

AFFIDAVIT OF POSTING
ORDINANCE CB-0-69-86

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 15th day of October, 1986, I caused to be posted copies of the attached Ordinance CB-0-69-86, an Ordinance spreading and levying assessments on property following nuisance abatement by the city; said abatement procedure specified in Section 6.230 of the City of Wilsonville Code; 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 6th day of October 1986.


VERA A. ROJAS, City Recorder

Subscribed and sworn to before
me this 16th day of October, 1986.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: 8-23-88

ORDINANCE NO. 306

A SPECIAL ORDINANCE SPREADING AND LEVYING ASSESSMENTS ON PROPERTY FOLLOWING NUISANCE ABATEMENT BY THE CITY; SAID ABATEMENT PROCEDURE SPECIFIED IN SECTION 6.230 OF THE CITY OF WILSONVILLE CODE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wilsonville has notified the below listed property owners of grass and weeds growing uncontrolled on their property; and

WHEREAS, the existence of these grasses and weeds on said property do constitute a nuisance and a hazard in that they increase the fire danger and pose a risk to adjoining properties during the warm and dry months of the year; and

WHEREAS, the property owners desired the City to perform the abatement of the nuisances by mowing. Said mowing was completed and inspected by the Building Official; and

WHEREAS, the Building Official filed a statement of all costs per Wilsonville Code Section 6.242(3) with the City Recorder; and

WHEREAS, pursuant to Wilsonville Code Section 6.244, Notices of Assessment were mailed to the affected property owners, giving the affected property owner an opportunity to

either object to or pay the proposed assessment; and

WHEREAS, thirty (30) days have passed from the date of mailing said notice, and there have been no payments or objections received on the proposed assessments; and

WHEREAS, Section 6.244(3) requires any assessment to be made by ordinance and a special ordinance is, therefore, necessary.

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

Section 1. The following assessments for the following properties and property owners are hereby set out and made:

