

AN ORDINANCE DETERMINING THE FINAL COST OF WATER LINE IMPROVEMENTS IN THE ROCK CREEK WATER AND SEWER LOCAL IMPROVEMENT DISTRICT; DETERMINING THAT THE PROPERTY BENEFITED SHALL BEAR ALL THE COST OF WATER IMPROVEMENTS; ADOPTING A PROPOSED APPORTIONMENT OF SAID COST TO THE RESPECTIVE LOTS, PARTS OF LOTS, AND PARCELS OF LAND WITHIN THE ASSESSMENT DISTRICT ACCORDING TO THE SPECIAL AND PECULIAR BENEFITS ACCRUING THERETO FROM THE IMPROVEMENTS; DIRECTING THE RECORDER TO GIVE NOTICE OF THE PROPOSED APPORTIONMENT TO PROPERTY OWNERS TO BE ASSESSED; AND DECLARING AN EMERGENCY

WHEREAS, the City heretofore, by Ordinance No. 730, enacted October 28, 1980, made a preliminary assessment for water and sewer improvements to be constructed in the district, which estimated assessments were docketed as liens not then due, and thereafter determined that construction of water and sewer improvements would be financed initially by issuance of city warrants; and

WHEREAS, the construction of water line improvements has now been completed and the Council can determine the total amount of the cost of water line improvements, including the cost of interim financing, emergency, legal and administration expense, and the Council finds that it is appropriate and necessary to proceed with final assessment for the water line improvements to enable repayment of the interim financing of said water line improvements; now therefore

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. The Council finds that by Ordinance No. 731 adopted on October 28, 1980 the Council authorized and directed that construction of water line improvements within the boundaries of the Rock Creek Water and Sewer Local Improvement District, as bounded and described in Ordinance No. 730, be undertaken by contract, and said work has now been completed.

Section 2. The Council further finds that the city recorder has computed the total construction cost, including the cost of interim financing through March, 1982, and the cost of the city's administration of the improvement district and construction with respect to the water line improvements, the recorder's report being attached hereto as Exhibit "B". The Council hereby determines that said computation of the total final cost of said water line improvements is determined to be the sum of \$442,210.58. The Council further finds and determines that the lots, parts of lots, and parcels of land listed on Exhibit "A" attached to this ordinance are the lots within the district specially benefited by the water line improvements and together shall bear all of the cost of said improvements.

Section 3. The Council further finds, and hereby determines, that the proposed apportionment of said final cost of said water line improvements upon each lot, part of lot, or parcel of land as prepared by the city staff and consultants, and as set forth in the attached schedule, Exhibit "A", entitled "Final Water Line Property Assessment Roll - Rock Creek Water and Sewer Local Improvement District", which by reference is made a part hereof, is according to the special and peculiar benefits accruing thereto from the improvement.

Section 4. The Council finds that prior to the preliminary assessment made by Ordinance No. 730, based on the estimated cost of the improvements to be made there was due and proper notice given of the manner and amount of said assessment, and an opportunity given for remonstrance thereto at public hearing held thereon on December 19, 1979. The Council determines that the city recorder shall cause to be mailed or cause to be personally delivered to the owner of each lot proposed to be finally assessed for water line improvement notice of the proposed final assessment and the amount thereof, which notice shall state a date by which time objections should be filed with the City Recorder, and requiring that the objections state the grounds therefor.

Section 5. Inasmuch as it is necessary for the preservation of the public peace, health and safety of the people of the City of Sherwood that this ordinance take effect immediately in order that final provision may be made for payment of the costs of water line improvements in the Rock Creek Water and Sewer Local Improvement District and for repayment of interim financing therefor, an emergency is hereby declared to exist, and this ordinance shall be effective upon its passage by the Council and approval by the Mayor.

PASSED:

By Unanimous vote of the City Council
this 13 day of January, 1982.

Polly Blankenbaker
Polly Blankenbaker, City Recorder

APPROVED:

By the Mayor this 14th day of January, 1982.

