

E

ORDINANCE NO. 3891

AN ORDINANCE TO DETERMINE THE ASSESSMENTS AGAINST THE PROPERTIES SPECIFICALLY BENEFITTED BY sewer, street IMPROVEMENTS, SS-75-4B, Cloverdale FARMS, AND ST-75-3, INDUSTRIAL WAY AND DECLARING AN EMERGENCY.

RECITALS:

street &

1. The sewer assessment as referred to in this ordinance and previous resolutions and ordinances are the ~~Street~~, Sewer to serve SS-75-4B, Cloverdale Farms and ST-75-3, Industrial Way.

2. Preliminary resolutions and ordinances prescribing the manner and extent of the improvements are set forth in Resolution Nos.

3. The assessments set forth in the following ordinance are based upon the request and recommendation of the City Engineer in compliance with Ordinance No. 2864.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: COST

The total cost of the street, sewer to serve SS-75-4B, Cloverdale Farms and ST-75-3, Industrial Way are as follows:

| <u>Project</u> | <u>Misc.</u> | <u>Cost</u> | <u>13% 15% E.L.A.</u> | <u>Total</u> |
|----------------------------|-----------------|-------------------|---------------------------|-------------------|
| SS-75-4B, Cloverdale Farms | \$ 661.86 | \$ 30,987.17 | \$ 4,028.33 | \$35,677.36 |
| ST-75-3, Industrial Way | <u>3,759.76</u> | <u>136,216.81</u> | <u>20,403.40</u> | <u>160,379.97</u> |
| | \$4,421.62 | \$167,203.98 | \$24,431.73 | \$196,057.33 |

Section 2: PROPERTY AND ASSESSMENT DATA - ATTACHED SHEETS

Section 3:

The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the City Liens and give notice thereof as provided by law.

Section 4:

Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: January 14, 1976
Approved by the Mayor: January 14, 1976
Effective Date: January 14, 1976



Mayor

ATTEST:



City Recorder

Interdepartmental Memorandum
Engineering Department

SUBJECT: Final Assessment for SS-75-4B Cloverdale Farms Sanitary Sewer

TO: City Manager

FROM: Engineering Technician III

DATE: January 14, 1975

| | | |
|---------------------------------|-------------|--------------------|
| A. Total Project Cost | | |
| Construction Cost | \$54,970.30 | |
| ELA 13% | 7,146.14 | |
| Warrant Interest | 1,174.11 | |
| Total Project Cost | | <u>\$63,290.55</u> |
| B. Property Owner Assessment | | |
| 8" Equivalent Cost | | |
| Construction Cost | \$23,983.13 | |
| ELA 13% | 3,117.81 | |
| Warrant Interest | 512.25 | |
| Total Property Owner Assessment | | <u>\$27,613.19</u> |
| C. Oversizing Cost | | |
| Construction Cost | \$30,987.17 | |
| ELA 13% | 4,028.33 | |
| Warrant Interest | 661.86 | |
| Total Oversizing Assessment | | <u>\$35,677.36</u> |

$$\text{Cost per square foot} = \frac{\$27,613.19}{\text{Cost}} / \frac{255,852.5}{\text{sq. ft.}} = \$0.1079$$

METHOD OF ASSESSMENT

The benefitting property owners shall be assessed on a square-foot basis to a depth of 150 feet along Hickory Avenue for the 8-inch equivalent cost of the sewer project. The City of Albany shall be assessed the remainder of the project cost.

PROPERTY AND ASSESSMENT DATA

See attached sheets.

