ASSESSMENT ROLL - LID #9

Southern Pacific Railroad  
 304 Union Station  
 Portland, Oregon 97209

T/L (None), Map No. 3-1E-32D

Total Assessable Street Frontage 1,838.77 @ \$13.719707 = \$25,227.39  
 Total Assessable Square Feet 189,326 @ \$0.04924903 = \$9,324.12  
 Total Assessable Lineal Feet Curb 1,822 @ \$5.031887 = \$9,168.10  
 Total Assessable Sewer Frontage 1,513.47 @ \$11.474441 = \$17,366.22  
 Total Assessable Sewer Laterals 4 @ \$406.61 = \$1,626.43  
 Total Assessable Value: Total Assessment \$ 62,712.26

Maynard Nofziger, et al  
 c/o Brown Real Estate  
 579 S.E. First Avenue  
 Canby, Oregon 97013

T/1 1600, Map No. 3-1E-32DC

Total Assessable Street Frontage 280.59 @ \$13.719707 = \$3,849.61  
 Total Assessable Square Feet 222,057 @ \$0.04924903 = \$10,936.10  
 Total Assessable Lineal Feet Curb 280.59 @ \$5.031887 = \$1,411.90  
 Total Assessable Sewer Frontage 280.59 @ \$11.474441 = \$3,219.61  
 Total Assessable Sewer Laterals 2 @ \$406.61 = \$813.21  
 Total Assessable Value: \$90,070 Total Assessment \$ 20,230.43

Martin Clark Const. Inc.  
 \*Glynn Richkoff  
 c/o Martin Clark Const. Inc.  
 12954 Ehlen N.E.  
 Aurora, Oregon 97002

T/L 1500, Map No. 3-1E-32DC

Total Assessable Street Frontage 952.99 @ \$13.719707 = \$13,074.74  
 Total Assessable Square Feet 209,601 @ \$0.04924903 = \$10,322.65  
 Total Assessable Lineal Feet Curb 952.99 @ \$5.031887 = \$4,795.34  
 Total Assessable Sewer Frontage 952.99 @ \$11.474441 = \$10,935.03  
 Total Assessable Sewer Laterals 3 @ \$406.61 = \$1,219.82  
 Total Assessable Value: \$86,220 Total Assessment \$ 40,347.58

Sharon J. & Robert D. Westcott  
 Diane M. & Gary H. Sowles  
 455 N. Cedar Street  
 Canby, Oregon 97013

T/L 300, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
 Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
 Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.60  
 Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
 Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
 Total Assessable Value: \$12,000 Total Assessment \$ 2,892.33

Sharon J. & Robert D. Westcott  
 Diane M. & Gary H. Sowles  
 455 N. Cedar Street  
 Canby, Oregon 97013

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
 Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
 Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.61  
 Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
 Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
 Total Assessable Value: \$12,000 Total Assessment \$ 2,892.34



Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 900, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.60  
Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
Total Assessable Value: \$12,000      Total Assessment      \$ 2,892.33

Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 1000, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.61  
Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
Total Assessable Value: \$12,000      Total Assessment      \$ 2,892.34

Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 1100, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.60  
Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
Total Assessable Value: \$12,000      Total Assessment      \$ 2,892.33

Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 1200, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
Total Assessable Square Feet 5,148 @ \$0.04924903 = \$253.53  
Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.61  
Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
Total Assessable Value: \$12,000      Total Assessment      \$ 2,892.34

Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 1300, Map No. 3-1E-32DC

Total Assessable Street Frontage 73.85 @ \$13.719707 = \$1,013.20  
Total Assessable Square 5,148 @ \$0.04924903 = \$253.53  
Total Assessable Lineal Feet Curb 73.85 @ \$5.031887 = \$371.60  
Total Assessable Sewer Frontage 73.85 @ \$11.474441 = \$847.39  
Total Assessable Sewer Laterals 1 @ \$406.61 = \$406.61  
Total Assessable Value: \$12,000      Total Assessment      \$ 2,892.33

Sharon J. & Robert D. Westcott  
Diane M. & Gary H. Sowles  
455 N. Cedar Street  
Canby, Oregon 97013

T/L 1400, Map No. 3-1E-32DC

Total Assessable Street Frontage	73.85 @ \$13.719707 =	\$1,013.20	
Total Assessable Square Feet	5,148 @ \$0.04924903 =	\$253.53	
Total Assessable Lineal Feet Curb	73.85 @ \$5.031887 =	\$371.61	
Total Assessable Sewer Frontage	73.85 @ \$11.474441 =	\$847.39	
Total Assessable Sewer Laterals	1 @ \$406.61 =	\$406.61	
Total Assessable Value:	\$12,000	Total Assessment	\$ 2,892.34

