

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 716

AN ORDINANCE CONFIRMING AND RATIFYING THE RESOLUTION OF THE SHERWOOD CITY COUNCIL OF OCTOBER 24, 1979, WITH RESPECT TO THE WILLAMETTE STREET STORM SEWER LOCAL IMPROVEMENT DISTRICT, RESOLUTION #195, ADOPTING FINDINGS AS A RESULT OF HEARINGS HELD WITH RESPECT THERETO, DIRECTING PREPARATION OF CONSTRUCTION PLANS AND SPECIFICATIONS AND ESTIMATES FOR THE TOTAL COSTS OF THE IMPROVEMENTS, PREPARATION OF PRE-ASSESSMENT ROLLS, DIRECTING THAT HEARINGS BE HELD WITH RESPECT THERETO AND THE GIVING OF NOTICE WITH RESPECT THERETO, AND DECLARING AN EMERGENCY.

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WHEREAS, a resolution was duly passed by the City Council of the City of Sherwood at its meeting of October 29, 1979, a copy whereof is hereto attached as Exhibit A and by this reference made a part hereof to the same legal force and effect as if set forth herein in full, by the terms of which the proposed boundaries of a proposed storm sewer improvement district were described and the Council declared its intention to construct a storm sewer system and to assess the costs thereof against the properties within the boundaries specially benefitted pursuant to the authority found in City Charter sections 210 through 222, and Oregon Revised Statutes, Chapter 224.010 et seq, and

WHEREAS, by the terms of said resolution a hearing was duly called to be held in the council chambers in the LGI Room of Sherwood High School, Sherwood, Oregon on the 21st day of November, 1979, at the hour of 7:30 o'clock PM for the purpose of affording an opportunity to any parties interested or aggrieved by the proposal to make objections or remonstrances to the proposed improvements, and

WHEREAS, pursuant to said resolution, due and legal notice of said hearing was given by publication in the Tigard Times for consecutive publishings on November 9, November 14 and November 16, 1979, and three copies of said resolution were posted in three public and conspicuous places within said proposed storm sewer improvement district not less than ten days prior to the date of said hearing, and

WHEREAS, said hearing was duly and regularly held at the LGI Room, Sherwood High School in the City of Sherwood for the purpose of hearing testimony, objections or remonstrances, oral and written, and

WHEREAS, the Council has considered the remonstrances and objections received, has reviewed the proposed improvements, and the proposed boundaries, and has found that:

A. The installation of a storm drain system as described in Exhibit A to the resolution of intention attached hereto is necessary for the public health and convenience, notwithstanding remonstrances made against the making of said improvements for the reasons that storm and surface water runoff in the district is not now adequately provided for in view of the extent of residential development, with resulting flooding, hazards to health including but not limited to possible contamination of water supply, infiltration of the sanitary sewer system; and

B. That said storm sewer improvements will specially benefit the properties located within the boundaries of the district, and all the costs thereof, including the cost of construction, cost of engineering, advertising, legal expense, superintending, the costs of lands and rights of way necessary, and all other expenses should be assessed to the properties benefitted in the manner provided by Chapter XVII of the charter of the City of Sherwood, Chapter 224.010 et seq Oregon Revised Statutes;

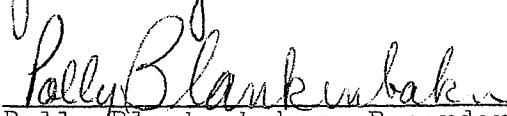
NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: All matters set forth in the resolution of the City Council of the City of Sherwood # 195 attached hereto as Exhibit A, are hereby approved, ratified and confirmed, and the boundaries of the area known as the Willamette Street Storm Sewer Local Improvement District are hereby declared and fixed in accordance with the description of the boundaries in said Exhibit.