Respectfully submitted,

Carl Fair

Carl Fair
Engineering Technician III

ka
Attachments

| No. | Owner & Address | Description & Tax Lot No. | Assess Sq. Ft. | Assessable Cost |
|-----|--------------------------------------|--|-------------------|--------------------|
| 1 | Cloverdale Farms, Inc. PO Box 787 | 11-3W-6BC, 200 | 26,266.0 | \$2,726.86 |
| | | <p>Beginning at a point on the east line of that parcel described in deed recorded in Book 173, Page 517, Benton County Deed Records which point is 1306.40 ft. N 89 degrees 55' 15" E along the claim line and 47.94 ft. S 24 degrees W of the northeast corner of the A. M. Rainwater D.L.C. 61 T 11 S, R 3 W, W.B.& M., Benton County, Oregon; thence along the lines of said parcel S 24 degrees W 1047.66 ft., N 86 degrees W 203.94 ft. and N 14 degrees 49'30" E 852.07 ft. to a point which is S 73 degrees 51'15" W of the point of beginning; thence N 73 degrees 51'15" E 498.84 ft. to the point of beginning. Containing 5.90 acres more or less.</p> | | |
| 2 | " | 11-3W-6BC, 302 | 33,168.0 | \$3,579.70 |
| | | <p>Beginning at a point on the west line of that parcel described in deed recorded in Book 107, Page 62, Benton County Deed Records which point is 526.68 ft. N 89 degrees 55 minutes 15 seconds E along the claim line and 268.90 ft. S 4 degrees W of the northeast corner of the A.M. Rainwater D.L.C. 61, T 11 S, R 3 W, W.B.&M., Benton County, Oregon; thence South 4 degrees W along the west line of said parcel 707.90 ft. to the north line of the County Road; thence S 86 degrees 47 minutes E along the north line of said road 199.10 feet to the southwest corner of that parcel described in deed recorded in Book 173, Page 517, said deed records; thence North 14 degrees 49 minutes 30 seconds E along the west line of said last mentioned parcel 852.07 feet to a point which is N 73 degrees 51 minutes 15 seconds East of the point of beginning; thence S 73 degrees 51 minutes 15 seconds West 382.49 feet to the point of beginning. Containing 4.83 acres, more or less.</p> | | |
| 3 | " | 11-3W-6BC, 600 | 68,896.5 | \$7,435.74 |
| | | <p>Beginning at a point which is one chain East of the Northeast corner of Not 697 in Township 11 South, Range 3 West of the W.M., in Benton County Oregon, and running thence East 460.68 ft.; thence South 4 degrees West 976.80 ft.; thence North 86° West 645.36 ft; thence North 4° East 947.1 ft, to the place of beginning, containing 10.13 acres, more or less, in Benton County, Oregon, excepting therefrom the following:</p> | | |

PROPERTY AND ASSESSMENT DATA

SS-75-) Cloverdale Farms Sanitary Sewer

January 14 1976

| No. | Owner & Address | Description & Tax Lot No. | Assess Sq. Ft. | Assessable Cost |
|---------------|--|--|-------------------|--------------------|
| 3 (continued) | | Beginning at a ½-inch pipe on the South line of the John Q. Thornton DLC 526.68 ft. East of the Northeast corner of the A.M. Rainwater DLC 39 in Township 11 South, Range 3 West of the W.M., Benton County, Oregon, and running thence West along said Claim line 183.35 ft. to a ½-inch pipe; thence South 4° West 237.6 ft. to a ½-inch pipe; thence East 183.35 ft. to a ½-inch pipe; thence North 4° East 237.60 ft; to the place of beginning, said excepted tract containing one acres, more or less. | | |
| 4 | Cloverdale Farms, Inc. PO Box 787 Albany, OR 97321 | 11-3W-6CB, 300 (see #5 below) | 36,750.0 | \$3,966.29 |
| 5 | " | 11-3W-6CB, 100 | 49,247.0 | \$5,315.04 |

(Additional description for both #4 and #5)

Parcel I: Beginning at a point which bears south 8 degrees 13' east 964.9 feet from the northeast corner of the A.M. Rainwater Donation Land Claim #39 in Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon; thence north 85 degrees 46' west (north 86 degrees west by old records) 214.16 feet to a 3/4" iron pipe; thence south 2 degrees 44' west 614.92 feet to a ½-inch rod on the northerly right-of-way of U. S. Highway 20; thence along the right-of-way of a 10 degree centerline curve to the right to a 3/4" bolt at the southwest corner of that property described in lease between Cloverdale Farms, Inc., and Standard Oil Company of California, recorded February 19, 1959, as Instrument #25514 Records of Benton County, Oregon, (the chord along said curve being north 89 degrees 38' east 140.7 feet); thence north 2 degrees 35' east 86.08 feet to a 1" pipe; thence south 87 degrees 25' east 180.86 feet to a nail on the westerly line of the second tract described in deed to Cloverdale Farms, Inc., recorded in Book 170 page 369 deed records, of Benton County, Oregon; thence north 9 degrees west along the westerly line of said tract 494.2 feet to a 3/4" pipe; thence north 8 degrees 13' west 32.1 feet to the place of beginning, EXCEPT the north 60 feet of even width at right angles to the north line of this described property shall be county road.

Parcel II: Beginning south 8 degrees 13' east 997.0 feet, south 9 degrees east 520.0 feet and north 82 degrees 30' east 200.0 feet from the northeast corner of the A.M. Rainwater Donation Land Claim No. 61 in Township 11 South Range 3 West and Donation Lane Claim No. 39, in Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon; and running thence north 9 degrees west 448.68 feet to the south line of a 60-foot county road; thence south 85 degrees 46' east (south 86 degrees east by