Florence Zwicker  
Route 3, Box 760  
Aurora, Oregon 97002

T/L 200, Map No. 3-1E-32DC

Total Assessable Street Frontage	363.62 @ \$13.719707 =	\$4,988.76	
Total Assessable Square Feet	125,234 @ \$0.04924903 =	\$6,167.69	
Total Assessable Lineal Feet Curb	363.62 @ \$5.031887 =	\$1,829.69	
Total Assessable Sewer Frontage	363.62 @ \$11.474441 =	\$4,172.34	
Total Assessable Sewer Laterals	1 @ \$406.61 =	\$406.61	
Total Assessable Value:	\$51,840	Total Assessment	\$ 17,565.09

Economic Development Commission of the State of Oregon %Globe Union, Inc.,  
800 N. W. Third Avenue  
Canby, Oregon 97013

T/L 1006 & 1011, Map No. 3-1E-32D

Total Assessable Street Frontage	670.95 @ \$13.719707 =	\$9,205.24	
Total Assessable Square Feet	540,766 @ \$0.04924903 =	\$26,632.14	
Total Assessable Lineal Feet Curb	670.95 @ \$5.031887 =	\$3,376.14	
Total Assessable Sewer Frontage	670.95 @ \$11.474441 =	\$7,698.78	
Total Assessable Sewer Laterals	2 @ \$406.61 =	\$813.22	
Total Extra Costs	=	\$22,899.93	
Total Assessable Value:	\$3,121,830	Total Assessment	\$ 70,625.45

The Port of Portland % Potters Industries, Inc.,  
377 Route 17  
Hasbrouck Hieghts, New Jersey 07604

T/L 1001, Map No. 3-1E-32D

Total Assessable Street Frontage	1,349.64 @ \$13.719707 =	\$18,516.67	
Total Assessable Square Feet	435,732 @ \$0.04924903 =	\$21,459.33	
Total Assessable Lineal Feet Curb	1,349.64 @ \$5.031887 =	\$6,791.24	
Total Assessable Sewer Frontage	1,349.64 @ \$11.474441 =	\$15,486.36	
Total Assessable Sewer Laterals	4 @ \$406.61 =	\$1,626.44	
Total Extra Costs	=	\$998.66	
Total Assessable Value:	\$178,570	Total Assessment	\$ 64,878.70

Globe Union  
800 N.W. Third  
Canby, Oregon 97013

T/L 1008, Map No. 3-1E-32D

Total Assessable Street Frontage	65.00 @ \$13.719707 =	\$891.78	
Total Assessable Square Feet	35,584 @ \$0.04924903 =	\$1,752.48	
Total Assessable Lineal Feet Curb	92.98 @ \$5.031887 =	\$467.86	
Total Assessable Sewer Frontage	32.50 @ \$11.474441 =	\$372.92	
Total Assessable Sewer Laterals	0		
Total Assessable Value:	\$25,540	Total Assessment	\$ 3,485.04



Charles Johnston & Gary H. Sowles  
2810 N. Maple Court  
Canby, Oregon 97013

T/L 1400, Map No. 3-1E-32D

Total Assessable Street Frontage 124.79 @ \$13.719707 = \$1,712.08  
Total Assessable Square Feet 24,334 @ \$0.04924903 = \$1,198.43  
Total Assessable Lineal Feet Curb 124.79 @ \$5.031887 = \$627.93  
Total Assessable Sewer Frontage = 0  
Total Assessable Sewer Laterals = 0  
Total Assessable Value: \$49,360      Total Assessment      \$ 3,538.44

Lois Larson  
% Diane M. & Gary H. Sowles  
Barbara B. & Charles H. Johnston  
2810 N. Maple Court  
Canby, Oregon 97013

T/L 1405, Map No. 3-1E-32D

Total Assessable Street Frontage 168.01 @ \$13.719707 = \$2,305.05  
Total Assessable Square Feet 22,222 @ \$0.04924903 = \$1,094.42  
Total Assessable Lineal Feet Curb 151.24 @ \$5.031887 = \$761.02  
Total Assessable Sewer Frontage = 0  
Total Assessable Sewer Laterals = 0  
Total Assessable Value: \$21,100      Total Assessment      \$ 4,160.49

City of Canby  
P. O. Box 930  
Canby, Oregon 97013

Total Assessable Street Frontage 110.00 @ \$27.439454 = \$3,018.34  
Total Assessable Square Feet = 0  
Total Assessable Lineal Feet Curb 60.00 @ \$5.031887 = \$301.92  
Total Assessable Sewer Frontage = 0  
Total Assessable Sewer Laterals = 0  
Total Assessable Value:      Total Assessment      \$ 3,320.26

Total Street Frontage Assessment	\$ 94,948.06	
Total Square Footage Assessment	91,929.72	
Total Curb Assessment	33,990.40	
Total Sewer Frontage Assessment	69,419.91	
Total Assessment for Sewer Laterals	11,385.08	
Total Extra Costs	<u>23,898.59</u>	
Total Assessment for L.I.D. No. 9		<u>\$325,571.76</u>