Section 2: The Council, having acquired jurisdiction to order the improvements set forth above made, does hereby declare that the Willamette Street Storm Sewer Local Improvement District is formed, orders that the improvements described above in the Council's findings be constructed, and does authorize and direct that the engineer designated by the Council proceed to prepare detailed plans, construction drawings and estimates of the total cost and expense of making said improvements and file same with the City Recorder along with the proposed manner of apportioning the estimated total costs upon the basis of the benefits received by each tract, lot or parcel of land, by the construction of said improvements.

Section 3: Inasmuch as it is necessary to the public health, safety and convenience that construction commence as soon as practical and it is necessary that plans, drawings and cost estimates be prepared so that the Council may apportion costs and commence assessment procedures as set forth in Section 215 of the City Charter without delay, an emergency is hereby declared to exist and the ordinance shall become effective upon its passage by the Council and signature by the Mayor.

PASSED: By the Council after being read in caption three times  
This 9<sup>th</sup> day of January, 1980.

  
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Polly Blankenbaker, Recorder  
City of Sherwood

APPROVED: By the Mayor this 9 day of January, 1980.

Marjorie Stewart  
Marjorie Stewart  
Mayor, City of Sherwood

CITY OF SHERWOOD - WILLAMETTE STREET STORM DRAINAGE LOCAL IMPROVE-  
MENT DISTRICT

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A RESOLUTION OF INTENTION TO LAY OUT A STORM DRAINAGE ASSESSMENT DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERWOOD, PROPOSING THE CONSTRUCTION OF A STORM DRAIN TRUNK LINE AND CATCH BASINS, ASSESSMENT OF THE COST THEREOF AGAINST THE PROPERTY BENEFITED IN THE STORM DRAIN DISTRICT, STATING THE LOCATION OF SAID STORM DRAIN LINE AND THE OUTLET THEREOF AND DESCRIBING THE BOUNDARIES OF THE DISTRICT PROPOSED TO BE ASSESSED FOR THE COSTS OF CONSTRUCTION OF SAID STORM SEWER TRUNK LINE; DESCRIBING THE CHARACTER OF THE STORM SEWER TO BE CONSTRUCTED, PRESCRIBING A TIME AND PLACE FOR HEARING OF OBJECTIONS, IF ANY, THERETO, AND PROVIDING FOR THE PUBLISHING OF NOTICE OF SAID HEARING.

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WHEREAS, pursuant to Chapter XVII of the Charter of the City of Sherwood, Oregon, and Chapter 224.010, et seq., Oregon Revised Statutes, the City Council deems it necessary for the public health and benefit of the area hereinafter described to install a storm sewer trunk line for the servicing of properties within the Assessment District hereinafter described, and

WHEREAS, said proposed storm sewer line will benefit locally only a portion of all the properties within the City of Sherwood, the cost of said construction, therefore, should be assessed to the properties benefitted pursuant to Section 213, Chapter XVII of the Charter of the City of Sherwood, Chapter 224.010, et seq., Oregon Revised Statutes, and

WHEREAS, the proposed locations and character of said storm sewer line are as described on the attached Exhibit A and by this reference made a part hereof.

All of said storm sewer trunk line having as its ultimate point of outlet the existing culvert under South Sherwood Boulevard at or near the intersection of South Sherwood Boulevard with South Columbia Street.

WHEREAS, the boundaries of the District proposed to be assessed for the cost of construction of said storm sewer line are as described on the attached Exhibit B and by this reference made a part hereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHERWOOD:

(1) That the area within the boundaries as described in Exhibit B be, and the same is hereby, determined and established as the proposed District with the outlet of the said sewer construction at or near the intersection of South Sherwood Boulevard with South Columbia Street, and the location and course of said proposed storm line as hereinabove set forth are hereby established.