Assessment #1

HGW, Inc.
Tax Lot 1900, Section 31W 13CD \$37.50

Assessment #2

HGW, Inc.
Tax Lot 2100, Section 31W 13CD \$31.20

Assessment #3

HGW, Inc.
Tax Lot 2200, Section 31W 13CD \$22.50

Assessment #4

HGW, Inc.
Tax Lot 2400, Section 31W 13CD \$21.00

Assessment #5

HGW, Inc.
Tax Lot 2500, Section 31W 13CD \$21.00

Assessment #6

HGW, Inc.
Tax Lot 200, Section 31W 13CA \$25.20

Assessment #7

HGW, Inc.
Tax Lot 400, Section 31W 13CA \$30.00

Assessment #8

HGW, Inc.
Tax Lot 600, Section 31W 13CA \$30.30

Assessment #9

HGW, Inc.
Tax Lot 800, Section 31W 13CA \$21.00

Assessment #10

HGW, Inc.
Tax Lot 1200, Section 31W 13CA \$27.90

Assessment #11

HGW, Inc.
Tax Lot 1500, Section 31W 13CA \$30.30

Assessment #12

HGW, Inc.
Tax Lot 1900, Section 31W 13CA \$33.90

Assessment #13

HGW, Inc.
Tax Lot 2800, Section 31W 13CA \$22.50

Assessment #14

HGW, Inc.
Tax Lot 2900, Section 31W 13CA \$21.00

Assessment #15

HGW, Inc.
Tax Lot 3000, Section 31W 13CA \$21.00

Assessment #16

HGW, Inc.
Tax Lot 3100, Section 31W 13CA \$21.00

Assessment #17

HGW, Inc.
Tax Lot 3200, Section 31W 13CA \$21.00

Assessment #18

HGW, Inc.
Tax Lot 4500, Section 31W 13CA \$27.30

Assessment #19

HGW, Inc.
Tax Lot 4600, Section 31W 13CA \$25.20

Assessment #20

HGW, Inc.
Tax Lot 4700, Section 31W 13CA \$30.00

Assessment #21

HGW, Inc.
Tax Lot 4800, Section 31W 13CA \$34.20

Assessment #22

HGW, Inc.
Tax Lot 4900, Section 31W 13CA \$30.00

Assessment #23

HGW, Inc.
Tax Lot 5000, Section 31W 13CA \$25.20

Assessment #24

HGW, Inc.
Tax Lot 5100, Section 31W 13CA \$36.00

Assessment #25

HGW, Inc.
Tax Lot 5200, Section 31W 13CA \$25.50

Assessment #26

HGW, Inc.
Tax Lot 5300, Section 31W 13CA \$23.70

Assessment #27

HGW, Inc.
Tax Lot 5400, Section 31W 13CA \$23.70

Assessment #28

HGW, Inc.
Tax Lot 5500, Section 31W 13CA \$32.40

Assessment #29

HGW, Inc.
Tax Lot 5600, Section 31W 13CA \$28.50

Assessment #30

Lindquist Homes, Inc.
Tax Lot 9300, Section 31W 13CA \$66.00

Assessment #31

Portland Warehouse Venture
Tax Lot 2200, Section 31W 13CA \$22.50

Assessment #32

Portland Warehouse Venture
Tax Lot 2300, Section 31W 13CA \$24.30

Assessment #33

Portland Warehouse Venture
Tax Lot 2400, Section 31W 13CA \$19.20

Assessment #34

Portland Warehouse Venture
Tax Lot 2500, Section 31W 13CA \$24.00

Assessment #35

Portland Warehouse Venture
Tax Lot 7400, Section 31W 13CA \$21.00

Assessment #36

Portland Warehouse Venture
Tax Lot 7600, Section 31W 13CA \$23.40

Assessment #37

Portland Warehouse Venture
Tax Lot 7900, Section 31W 13CA \$31.50

Assessment #38

Portland Warehouse Venture
Tax Lot 8200, Section 31W 13CA \$24.90

Assessment #39

Portland Warehouse Venture
Tax Lot 8400, Section 31W 13CA \$21.00

Assessment #40

Portland Warehouse Venture
Tax Lot 8500, Section 31W 13CA \$21.90

Assessment #41

Portland Warehouse Venture
Tax Lot 8600, Section 31W 13CA \$22.50

Assessment #42

Portland Warehouse Venture
Tax Lot 8700, Section 31W 13CA \$22.50

Assessment #43

Portland Warehouse Venture
Tax Lot 8800, Section 31W 13CA \$22.50

Assessment #44

Portland Warehouse Venture
Tax Lot 8900, Section 31W 13CA \$24.00

Assessment #45

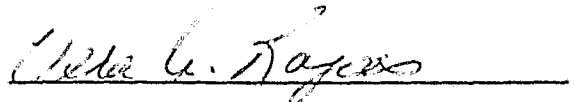
Portland Warehouse Venture
Tax Lot 9000, Section 31W 13CA \$24.00

Section 2. The City Recorder is hereby directed to enter in the Docket of City Liens, a statement of the amounts assessed upon each of the above described parcels of land, together with the description of the improvements, the name of the owners and the date of the assessment ordinance, as required by Section 6.244(3) in the City of Wilsonville's Code, and upon entry, the same constitutes a lien.

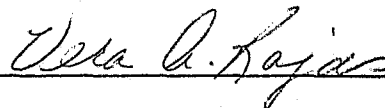
Section 3. Said lien shall bear interest at the rate of one percent (1%) per month from ten (10) days after date of entry in the lien docket.

Section 4. It being determined by the Wilsonville City Council an emergency exists, this ordinance shall take effect immediately upon final reading and passage by the Wilsonville City Council.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 6th day of October, 1986, and scheduled for a second reading at a regular meeting of the City Council on the 20th day of October, 1986, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall.

