

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 782

AN ORDINANCE AMENDING ORDINANCE 738 REGARDING LOCAL IMPROVEMENT ASSESSMENT LIENS,  
BY ADOPTING PROCEDURES FOR DIVISION AND REAPPORTIONMENT OF ASSESSMENT LIENS

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WHEREAS, the City Council finds that a standard procedure for division and reapportionment of assessment liens in cases of lot split, partition or subdivision of assessed property should be adopted; now, therefore,

THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Ordinance 738, enacted by the City Council May 27, 1981, be and the same is hereby amended by adding thereto the following section:

Section 12A - Reapportionment of Assessments:

Property in single ownership at the time of the initial hearing at which the City acquires jurisdiction to perform a public improvement need not be divided by the City for the purpose of levying assessments except when the City receives actual notice of the division of ownership of such property prior to the enactment of the assessment ordinance. After an assessment has been levied upon contiguous property in single ownership as provided in this ordinance, there shall be no division or reapportionment of the assessment lien except under the following procedure:

- A. The owner of all or any portion of a parcel of contiguous land subject to a single assessment may make application to the City Recorder for a division and reapportionment of the assessment; and such application shall contain a legal description of each parcel of land into which the property is proposed to be divided together with the name and address of each of the owners and other parties having an interest in such property.
- B. After receipt of the application the City Recorder shall mail notice to each owner and party having an interest in such property of the application and the date and time of the meeting of the City Council at which the matter shall be considered, which meeting shall not be earlier than ten days from the mailing of written notice.
- C. At or prior to the meeting of the City Council at which the application will be considered the City Administrator shall make a report and recommendation to the Council for the apportioning of the assessment lien between portions of the property to be divided, describing the effect of such division upon the security of the city.
- D. At the designated meeting of the City Council the applicant and any owner or party having an interest in such property may be heard, and the Council may make a decision at such meeting, or the Council may defer its decision to a meeting to be held within 45 days.
- E. The Council shall make no reapportionment of an assessment which will impair the security of the City of Sherwood for the collection of the assessments upon the property, and the Council may impose conditions upon such reapportionment for the protection of the city.

F. A reapportionment of assessments shall become effective only after enactment of an ordinance declaring such reapportionment and provision for the amendment of the docket of city liens to conform with the ordinance.

Section 2. This ordinance amending Ordinance 738 shall become effective on the 30th day after its passage by the council and approval by the mayor.

PASSED:

By the Council by majority vote of all members present after being read by caption three times, this 27 day of October, 1982.

Polly Blankenbaker  
Polly Blankenbaker  
City Recorder

APPROVED:

By the Mayor this 27 day of October, 1982.

Clyde List  
Clyde List  
Mayor