Clyde List
Clyde List, Mayor

EXHIBIT "A"FINAL WATER LINE PROPERTY ASSESSMENT ROLL
ROCK CREEK WATER AND SEWER LOCAL IMPROVEMENT DISTRICT

| <u>Tax Map/ Tax Lot</u> | <u>Name and Address of Owner</u> | <u>Area Assessment</u> | <u>Frontage Assessment</u> | <u>Service Connections</u> | <u>Total Water Assessment</u> |
|-----------------------------|---|----------------------------|--------------------------------|--------------------------------|-----------------------------------|
| <u>2S1 28B</u> | | | | | |
| 104 | Sentrol, Inc. 10831 SW Cascade Ave. Portland OR 97223 | 48,649.34 | 6,730.87 | 0 | 55,380.21 |
| 300 | Lloyd D. Taylor PO Box 1661 Lake Oswego OR 97034 | 7,770.38 | 2,486.18 | 0 | 10,256.56 |
| 301 | Richard E. & Sheila Stone 1586 NW 143rd Portland OR 97229 | 1,154.30 | 2,122.34 | 396.00 | 3,672.64 |
| 400 | Lloyd D. Taylor PO Box 1661 Lake Oswego OR 97034 | 5,349.18 | 6,245.76 | 0 | 11,594.94 |
| 401 | Lloyd & Arlette Taylor PO Box 1661 Lake Oswego OR 97034 | 5,827.79 | 636.70 | 1,573.84 | 8,038.33 |
| 402 | Lloyd & Arlette Taylor c/o Effie Peterson PO Box 1661 Lake Oswego OR 97034 | 1,970.75 | 5,912.25 | 0 | 7,883.00 |
| 403 | Lloyd & Arlette Taylor c/o Effie Peterson PO Box 1661 Lake Oswego OR 97034 | 4,166.73 | 1,606.92 | 1,573.84 | 7,347.49 |
| <u>2S1 28C</u> | | | | | |
| 100 | Conrad Sproul 15880 SW 79th Tigard OR 97223 | 985.37 | 6,185.12 | 0 | 7,170.49 |

| Tax Map/ Tax Lot | Name and Address of Owner | Area Assessment | Frontage Assessment | Service Connections | Total Water Assessment |
|---------------------|---|--------------------|------------------------|------------------------|---------------------------|
| 2S1 28C (cont'd.) | | | | | |
| 101 | Arlene C. Morrison c/o Lyle F. & Nedra Hathaway 11050 SW Hazelbrook Sherwood OR 97140 | 9,600.36 | 13,279.82 | 2,000.00 | 24,880.18 |
| 102 | Donald E. Kettleberg 13825 SW Tualatin-Sherwood Rd. Sherwood OR 97140 | 1,801.83 | 2,152.66 | 0 | 3,954.49 |
| 103 | Arlene C. Morrison c/o S and T Industries PO Box 421 Sherwood OR 97140 | 2,984.28 | 2,319.42 | 0 | 5,303.70 |
| 200 | Queenie A. Melvin 2600 SW Georgian Pl. Portland OR 97201 | 21,171.47 | 4,244.69 | 954.84 | 26,371.00 |
| 201 | Brune Investment Co. 10100 SW North Dakota Tigard OR 97223 | 9,656.67 | 3,744.42 | 981.58 | 14,382.67 |
| 202 | Howard E. Brune 122 Condolea Dr. Lake Oswego OR 97034 | 1,942.60 | 0 | 0 | 1,942.60 |
| 300 | Larry Wellons & Hank Schutte PO Box 381 Sherwood OR 97140 | 2,618.28 | 2,652.93 | 0 | 5,271.21 |
| 301 | Larry Wellons & Assoc. PO Box 381 Sherwood OR 97140 | 3,434.73 | 3,198.68 | 954.84 | 7,588.25 |
| 302 | Larry Wellons & Hank Schutte c/o Wilbur T. West 13575 SW Peters Rd. Lake Oswego OR 97034 | 2,477.51 | 5,578.74 | 171.88 | 8,228.13 |

| Tax Map/ Tax Lot | Name and Address of Owner | Area Assessment | Frontage Assessment | Service Connections | Total Water Assessment |
|--------------------------|--|--------------------|------------------------|------------------------|---------------------------|
| <u>2S1 28C (cont'd.)</u> | | | | | |
| 400 | Frontier Leather Co. PO Box 502 Sherwood OR 97140 | 5,827.79 | 6,200.28 | 0 | 12,028.07 |
| 501 | Lampley Corporation Rt. 1 Box 33M Newberg OR 97132 | 25,985.73 | 21,466.00 | 0 | 47,451.73 |
| <u>2S1 29D</u> | | | | | |
| 100 | Oregon-Washington Lbr. Co. 301 NW Murray Rd. Portland OR 97229 | 43,778.78 | 6,655.07 | 0 | 50,433.85 |
| 103 | Schwan's Sales Enterprises 113 W. College Dr. Marshall MN 56258 | 1,238.76 | 1,546.28 | 298.38 | 3,083.42 |
| 600 | Frontier Leather Co. PO Box 502 Sherwood OR 97140 | 27,731.25 | 11,703.22 | 0 | 39,434.47 |
| <u>2S1 32AA</u> | | | | | |
| 190 | John M. & Lilli J. Healy and Fonna R. Wasch PO Box 23938 Tigard OR 97223 | 112.61 | 1,425.00 | 0 | 1,537.61 |
| 200 | Donald C. Cochran c/o Ralph & Louise Cardinal, Trustees 3535 SW Buddington Portland OR 97219 | 13,541.86 | 7,155.33 | 0 | 20,697.19 |