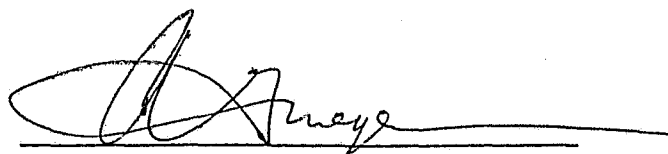

VERA A. ROJAS, City Recorder

ENACTED by the Council on the 20th day of October, 1986,
by the following votes: YEAS: 4 NAYS: 0.



VERA A. ROJAS, City Recorder

DATED and signed by the Mayor this 21st day of October,
1986.



A. G. MEYER, Mayor

6.224 Notice and Advertisements.. (1) No person shall attach or cause to be attached a placard, bill, advertisement or poster upon real or personal property, whether public or private, without first securing permission from the owner or person in control of the property. This Section shall not be construed as an amendment to or a repeal of any City regulation of the use and location of the signs.

(2) This section does not prohibit the distribution of non-commercial material. (Amended Ord. #257, 5/2/84).

6.226 General Nuisance.. (1) The acts, conditions, or objects specifically enumerated and defined in Sections 6.202 to 6.224 are declared to be public nuisances and may be abated by the procedures set forth in Sections 6.230 to 6.244.

(2) In addition to those nuisances specifically enumerated in Sections 6.202 to 6.244, every other thing, substance or act which is determined by the Council to be injurious or detrimental to the public health, safety or welfare, is declared to be a nuisance and may be abated as provided in Sections 6.230 to 6.244.

(3) A person commits the crime of maintaining a nuisance if he maintains or fails to remove or abate any of the nuisances set forth in Sections 6.202 to 6.226.

(4) Any person who creates or maintains a nuisance as defined by Sections 6.202 to 6.226 or other Ordinance or resolution of the City Council and who fails or neglects to abate such nuisance upon notice thereof and within the time prescribed in such notice shall be guilty upon a first conviction of a violation pursuant to Section 1.012, and upon such subsequent conviction of a Class C Misdemeanor pursuant to Section 1.011. Each day's violation of this section shall constitute a separate violation.

(5) Each day's violation of this Section shall constitute a separate crime.

(6) Nothing contained in any Section of Sections 6.202 to 6.226 shall be construed as permitting any activity otherwise prescribed or regulated by this Code." Amended Ord. #257, 5/2/84).

6.230 Abatement - Notice. (1) Upon a determination by the Building Official that a nuisance defined by Sections 6.202 to 6.224 exists, or upon a determination by the council pursuant to Section 6.226(2) that a nuisance exists, the Building Official or Council shall cause a notice to be posted on the premises where the nuisance exists, directing the person responsible to abate the nuisance. Said notice shall be substantially in the following form:

NOTICE TO REMOVE NUISANCE

"To the owner, person responsible, and person in charge of the following described real property: _____, in the City of _____
Wilsonville, Oregon:

You are hereby notified to remove and abate the nuisance existing on the above-described property within ten (10) days from the date of this notice, which nuisance consists of:

_____ or to show to the Wilsonville City Council that no nuisance exists under Sections 6.202 to 6.226 of the Wilsonville Code. In case of failure to remove said nuisance within said time, you will be subject to fine or imprisonment and the City of Wilsonville will cause the same to be abated and charge the cost thereof against the property herein described.

DATED: _____

Building Official (Or Applicable
City Employee)

(2) The building Official shall also, at approximately the time of posting such notice, notify the City Recorder thereof, and the Recorder shall thereupon cause to be mailed a copy of the notice so posted, postage prepaid, to the person responsible, directed to the last known post office address of such person responsible, or if the post office address is unknown, then a copy of the notice shall be published one time in a newspaper published in the County where the real property described in the notice is located.

(3) The Building Official may delegate any City employee to post or mail or publish said notice. The person posting said notice and the person mailing or publishing the same shall forthwith file in the City Recorder's Office a certificate stating the date and place of such mailing, publishing and posting.

(4) If the person responsible is not the owner, an additional notice shall be sent to the owner, stating that the cost of abatement not paid by the person responsible may be assessed to and become a lien on the property.

