

AFFIDAVIT OF POSTING

ORDINANCE CB-0-58-86

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 16th day of July, 1986, I caused to be posted copies of the attached Ordinance CB-0-58-86, an Ordinance Reapportioning the Assessment for Local Improvement District No. 4 (AKA Kinsman Road Local Improvement District #4) Within Tax Lot 100; and Declaring an Emergency, in the following four public and conspicuous places of the city, to wit:

WILSONVILLE CITY HALL

WILSONVILLE POST OFFICE

LOWRIE'S FOOD MARKET

KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 21st day of July, 1986.

Vera A. Rojas
VERA A. ROJAS, City Recorder

Subscribed and sworn to before
me this 17th day of July, 1986.

Henry Thom
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 8-23-89

ORDINANCE NO. 297

AN ORDINANCE REAPPORTIONING THE ASSESSMENT FOR LOCAL IMPROVEMENT DISTRICT NO. 4 (AKA KINSMAN ROAD LOCAL IMPROVEMENT DISTRICT #4) WITHIN TAX LOT 100, CLACKAMAS COUNTY; AND DECLARING AN EMERGENCY.

WHEREAS, on September 4, 1984, the Wilsonville City Council enacted Resolution No. 423 levying assessments; and

WHEREAS, the owner of Tax Lot 100, Clackamas County has duly filed with the City Recorder application for division and reapportionment of the assessment levied upon parcels of contiguous land as provided in Section 3.219 in the Wilsonville Code; and notices were mailed to the owner that the City Council would consider such reapportionment at a regular meeting held July 21, 1986, commencing at 7:30 o'clock p.m.; and

WHEREAS, pursuant to the City Code, Section 3.219, the City Administrator has made a report and recommendation to the City Council for the reapportionment of the property proposed to be divided, describing the affect of such division upon the security of the city; and

WHEREAS, the City Council, having heard and considered the matter, including the facts and findings contained in the report of the City Administrator.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. The assessment for Assessment District No. 4, Section 14C, Tax Lot 100, Clackamas County, is hereby reapportioned for the parcel of property covered under the application on file as described in the July 2, 1986 report of the City Administrator and Exhibit "A", presented at the meeting of July 7, 1986.

2. The report of the City Administrator is hereby adopted by reference and made a part of this ordinance.

3. The Wilsonville City Council finds that the said reapportionment of the assessment liens will not impair the security of the bond holder, or the City of Wilsonville for the collection of the assessment upon said property.

4. It being determined by the Wilsonville City Council an emergency exists due to the immediate benefit to the community of a proposed development on the subject property, the ordinance shall take affect immediately upon final reading and passage by the Wilsonville City Council.

SUBMITTED to the City Council and read the first time at a regular meeting thereof on the 7th day of July, 1986, and scheduled for second reading at a regular meeting of the City Council on the 21st day of July, 1986, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall.

Vera A. Rojas

VERA A. ROJAS, City Recorder

ENACTED by the City Council on the 21st day of July, 1986,
by the following votes: YEAS: 5 NAYS: 0.

Vera A. Rojas

VERA A. ROJAS, City Recorder

DATED and signed by the Mayor this 23rd day of July,
1986.

A. G. Meyer

A. G. MEYER, Mayor

Memo

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: PETE WALL

SUBJECT: REQUEST FOR REAPPORTIONMENT OF ASSESSMENTS OF
LOCAL IMPROVEMENT DISTRICT #4 - TAX LOT 100

On June 26, 1986, Real Estate Data Services, representing John Kinsman, property owner, filed an application requesting the reapportionment of Tax Lot 100 in Section 14C. This application was filed in accordance with the Wilsonville Code, Section 3.219(a).

Assessments were levied by Resolution No. 423 entitled "Kinsman Road LID #4" and adopted by Council on September 4, 1984.

Mr. Kinsman is the sole owner of the said tax lot to be reapportioned and he has been duly notified of the date, time and place the City Council will consider the application for reapportionment.

The review of the proposed reapportionment reveals that several things happened prior to the purchase of ten acres by Coca Cola Company. Land owners within LID #4, of Tax Lot 300 - Ellison Company Employees and Tax Lots 100, 200 and 1400 - John Kinsman, exchanged properties to accommodate the realignment of property lines due to the roadway and utility easements constructed for LID #4. Following that, Clackamas County eliminated Tax Lot 200 and 1400 and created one tax lot - Tax Lot 100. The reapportionment schedule attached outlines the procedure. The property originally consisted of four parcels of unplatted property.

The reapportionment of Tax Lot 100 will leave buildable lots.

The parcels requested to be reapportioned will have frontages on the existing Kinsman Road.

The petitioner requests that the reapportionment of assessments on Tax Lot 100 be made on a per acreage basis including a special assessment for water lines included in the original assessment Resolution No. 423. The relative value, area, frontage on a public street, are proportionate to the proposed separation, and reapportionment of the original assessment. The purchase and proposed construction by Coca Cola Company will increase the value of the property and would serve to enhance the security of the city and the holders of the Bancroft Bonds.

It was discovered that .78 acres of right-of-way was not deleted from Tax Lot 100 and should have been included in the original assessment amount to be picked up by the city. The .78 acre assessment amount, based on \$10,637.61/acre, is \$8,297.34.

The assessment per acre is \$10,637.61.

RECOMMENDATION

I recommend that the City Council reapportion the assessment as shown on attachment "Exhibit A".

pw:vr

"EXHIBIT A"

REAPPORTIONMENT SCHEDULE - LID #4

TAX LOTS	ORIGINAL ACRES
100	15.95
200	21.67
1400	<u>2.97</u>
	40.53

Tax Lot 100 acres increased as follows:

- .64 acres received from Tax Lot 300
- (.37) acres transferred to Tax Lot 300
- 1.36 acres received from Tax Lot 300
- (.78) acres given in right-of-way to city
- .85 acres + 40.53 = 41.38 acres

Clackamas County combined Tax Lots 100, 200 and 1400 into one Tax Lot - Tax Lot 100.

Outstanding Assessment Balance: \$398,862.41
+ .85 acres @ \$10,637.62/acre = 9,041.98
\$404,904.39

Purchase by Coca Cola 10 acres = - \$106,376.10

Retained by Kinsman 31.38 acres = \$301,528.29