| Tax Map/ Tax Lot | Name and Address of Owner | Area Assessment | Frontage Assessment | Service Connections | Total Water Assessment |
|---------------------------|--|--------------------|------------------------|------------------------|---------------------------|
| <u>2S1 32AA (cont'd.)</u> | | | | | |
| 1100 | James M. & Nancy V. Dailey Route 3 Box 12 Sherwood OR 97140 | 84.46 | 0 | 0 | 84.46 |
| 1101 | Raymond E. Leach 1500 N. Maple Canby OR 97013 | 6,278.24 | 7,003.74 | 0 | 13,281.98 |
| 1200 | James M. & Nancy V. Dailey Route 3 Box 12 Sherwood OR 97140 | 3,885.19 | 3,880.86 | 0 | 7,766.05 |
| <u>2S1 32AD</u> | | | | | |
| 100 | Sanford M. & Marilyn G. Rowe 1780 E. Willamette Sherwood OR 97140 | 1,407.68 | 1,667.56 | 0 | 3,075.24 |
| 301 | Smelser, Inc. c/o Dale Construction Co. 12360 SW Main Tigard OR 97223 | 11,824.49 | 13,795.23 | 0 | 25,619.72 |
| 302 | Ladd C. & Dorothy J. Arnoti PO Box 138 Cottonwood Idaho 83522 | 788.30 | 0 | 0 | 788.30 |
| <u>2S1 32DA</u> | | | | | |
| 200 | Dale Construction Co. 12360 SW Main St. Tigard OR 97223 | 1,323.22 | 0 | 0 | 1,323.22 |

| <u>Tax Map/ Tax Lot</u> | <u>Name and Address of Owner</u> | <u>Area Assessment</u> | <u>Frontage Assessment</u> | <u>Service Connections</u> | <u>Total Water Assessment</u> |
|-----------------------------|--------------------------------------|----------------------------|--------------------------------|--------------------------------|-----------------------------------|
|-----------------------------|--------------------------------------|----------------------------|--------------------------------|--------------------------------|-----------------------------------|

2S1 32DA

| | | | | | |
|-----|---|----------|---|---|----------|
| 201 | City of Sherwood 90 NW Park St. Sherwood OR 97140 | 1,858.13 | 0 | 0 | 1,858.13 |
| 300 | Ladd C. & Dorothy J. Arnoti PO Box 138 Cottonwood Idaho 83522 | 4,307.49 | 0 | 0 | 4,307.49 |

EXHIBIT B

ROCK CREEK WATER & SEWER LID

| DATE | PAID TO | WATER | SEWER | TOTAL | WARRENT | INT. RATE |
|-------|---------------------------|-------------------|-----------------|-------------------|---------|-----------|
| 3/80 | Buford Eng. | 13,970.07 | 23,839.19 | 37,809.26 | | |
| 12/80 | Buford Eng. | 7,518.28 | 13,724.77 | 21,243.05 | #1 | 11.5% |
| 4/81 | Buford Eng. | 13,771.14 | 2,656.00 | 16,427.14 | #2 | 9.75% |
| 5/81 | Buford Eng. | 9,175.87 | 3,434.92 | 12,610.79 | | |
| | GVS Contracting | | 746.00 | 746.00 | | |
| | Foundation Sciences | | 3,425.09 | 3,425.09 | | |
| | Daily Journal of Commerce | 101.15 | | 101.15 | | |
| | The Skanner | 127.50 | | 127.50 | | |
| | | <u>9,404.52</u> | <u>7,606.01</u> | <u>17,010.53</u> | #3 | 11.25% |
| 6/81 | Buford Eng. | 4,831.83 | 3,354.89 | 8,186.72 | | |
| | Foundation Sciences | | 2,521.27 | 2,521.27 | | |
| | Wes King Const. Co. | <u>142,234.12</u> | | <u>142,234.12</u> | | |
| | | 147,065.95 | 5,876.16 | 152,942.11 | #4 | 11.5% |
| 7/81 | Buford Eng. | 6,384.17 | 13,550.36 | 19,934.53 | | |
| | Foundation Sciences | 5,002.46 | | 5,002.46 | | |
| | Wes King Construction Co. | <u>111,207.87</u> | | <u>111,207.87</u> | | |
| | | 122,594.50 | 13,550.36 | 136,144.86 | #5 | 11.75% |
| 8/81 | Buford Eng. | 2,124.50 | 14,318.00 | 16,442.50 | | |
| | Foundation Sciences | 226.54 | | 226.54 | | |
| | Wes King Const. | <u>55,601.18</u> | | <u>55,601.18</u> | | |
| | | 57,952.22 | 14,318.00 | 72,270.22 | #6 | 11.75% |
| 9/81 | Buford Eng. | 1,216.74 | 17,694.58 | 18,911.32 | #7 | 11.5% |
| 9/81 | Daily Journal of Commerce | | 164.35 | 164.35 | | |
| | The Skanner | | 285.00 | 285.00 | | |
| | Wes King Construction Co. | <u>3,000.00</u> | | <u>3,000.00</u> | | |
| | | 3,000 | 449.35 | 3,449.35 | #8 | 11.25% |
| | TOTALS | 376,493.42 | 99,714.42 | 476,207.84 | | |

