

RESOLUTION NO. 206

A RESOLUTION ADOPTING ENGINEER'S REPORT, CREATING A LOCAL IMPROVEMENT DISTRICT TO BE KNOWN AS HALSEY STREET-COLUMBIA HIGHWAY STORM SEWER LID 78- 3 AND DIRECTING THE ENGINEER TO PREPARE PLANS AND SPECIFICATIONS.

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

1. The engineer's report prepared by Lee Engineering Inc. dated August, 1978, and titled AN ENGINEER'S REPORT ON THE PROPOSED HALSEY STREET-COLUMBIA HIGHWAY STORM SEWER LOCAL IMPROVEMENT DISTRICT FOR THE CITY OF TROUTDALE, OREGON, is hereby adopted as amended.

2. It is hereby declared that a local improvement district is created encompassing the territory as set forth in the engineer's report and the district shall be known as the Halsey Street-Columbia Highway Storm Sewer LID 78- 3.

3. The City Engineer is hereby directed to prepare detailed plans, specifications and cost estimates for the improvements described in the engineer's report.

4. The Common Council hereby adopts a policy permitting alternate methods of assessment payments for the purpose of avoiding undue financial hardship upon owners of single family dwellings. The City Administrator is directed to develop and implement this policy in accordance with the following guidelines:

A. Developed Residential Properties (Defined as those properties which cannot be subdivided upon which houses have been built and which are either occupied as a residence or which were sold prior to July 11, 1978 for the purpose of residential occupancy.) On these properties the owner may elect:

1. To pay the assessment,
2. To Bancroft the assessment and defer payments, or
3. If bonds are not sold to finance the project, to defer the assessment subject to this resolution.

All deferred payments shall accrue interest at the rate of 8% per annum or at a rate equal to the bond interest rate, plus 1%, whichever is less. All deferred payments shall be due ten years from the date the assessments are spread or upon the sale or conveyance of the property, whichever shall first occur.

B. Developing Properties (Defined as those properties for which sewer pre-payments under Ordinance No. 244 have been made or those properties for which preliminary plat approval has been given by

the Planning Commission on or before July 11, 1978.) On these properties the owner may elect:

1. To pay the assessment,
2. To Bancroft the assessment, or
3. If bonds are not sold, the owner shall pay the assessment within 60 days of the date the assessments are spread.

There are a few properties which will be assessed only for the oversizing of a trunk line or lines and which will not receive an immediate benefit. Upon application the owners of these properties may defer the assessment for up to ten years or until their property is served by an extension of the storm sewer system. Assessments so deferred shall accrue interest at the same rate as deferments under Paragraph 4A above.

C. Undeveloped Properties (Defined as those properties which have not been platted, and those properties for which no sewer pre-payments have been made pursuant to Ordinance No. 244.) On these properties the owner may elect:

1. To pay the assessment,
2. To Bancroft the assessment and defer payments at the same interest rate and upon the same terms as set forth in Paragraph 4A above. However, all deferred payments must be made prior to any partition, subdivision or other development of the land or at such time as the property is sold or conveyed, or
3. To defer the payment of the assessment indefinitely. In this case the assessment would accrue interest at the rate of 10% per annum or the project bond rate, plus 3%, whichever is less, until paid. Any payment deferred would become due and payable prior to any subdivision, partition or other development of the land or at such time as the property is sold or conveyed.

5. All deferred payments may become due and payable thirty days after notice is given to the property owner that the Common Council has made a finding that continued deferment of payments or assessment is not in the best financial interest of the City.

6. Deferments will be permitted only upon application by the property owner on a form approved by the City Attorney.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 12th DAY OF SEPTEMBER, 1978.

AYES	<u>4</u>
NAYES	<u>0</u>

ATTEST:

Terri Widner
Terri Widner, Recorder

R.M. Stange
MAYOR

During City Council Hearing of May 8, 1979, it was noted that Resolution 206 was dated September 12, 1978 although it was passed November 15, 1979.

Councilor Dan Lowe moved to correct the date of this resolution to reflect the date of its passage. Frank Kaiser seconded.

Yeas: 6

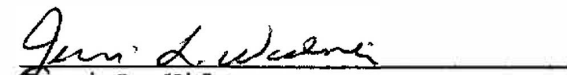
Nays: 0

PASSED THIS 14th Day of November 1978.



R.M. Sturges, Mayor

ATTEST:



Ferri L. Widner,
Finance Director/City Recorder

Signed May 9, 1979