(2) That the City Council does hereby record its intention to construct storm sewer lines in the proposed locations set forth hereinabove at a total estimated cost of \$129,000.00 to serve the lands within the storm drainage improvement and assessment district hereinabove described, and to further record that the City Council intends to assess the costs of such construction to the property within the said District as the property benefitted thereby;

(3) That a public hearing be, and the same is hereby called, to be held at the LGI Room of the Sherwood High School on Wednesday, November 21, 1979 at the hours of 7:30 p.m. for the purpose of hearing objections, if any to the proposal herein set forth;

That at any time prior to said hearing and up to the hour specified the owner or owners of any property in such proposed Storm Drainage Improvement and Assessment District liable for the cost of construction of said storm sewer or any part thereof, may file with the Recorder of the City of Sherwood, a written remonstrance against construction of the said storm sewer line and any and all such remonstrances shall be heard on the said date and time, or at a subsequent date which may be fixed by adjournment.

(4) The Recorder of the City of Sherwood shall cause to have this Resolution of Intention to be published in the Tigard Times for two consecutive issues prior to said hearing, and three copies thereof shall not less than ten (10) days prior to said hearing be posted by the Recorder of the City of Sherwood in three public and conspicuous places within the said proposed Storm Drainage Improvement and Assessment District.

(5) That the City Recorder be, and she is hereby, directed to record the date and place of posting of each of said notices and shall file in the Recorder's records proof of said publishings and postings by affidavit.

PASSED by the City Council of the City of Sherwood at its meeting of October 24, 1979.

Marjorie Stewart  
Mayor

ATTEST:

Polly Blankenship  
Recorder

**GARY M. BUFORD & ASSOCIATES**

3685 CARMAN DRIVE • P.O. BOX 1531 • LAKE OSWEGO, OREGON 97034

- consulting engineers
- land surveyors
- PHONE (503) 635-3511

October 23, 1979

## REVISED WILLAMETTE STREET STORM SEWER L.I.D.

SHERWOOD, OREGON

ENGINEER'S COST ESTIMATE

Construct storm sewer along S. Columbia Street from Existing Manhole at S. Columbia Street and S.W. Sherwood Blvd. to a Manhole in S.W. Willamette Street 300 feet, more or less, East of E. Lincoln Street.

<u>Item</u>	<u>Quantity</u>	<u>Cost/Unit</u>	<u>Cost</u>
36" CSSP	868 lin. ft.	\$ 45	\$ 39,060
30" CSSP	230 lin. ft.	37	8,510
24" CSSP	320 lin. ft.	30	9,600
21" CSSP	170 lin. ft.	28	4,760
15" CSSP	300 lin. ft.	23	6,900
10" CSSP	380 lin. ft.	19	7,220
Standand Manhole	8 each	1,000	8,000
Extra Manhole Depth	24 feet	100	2,400
Ditch Inlets	18 each	250	4,500
Transition Structure	1 each	3,000	3,000
A. C. Pavement	150 tons	35	<u>5,250</u>
Subtotal Construction Cost			\$ 99,200
30% Legal, Administrative, Engineering & Contingencies			<u>29,800</u>
TOTAL ESTIMATED PROJECT COST*			<u>\$129,000</u>

\* No right of way acquisition cost included in this estimate.