| DATE | PAID TO | WATER | SEWER | TOTAL | WARRENT | INT. RATE |
|-------|-----------------------------------|---------------|-----------------|-----------------|---------|-----------|
| 10/81 | Anderson, Dittman & Anderson | | 153.50 | 153.50 | | |
| | Anderson, Dittman & Anderson | | 633.50 | 633.50 | | |
| | Wash. Cnty Plan. Dept. | | | | | |
| | Flood Plain Alteration Permit | | 425.00 | 425.00 | | |
| | Buford (for Foundation Sciences) | | 589.85 | 589.85 | | |
| | Buford Eng. | 997.50 | 6,378.24 | 7,375.74 | | |
| | Wash. Cnty (Easements) | <u>997.50</u> | <u>1,476.55</u> | <u>1,476.55</u> | | |
| | | 997.50 | 9,656.64 | 10,654.14 | #9 | 10.5% |
| 10/81 | Bischoff/Reese (Easement) | | 2,500.00 | 2,500.00 | | |
| | Desmond (Easement) | | 394.00 | 394.00 | | |
| | Wash. Cnty. (Easement Record.) | | 76.00 | 76.00 | | |
| 11/81 | Buford Eng. | <u>131.00</u> | <u>7,729.03</u> | <u>7,860.03</u> | | |
| | | 131.00 | 10,699.03 | 10,830.03 | #10 | 10.0% |
| 11/81 | Anderson, Dittman & Anderson | | 880.00 | 880.00 | | |
| 12/81 | Anderson, Dittman & Anderson | | 261.00 | 261.00 | | |
| | Artco Construction | | 34,684.92 | 34,684.92 | | |
| | Buford Eng. (Foundation Sciences) | | 2,619.68 | 2,619.68 | | |
| | Buford Engineering | | <u>6,336.23</u> | <u>6,336.23</u> | | |
| | | | 44,781.83 | 44,781.83 | #11 | 9.5% |

WATER PORTION
OF
ROCK CREEK WATER & SEWER LID

| | | |
|---|------------|------------------|
| Gary Buford | 60,121.10 | |
| Foundation Sciences | 5,229.00 | |
| Wes King Construction | 312,043.17 | |
| Subtotal | | 377,393.27 |
| Legal & Administrative, 10% of construction | | 31,204.32 |
| Daily Journal of Commerce | | 101.15 |
| The Scanner | | 127.50 |
| Projected Interest on Warrents | | <u>33,210.58</u> |
| Total | | 442,036.82 |

PROJECTED INTEREST ON WARRENTS (WATER)

| <u>WARRENT</u> | <u>ISSUED</u> | <u>AMOUNT</u> | <u>RATE</u> | <u>PER MO. CHARGE</u> | <u>PROJECTED THRU MARCH, 1982</u> | <u>NO. OF MONTHS</u> |
|----------------|---------------|---------------|-------------|---------------------------|---------------------------------------|--------------------------|
| #1 | 12/19/80 | 7,518.28 | 11.5 | 72.05 | 1,152.80 | 16 |
| #2 | 4/8/81 | 13,771.14 | 9.75 | 111.89 | 1,342.68 | 12 |
| #3 | 5/14/81 | 9,404.52 | 11.25 | 88.17 | 969.87 | 11 |
| #4 | 6/8/81 | 147,065.95 | 11.25 | 1,409.38 | 14,093.80 | 10 |
| #5 | 7/20/81 | 122,594.50 | 11.75 | 1,200.40 | 10,803.60 | 9 |
| #6 | 8/14/81 | 57,952.22 | 11.75 | 567.45 | 4,539.60 | 8 |
| #7 | 9/16/81 | 1,216.74 | 11.5 | 11.66 | 81.62 | 7 |
| #8 | 9/30/81 | 3,000.00 | 11.25 | 28.13 | 168.78 | 6 |
| #9 | 10/15/81 | 997.50 | 10.5 | 8.73 | 52.38 | 6 |
| #10 | 11/10/81 | 131.00 | 10.0 | 1.09 | 5.45 | 5 |
| | | <hr/> | | <hr/> | <hr/> | |
| | | 363,651.85 | | 3,498.95 | 33,210.58 | |