

ORDINANCE NO. 685

AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS, AND TRACTS OF PROPERTY FOR STREET, STORM SEWER, AND SANITARY SEWER IMPROVEMENTS MADE OR BEING MADE TO NORTHEAST TERRITORIAL ROAD, NORTH JUNIPER STREET AND NORTH LOCUST STREET IN LOCAL IMPROVEMENT DISTRICT NO. 10; SPREADING THE ASSESSMENTS AND 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 portions of Northeast Territorial Road, North Locust Street, and North Juniper Street, within the City of Canby, pursuant to the Charter of said City and 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, notice of intention to make such improvements was duly and regularly given and made as required 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 streets where said improvements are being made, or are to be made, and which are the properties 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. CCLXVIII (268) on July 5, 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 No. 598, and the Bancroft Bonding Act; and

WHEREAS, the Canby City Council did on September 19, 1979, enact Ordinance No. 662 entitled "AN ORDINANCE AUTHORIZING CONTRACT FOR CONSTRUCTION OF RESIDENTIAL

STREETS, SIDEWALKS, STORM SEWER SYSTEM AND SANITARY SEWER IN LID #10" 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 No. 10 within 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 \$167,873.42. The assessable cost to the benefited properties is also \$167,873.42 which is accounted for as follows:

\$33.160402 per front foot for North Juniper Street and North Locust Street and Northeast Territorial Road frontage combined;

\$24.250946 per front foot for North Locust Street frontage alone;

\$3.555329 per front foot for North Juniper and North Locust Streets and Northeast Territorial Road curb frontage combined;

\$3.1625 per front foot for North Locust Street curb frontage alone;

\$9.692413 per front foot for Northeast Territorial Road sanitary sewer frontage alone;

\$6.321817 per front foot for North Locust Street sanitary sewer frontage alone;

\$16.8872 per front foot for North Locust Street and North Juniper Street and Northeast Territorial Road sanitary sewer frontage combined; and

extra costs of \$49,264.38 for other improvement work requested by benefited property owners.

The assessments are now hereby made upon the lots, parts of lots and tracts of land abutting on that part of Northeast Territorial Road, North Juniper Street and North Locust Street which are within this local improvement district (LID No. 10) and found to be directly and specially 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 Exhibit "A" is the Assessment

Roll which is hereby adopted and approved as the Assessment Roll for said improvement project.

Section 2: 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: The City Recorder for the City of Canby, Oregon shall within ten (10) days after the final passage of this ordinance cause to be posted in three (3) public and conspicuous places within said City, and also published in the Canby Herald, a Notice of Assessment, which said Notice shall contain a description of each parcel, lot, 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 (10) days after Notice of such assessment is first published the owner of the property as assessed, if such assessment exceeds the sum of \$25, may file with the Recorder for said City a written application to pay the assessment in semiannual installments not exceeding ten (10) years as provided under Oregon Revised Statutes Sections 223.205 to 223.925, 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 ten (10) percent 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. The Notice required to be given by this section shall also explain that assessments to be paid in installments shall be paid in twenty (20) semiannual installments with interest at not less than seven

(7) percent per annum or more than ten (10) percent per annum on all assessments which have not been paid, and as more particularly provided in the Bancroft Bonding Act. Such Notice shall also explain that the actual interest to be charged on installments shall be determined after the City's sale of the Bancroft Bonds for this improvement project and at that time the City Council by resolution shall authorize the interest rate to be charged to be entered in the Bond Lien Docket and such rate shall be equal to the interest rate charged to the City on the sale of these Bancroft Bonds plus an additional percentage rate of not more than one-half (1/2) of one (1) percent per annum for the City's cost of processing the installment payments and administering the Bond Lien Docket. Said Notice shall also explain that until the interest to be charged is determined and entered in the Lien Docket principal payments and interest at only seven (7) percent shall be charged and paid commencing on the first day of the second month following the date of the publication of Notice of Assessment and subsequent payments shall be made semi-annually thereafter and continuing until the total of each assessment and interest thereon is fully paid. After the actual interest rate is ultimately determined by resolution of the Council all semiannual payments shall include principal plus accrued interest from the date of said resolution.

Section 4: 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 costs 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: 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 thereof on the 15th day of October, 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 5th day of November, 1980, commencing at the hour of 7:30 o'clock P.M. at the Council's regular meeting place in the Council Chambers at the Canby City Hall in Canby, Oregon.

Stephan A. Washbrook  
Stephan A. Washbrook, City Recorder Pro Tem

ENACTED by the Canby City Council at a regular meeting thereof on the 5th day of November, 1980, by the following vote: YEAS 6 NAYS 0

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

ATTEST:

Harold A. Wyman  
Harold A. Wyman, City Recorder

NORTH JUNIPER AND NORTH LOCUST STREETS SANITARY SEWER AND STREET IMPROVEMENTS, AND  
NORTHEAST TERRITORIAL ROAD SANITARY SEWER IMPROVEMENTS

ASSESSMENT ROLL - L.I.D. # 10

\*1980-81 Assessed Valuation is 87.6% of True Cash Value as shown.