| No. | Owner & Address | Description & Tax Lot N-. | Assess Sq. Ft. | Assessable Cost |
|---------------------|--|--|-------------------|--------------------|
| 4 and 5 (continued) | | old record) along said road 470.34 feet to a ½" rod on the westerly r/w line of the Spring Hill County Road; thence southwesterly along said right-of-way to a point which bears south 9 degrees east of the place of beginning; thence north 9 degrees west to the place of beginning. " EXCEPTING therefrom the first tract described in deed to Cloverdale Farms described by deed recorded in Book 170 page 369 deed records of Benton County, Oregon; more particularly described as: Beginning at a point in the center of the county road 204 feet north 86 degrees east from a point on the center of the county road which bears south 8 degrees 13' east 977 feet from the northeast corner of the A.M. Rainwater Donation Land Claim 39 in township 11 south, range 4 west of the Willamette Meridian in Benton County Oregon; thence south 9 degrees east 480 feet; thence north 82 degrees 31' east 50 feet; thence north 9 degrees west 480 feet more or less to the center of the county road; thence north 86 degrees west along the center of said county road 50 feet more or less to the point of beginning. | | |
| 6 | Herman O. Pack 831 Ridders Road Albany, OR 97321 | 11-3W-6BC 500 | 3,000.0 | \$ 323.78 |
| | | Beginning on the South line of the John Q. Thornton D.L.C. which is 376.33 ft. East of the Northeast corner of the A.M. Rainwater D.L.C. No. 39, T. 11 S. R. 3 W. of the Willamette Meridian, Benton County, Oregon; thence W along the S line of said Thornton D.L.C. .33 ft. to a ½-inch pipe; thence S 4° W 237.6 ft. to a ½-inch pipe; thence E 183.35 ft. to a ½-inch pipe; thence North 4° E 118.8 ft; thence West 150.35 ft; thence N 4° East 118.8 ft. to the point of beginning. AND ALSO, beginning at the southeast corner of that certain tract of land conveyed to Rex A Vollstedt et ux by deed recorded June 17, 1960 in Book 173, page 673, deed records, Benton County, Oregon; thence south 4° west, 11.20 chains along the east line of that tract conveyed to Roy W. Dirrett et ux by deed recorded December 31, 1959 in Book 171, page 571, Deed Records, Benton County, Oregon, to the southeast corner thereof; thence north 86° west 20.0 feet; thence north 4° east, 739.2 ft. to a point of intersection with the south line of said Vollstedt tract; thence east along the south line of said Vollstedt tract, 20.0 feet to the point of beginning. | | |

PROPERTY AND ASSESSMENT DATA

SS-75- Cloverdale Farms Sanitary Sewer

January 14 1976

| No. | Owner & Address | Description & Tax Lot No. | Assess Sq. Ft. | Assessable Cost |
|--------|--|---|-------------------|--------------------|
| 7 | Cloverdale Farms, Inc. PO Box 787 Albany, OR 97321 | 11-3W-6CB 200 | 39,525.0 | \$4,265.78 |
| | | <p>Beginning at a point in the center of the county road 204 feet north 86 degrees east from a point on the center of the county road which bears south 8 degrees 13' east 977 feet from the northeast corner of the A.M. Rainwater D.L.C. 39 in township 11 south, range 4 west of the Willamette Meridian in Benton County, Oregon; thence south 9 degrees east 480 feet; thence north 82 degrees 31' east 50 feet; thence north 9 degrees west 480 feet more or less to the center of the county road; thence north 86 degrees west along the center of said county road 50 feet more or less to the place of beginning, containing approximately .55 of an acre. ALSO,</p> <p>Beginning at a 3/4" iron pipe which bears south 8 degrees 13' east 997.0 feet from the northeast corner of the A.M. Rainwater DLC 39 in township 11 south, range 4 west of the Willamette Meridian in Benton County, Oregon; thence south 9 degrees east 520 feet; thence north 82 degrees 30' east 200 feet; thence north 9 degrees west 480 feet more or less to the center of a county road; thence north 86 degrees west along said road 204 feet more or less to a point north 9 degrees west from the place of beginning, containing 2.3 acres more or less, excepting the portion thereof lying and being in said county road.</p> <p>Together with the right of egress and ingress from and to the County Road known as Spring Hill and State Highway #20 over and across existing roads.</p> | | |
| TOTALS | | | 255,852.50 | \$27,613.19 |

Interdepartmental Memorandum
Engineering Department

SUBJECT: Final Assessment ST-75-3 Industrial Way (revised January 29, 1976)
TO: Public Works Director
FROM: Engineering Technician III
DATE: January 29, 1976

SUMMARY OF COSTS

A. Street

| | | |
|---|--------------|---------------------|
| 1. Construction Cost | \$134,760.81 | |
| 2. ELA, 15% | 20,214.12 | |
| 3. Warrant Interest | 2,789.56 | |
| 4. Street Signs | 970.20 | |
| 5. Subtotal | | <u>\$158,734.69</u> |
| 6. Assessable Cost to Property Owner | | <u>76,709.00</u> |
| 7. Cost to be paid by ARA | | <u>\$82,025.69</u> |

B. Sanitary Sewer
8" Crossing

| | | |
|--------------------------|-------------|--------------------|
| 1. Construction Cost | \$ 1,456.00 | |
| 2. ELA, 13% | 189.28 | |
| 3. Total Assessable Cost | | <u>\$ 1,645.28</u> |

METHOD OF ASSESSMENT

The benefitting properties are to pay a guaranteed \$10.00/front foot for residential property and \$15.52/front foot for commercial property. The sanitary sewer shall be assessed entirely to the benefitting property. The Albany Redevelopment Agency is to pay all other costs.

