

RESOLUTION NO. 219

A RESOLUTION DECLARING INTENTIONS TO PROCEED WITH THE CONSTRUCTION OF "KINSMAN ROAD LOCAL IMPROVEMENT DISTRICT #4; ADOPTING ENGINEERS REPORT AS MODIFIED AND FILED AND DIRECTING THE PREPARATION OF DETAILED PLANS, SPECIFICATIONS BY THE CITY ENGINEER."

WHEREAS, a public hearing for remonstrances on the engineers report as specified in Section 3.210 of the Wilsonville Code for Kinsman Road L.I.D. #4 were heard by the Wilsonville City Council on January 4, 1982, at 7:30 pm as designated by the adoption of Resolution 208 "A RESOLUTION MODIFYING AND APPROVING ENGINEERS REPORT FOR KINSMAN ROAD IMPROVEMENT PROJECT (L.I.D. #4), DECLARING THE INTENTION TO MAKE SUCH IMPROVEMENTS AS MODIFIED; PROVIDING THE MANNER OF CARRYING OUT THE IMPROVEMENTS, AND SETTING A TIME FOR PUBLIC HEARING TO CONSIDER REMONSTRANCES," which was adopted December 21, 1981, at a regularly scheduled Council meeting; and

WHEREAS, there were no objections made by property owners in the area to be assessed, and all property owners who appeared at the hearing gave unanimous approval to proceed with the improvement project, and there were no written objections, however Mrs. Irene Jack appeared before Council requesting to go on record as wanting to check with their lawyer prior to making any statements regarding the proposed L.I.D. Project, and

WHEREAS, THE City Council considered the matter and the engineers report and adopted the ENGINEERS REPORT MODIFIED subject to development of further information following the proposed meeting with the Jack's regarding the property dedication on January 9, 1982, and further information that the City

can get from the City Attorney related to possible solutions to the relationship of this LID to the adjoining Jack's property.

WHEREAS, it appears the Jack's are willing to dedicate a portion of their property for road right-of-way, that their property was and is not to be included in the L.I.D. #4 boundary thereby rendering unnecessary any attempt at inclusion of the Jack's property on a deferred assessment payment as a senior deferral, as well as impractical given budget constraints and the necessity of adopting a City wide deferral ordinance before allowing same, and

WHEREAS, the property owners have agreed to deposit the sum of Thirty-five Thousand Dollars (\$35,000) to defray costs for engineering design work, attorney fees and City staff time involved on this project, the cost be allocated as follows:


	Acres	% of Area	Deposit
John Kinsman	44.22	63.32% X 35,000	\$22,162.00
Doug Seely-Bob Dant	2.41	3.45% x 35,000	1,207.00
R. E. Farrell	1.94	2.78% x 35,000	973.00
Ellison Co. Mariposa- Gerry Engler	<u>21.27</u>	<u>30.5% x 35,000</u>	<u>10,658.00</u>
	69.84	100%	\$35,000.00

All amounts deposited by each property owner 100% be reimbursed to the property owners as part of the Interim financing for the project. The total cost of engineering design, attorney fees and staff time shall be included as part of the total assessment for each property.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Wilsonville proceed with the project for the construction of water system improvements, sanitary

sewer system improvements, storm drainage system improvements, street improvements, street lighting improvements, and all power, telephone, gas and other underground utilities necessary to complete this project in the area of the City described and designated in this matter as KINSMAN ROAD LOCAL IMPROVEMENT DISTRICT #4; that the report on this project by Westech Engineering Inc., consulting engineers of Salem, Oregon, as modified and filed on December 2, 1981, with the City Recorder by petition of the property owners, and again modified by Council at their regularly scheduled meeting of December 7, 1981, is now adopted as amended. Further more the said engineering firm is hereby authorized upon receipt of the deposit by the City as forementioned, to prepare detailed plans, specifications and cost estimates for the improvement project; and furthermore to begin the process to procure the interim financing for the project as may be necessary.

ADOPTED by the Wilsonville City Council at a regular meeting thereof on April 5th , 19 82 .


WILLIAM G. LOWRIE, Mayor

ATTEST:


DEANNA J. THOM, City Recorder