John H. & Jeanine McCall $\frac{1}{2}$   
Shirley C. McCarter $\frac{1}{2}$   
380 N. W. 13th Avenue  
Canby, Oregon 97013

T/L 900, Map No. 3-1E-28DC

Total Assessable Territorial Road Sewer Frontage 659.02' @ \$9.692413 = \$6,387.49  
Total Extra Costs = \$10,386.81  
\*True Cash Value = \$79,210.00                      Total Assessment                      \$ 16,774.30

Richard K. Morse  
1934 Country Club Drive  
Canby, Oregon 97013

T/L 1000, Map No. 3-1E-28DC

Total Assessable Territorial Road Sewer Frontage 444.59' @ \$9.692413 = \$4,309.14  
Total Assessable Sewer Frontage N. Locust Street 523.12' @ \$6.321817 = \$3,307.07  
Total Assessable Street Frontage N. Locust Street 523.12' @ \$24.250946 = \$12,686.15  
Total Assessable Curb Frontage N. Locust Street 523.12' @ \$3.1625 = \$1,654.37  
Total Extra Costs = \$5,779.57  
\*True Cash Value = \$87,280.00                      Total Assessment                      \$ 27,736.30

Richard K. Morse  
1934 Country Club Drive  
Canby, Oregon 97013

T/L 1001, Map No. 3-1E-28DC

Total Assessable Territorial Road Sewer Frontage 209.61' @ \$9.692413 = \$2,031.63  
Total Extra Costs = \$2,727.00  
\*True Cash Value = \$28,530                      Total Assessment                      \$ 4,758.63

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 101, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$24,800                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 102, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,500                      Total Assessment                      \$ 5,391.10

Robert S. & Helen J. Overton  
1140 N. Ash Street  
Canby, Oregon 97013

T/L 103, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
 Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
 Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
 Total Extra Costs = \$1,380.50  
 \*True Cash Value = \$12,000 Total Assessment \$ 5,391.10

Robert S. & Helen J. Overton  
1140 N. Ash Street  
Canby, Oregon 97013

T/L 104, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
 Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
 Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
 Total Extra Costs = \$1,380.50  
 \*True Cash Value = \$12,000.00 Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 105, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
 Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
 Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
 Total Extra Costs = \$1,380.50  
 \*True Cash Value = \$11,500 Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 106, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
 Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
 Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
 Total Extra Costs = \$1,380.50  
 \*True Cash Value = \$11,800 Total Assessment \$ 5,391.10

Richard Lee & Carol J. Paradis  
970 N. W. 22nd Avenue  
Canby, Oregon 97013

T/L 107, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
 Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
 Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
 Total Extra Costs = \$1,380.50  
 \*True Cash Value = \$11,800 Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 108, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,500                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 109, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,800                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 110, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,500                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 111, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,800                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 112, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$41,170.00                      Total Assessment                      \$ 5,391.10



Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 113, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$41,170.00                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 114, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,500.00                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 115, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$11,500.00                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 116, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$12,000.00                      Total Assessment                      \$ 5,391.10

Arnold L. & Viola T. Moore  
P. O. Box 200  
Canby, Oregon 97013

T/L 117, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51  
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08  
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01  
Total Extra Costs = \$1,380.50  
\*True Cash Value = \$12,000.00                      Total Assessment                      \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 118, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51	
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08	
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01	
Total Extra Costs = \$1,380.50	
*True Cash Value = \$11,500	Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 119, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51	
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08	
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01	
Total Extra Costs = \$1,380.50	
*True Cash Value = \$11,500.00	Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 120, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51	
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08	
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01	
Total Extra Costs = \$1,380.50	
*True Cash Value = \$11,800.00	Total Assessment \$ 5,391.10

Martin Clark Construction, Inc.  
12954 Ehlen Road, N.E.  
Aurora, Oregon 97002

T/L 121, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51	
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08	
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01	
Total Extra Costs = \$1,380.50	
*True Cash Value = \$11,800	Total Assessment \$ 5,391.10

A. J. & Deve Swaim  
1295 N. Oak Street  
Canby, Oregon 97013

T/L 122, Map No. 3-1E-28CD

Total Assessable Sewer Frontage 74.820454' @ \$16.887287 = \$1,263.51	
Total Assessable Street Frontage 74.820454' @ \$33.160402 = \$2,481.08	
Total Assessable Curb Frontage 74.820454' @ \$3.555329 = \$266.01	
Total Extra Costs = \$1,380.50	
*True Cash Value = \$11,900.00	Total Assessment \$ 5,391.10

Total Street Frontage Assessment	\$ 67,269.91
Total Curb Assessment	7,506.59
Total Sewer Frontage Assessment	43,832.55
Total Extra Costs	<u>49,264.38</u>

Total Assessment for L.I.D. No. 10

\$167,873.43