The northerly 100 feet of Item 1 on the assessment data sheet is to be assessed at this time. The remainder shall be assessed upon development or sale of the property.

ASSESSMENT DATA

See attached sheets.

Respectfully submitted,

Carl Fair
Engineering Technician III

| No. | Owner | Description & Tax Lot No. | Assess. Fr. Ft. | Total Cost |
|-----|---|---|--------------------|--|
| 1 | William & Carolyn Garin 2140 S. Ferry Albany, Oregon | 11-3W-18B TL 200 Beginning at a point which is S 9°01' E 265 ft. and N 80°59' E 33 ft. from the SE corner of Block 5, Elkins Add; proceed thence S 9°01' E, 398.1 ft.; thence S 82°06' W, 105.0 ft; thence N 9°01' W, 395.0 ft; thence N 80°59' E, 105.0 ft. to the point of beginning. | 298.1* 100.0 | ST \$2,981.00 R ST \$1,000.00 R |
| 2 | Doran & Susan Katka 2110 S. Ferry Albany, Oregon | 11-3W-18B TL 300 Beginning at a point which is S 9°01' E, 50 ft. from the SE corner of Block 5, Elkins Add; proceed thence S 9°01' E, 165.0 ft; thence S 80°59' W, 264.0 ft; thence N 9°01' W, 165.0 ft; thence N 80°59' E, 264.0 ft. to the point of beginning. | 165.0 | ST \$1,650.00 R |
| 3 | Willard & Helen Roley Rudzik, R. E. Agent 2130 S. Ferry Albany, Oregon | 11-3W-18B TL 401 Beginning at a point which is S 9°01' E, 215.0 ft. from the SE corner of Block 5, Elkins Add; proceed thence S 80°59' W, 264.0 ft; thence S 13°54'30" E, 168.5 ft; thence N 84°24' E, 177.95 ft; thence N 9°01' W, 128.5 ft; thence N 80°59' E, 72.0 ft. to the point of beginning. | 50.0 | ST \$ 500.00 R |
| 4 | A. W. Sweet, et al PO Box 1099 Coos Bay, OR | 11-3W-18B TL 1000 11-3W-18BA TL 1100 11-3W-18BD TL 500 Beginning at a point which is S 1°29'30" E, 898.3 ft. from the NW corner Smead DLC No. 53; proceed thence East, 705.4 ft; thence S 1°13' E, 2807.1 ft. thence S 88°58' W, 853.64 ft. to the Easterly ROW line of the Albany Santiam Canal; thence N 82°06' E, 710.30 ft; thence N 1°29'30" W, 963.0 ft. to the point of beginning. | 4150.0 | ST \$64,408.00 C SS 1,645.28 \$66,053.28 |

| No. | Owner | Description & Tax Lot No. | Assess Fr. Ft. | Total Cost |
|-----|--|---|----------------|-----------------|
| 5 | Jack Keller 1015 Lakewood Drive Albany, OR | 11-3W-7CC TL 5900 Beginning at a point which is S 9°01' W, 50 ft. and N 80°59' E, 66 ft. from the SE corner of Block 5, Elkins Add; proceed thence N 9°03' W, 320.24 ft; thence N 80°56'15" E, 361.70 ft; thence S 1°30' E, 419.40 ft; thence West, 26845 ft; thence N 9°03' W, 54 ft. to the point of beginning | 54.0 | ST \$ 540.00 R |
| 6 | John Lagler Route 1, Box 180 Mapleton, OR | 11-3W-18B TL 100 Beginning at a point which is S 09°01' E, 50 ft. and N 80°59' E, 66 ft. and S 17°44'34" E, 54 ft. from the SE corner of Block 5, Elkins Add.; proceed thence S 17°44'34" E, 164.0 ft.; thence S 9°01' E, 399 ft.; thence N 82°06' E, 236.93 ft.; thence N 1°29'30" W, 524.54 ft.; thence West, 310.45 ft. to the point of beginning. | 563.00** | ST \$5,630.00 R |

TOTALS 5,380.1 ST \$76,709.00
SS \$ 1,645.28

TOTAL \$78,354.28

*To be assessed upon development or sale of property.

**To be paid by ARA in trade for right-of-way.

R = Residential

C = Commercial

ST = Street

SS = Sanitary Sewer