**GARY M. BUFORD & ASSOCIATES**

3685 CARMAN DRIVE

• P.O. BOX 1531

• LAKE OSWEGO, OREGON 97034

• consulting engineers

• land surveyors

• PHONE (503) 635-3511

October 22, 1979

REVISED BOUNDARY DESCRIPTION FOR WILLAMETTE STREET STORM SEWER LID

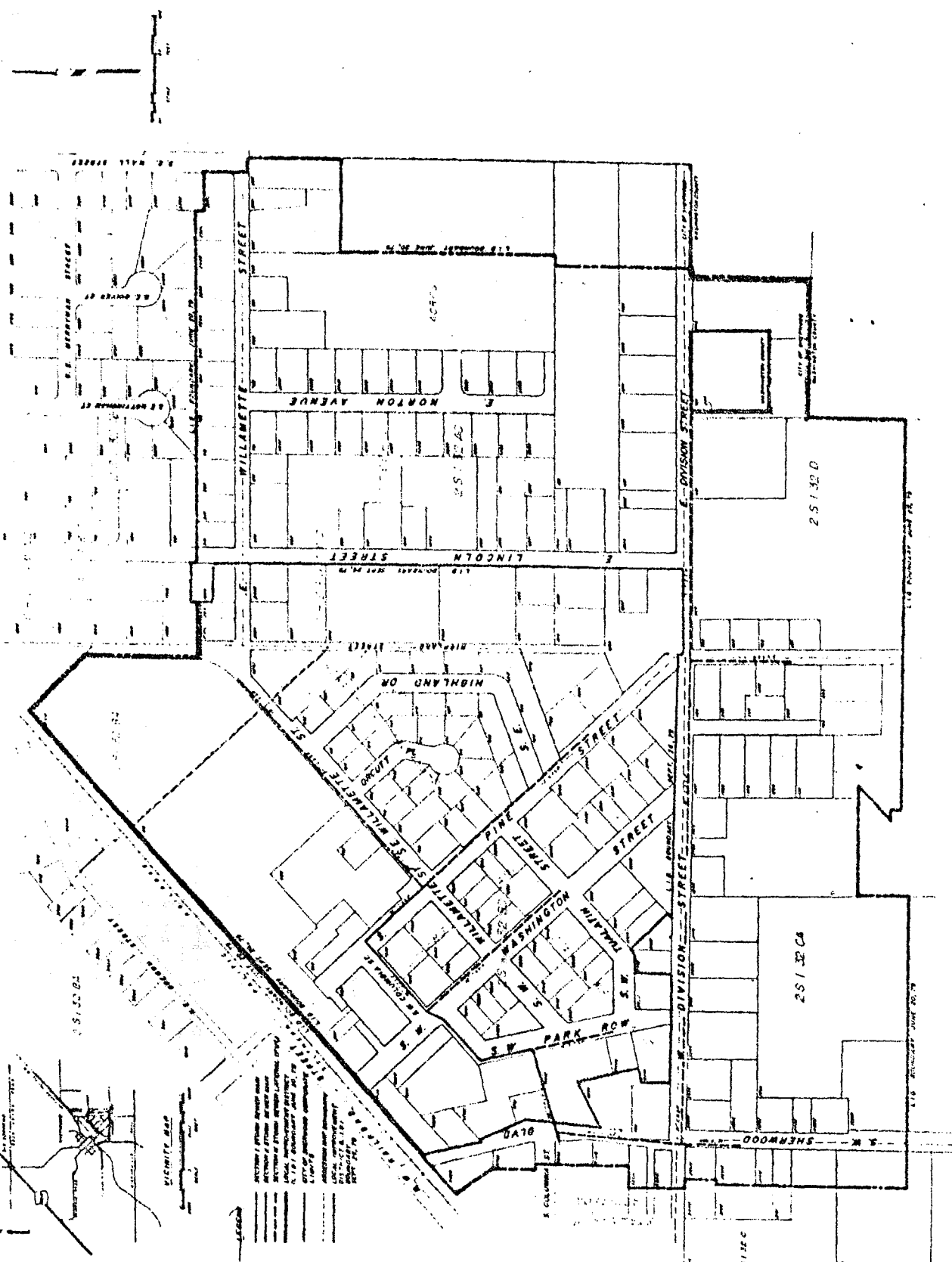
A tract of land situated in Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, being more particularly described as follows, to-wit:

Beginning at the southeast corner of the northwest quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, said point also being at the intersection of the centerlines of West Division Street and S. Pine Street; thence North a distance of 20.00 feet, more or less, along the westerly line of Tax Lot 1800 as shown on the Washington County Assessor's Map 2S 1 32AC to an intersection with the easterly projection of the north right of way line of West Division Street; thence North  $89^{\circ}25'$  West along said right of way line, a distance of 733 feet, more or less, to the east corner of Tax Lot 3500 as shown on said Assessor's Map, said point also being the Initial Point of the duly recorded plat of CITY VIEW ADDITION; thence leaving said right of way line North  $44^{\circ}58'08''$  East, a distance of 12.60 feet, more or less, to the most easterly corner common to Lots 28 and 29, CITY VIEW ADDITION; thence along the southwesterly line of said Lot 29, North  $43^{\circ}32'00''$  West, a distance of 139.1 feet to the southeasterly right of way line of S.W. Tualatin Street; thence along said right of way line, southwesterly a distance of 14.5 feet, more or less, to an angle point on said southerly right of way line; thence westerly along said southerly right of way line a distance of 50.00 feet to the northwest corner of Lot 27, CITY VIEW ADDITION; thence southerly along the west line of said Lot 27, a distance of 100.00 feet to the southwest corner thereof; thence West 229.8 feet, more or less, along the northerly right of way line of West Division Street to the southwest corner of Tax Lot

5001 as shown on the Washington County Assessor's Map 2S 1 32BD; thence northerly 100 feet, more or less, to the northwest corner thereof; thence northeasterly along the northerly line thereof, a distance of 38.2 feet to the most southerly corner of Lot 1, CITY VIEW ADDITION; thence northerly along the east line of said Lot 1 and its northerly projection therefrom, to the most northerly corner of Tax Lot 4800 as shown on the Washington County Assessor's Map 2S 1 32BD; thence southwest-erly along the northwest boundary of said Tax Lot to the easterly right of way line of S.W. Sherwood Boulevard; thence northerly along said right of way line a distance of 114.5 feet, more or less, to an angle point; thence northwesterly to the most westerly corner of Tax Lot 4700 as shown on said Assessor's Map; thence southwesterly to the most southerly corner of Tax Lot 4600 as shown on said Assessor's Map; thence northerly along said right of way line to the intersection with the southeasterly right of way line of Southern Pacific Railroad; thence along the southeast-erly right of way line of the Southern Pacific Railroad, North 47°10' East, a distance of 1,720 feet, more or less, to the most northerly corner of Tax Lot 4100 as shown on the Washington County Assessor's Map 2S 1 32BA; thence leaving said right of way line and southeasterly along the northeasterly line of said Tax Lot 4100, a distance of 255 feet, more or less, to a point on the westerly right of way line of Highland Street (presently a 40.00-foot right of way); thence southerly along said right of way, and its southerly projection therefrom, a distance of 280 feet, more or less, to a point on the westerly projection of the line common to Lots 1 and 2, Block 2, of the duly recorded plat of SHERWOOD ACRES as shown on the Washington County Assessor's Map 2S 1 32AB; thence easterly along said line, a distance of 140.00 feet to the northeast corner of said Lot 1; thence southerly along the easterly line of said Lot 1, a distance of 50.00 feet to the mid-point of the west line of Lot 16, SHERWOOD ACRES; thence easterly, bisecting the north-south length of said Lot 16, a distance of 100.00 feet to the west right of way line of S.E. Lincoln Street; thence southerly along said right of way line, a distance of 1,235 feet, more or less, to a point at the southeast corner of Tax Lot 1800 as shown on the Washington County



Assessor's Map 2S 1 32AC, said point also being the intersection of the west right of way line of S.E. Lincoln Street and the north right of way line of S.E. Division Street; thence west along said north right of way line, a distance of 220 feet, more or less, to the Point of Beginning.



**LEGEND**

- Proposed Sewer Line
- Proposed Storm Sewer Line
- Proposed Water Main
- Proposed Gas Main
- Proposed Electric Main
- Proposed Telephone Main
- Proposed Cable Main
- Proposed Sewer Manhole
- Proposed Storm Sewer Manhole
- Proposed Water Manhole
- Proposed Gas Manhole
- Proposed Electric Manhole
- Proposed Telephone Manhole
- Proposed Cable Manhole
- Proposed Sewer Valve
- Proposed Storm Sewer Valve
- Proposed Water Valve
- Proposed Gas Valve
- Proposed Electric Valve
- Proposed Telephone Valve
- Proposed Cable Valve
- Proposed Sewer Access Point
- Proposed Storm Sewer Access Point
- Proposed Water Access Point
- Proposed Gas Access Point
- Proposed Electric Access Point
- Proposed Telephone Access Point
- Proposed Cable Access Point