(5) An error in the name or address of the owner or person responsible or the use of a name other than that of the true owner or person responsible shall not render void such notice, but in such case, the posted notice shall be deemed sufficient. A variance in the form of the notice set out in subparagraph (1) above shall not render the posted notice void, and said notice shall be deemed sufficient so long as the substance of said notice is as set forth in subparagraph (1) above. (Amended Ord. 257, 5/7/84)

6.240 Abatement by Person Responsible. (1) Within ten (10) days after the latter of the posting and mailing or publishing of the notice as provided in Section 6.230, the person responsible shall remove the nuisance or show that no nuisance exists.

(2) An owner or a person responsible, protesting that no nuisance exists, shall file in duplicate a written statement which shall specify the basis for protesting, and one copy thereof shall be filed with the Building Official and the other with the City Recorder.

(3) The City Recorder shall refer the statement to the Council as a part of the Council's regular agenda at the next regular meeting, or as soon thereafter as possible. Notice of the time and place of the hearing shall be given to the person filing the statement not less than five (5) days prior to the time set for hearing. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council, and the Council shall determine whether or not a nuisance in fact exists. The determination shall be entered in the official minutes of the Council. Council determination shall be required only in those cases where a written statement has been filed.

(4) If the Council determines that a nuisance does in fact exist, the person responsible shall, within ten (10) days after Council determination, abate the nuisance. (Amended Ord. #257, 5/2/84).

6.242 Abatement by City. (1) If, within the time allowed, the nuisance has not been abated by the owner or person responsible for abating a nuisance, or cause has not been shown, pursuant to Section 6.240 why such nuisance should not be removed and abated, the Building Official may cause the nuisance to be abated.

(2) The officer charged with abatement of the nuisance shall have the right at reasonable times to enter into or upon property to investigate or cause the removal of a nuisance.

(3) The Building Official shall keep an accurate record of the expenses incurred by the City in abating the nuisance, including any costs and materials, and an additional charge of 20% for administrative overhead. The Building Official shall, after completion of removal and abatement, file a statement of the costs thereof with the City Recorder. (Amended Ord. #257, 5/2/84).

6.244. Abatement - Assessment of Costs. (1) Upon receipt of such statement, the City Recorder, by registered or certified mail, postage prepaid, shall send to the owner and the person responsible a notice stating:

(a) The total cost of abatement, including the administrative overhead and other costs and materials.

(b) That the total cost as indicated will be assessed to and become a lien against the property unless paid within thirty (30) days from the date of the notice.

(c) That if the owner or person responsible objects to the cost of the abatement as indicated, a notice of objection may be filed with the City Recorder not more than ten (10) days from the date of the notice.

(2) Upon the expiration of ten (10) days after the date of the notice, the Council in the regular course of business shall hear and determine the objections to the costs to be assessed. Any objections filed pursuant to paragraph (1)(c) shall be heard and determined at such time.

(3) If the costs of the abatement are not paid within thirty (30) days from the date of the notice, an assessment of the

costs as stated or as determined by the Council shall be made by ordinance and shall be entered in the docket of city liens. When the entry is made, the assessment shall constitute a lien upon the property from which the nuisance was removed or abated.

(4) The lien shall be enforced and collected in the same manner as liens for street improvements, and shall bear interest at the rate of one (1%) percent per month. The interest shall begin to run from the date of the entry of the lien in the lien docket.

(5) An error in the name of the owner or person responsible shall not void the assessment, nor shall a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

(Added Ord. #257, 5/2/84).

6.250 Abatement - Summary.

(1) The procedures provided by Section 6.230 to 6.244 are not exclusive, and in addition to procedures provided by this and other ordinances, the City's Building Official, Fire Chief or any police officers of this City may proceed summarily to abate a health or other nuisance which unmistakably exists and from which there is imminent danger to human life or property, after determining that the summary abatement is the only adequate method of eliminating the danger.

(2) When summary abatement is authorized, notice to the owner or person responsible prior to abatement is not required. Following summary abatement, the Building Official shall post upon the property liable for the abatement of the nuisance a notice describing the action taken to abate the nuisance.

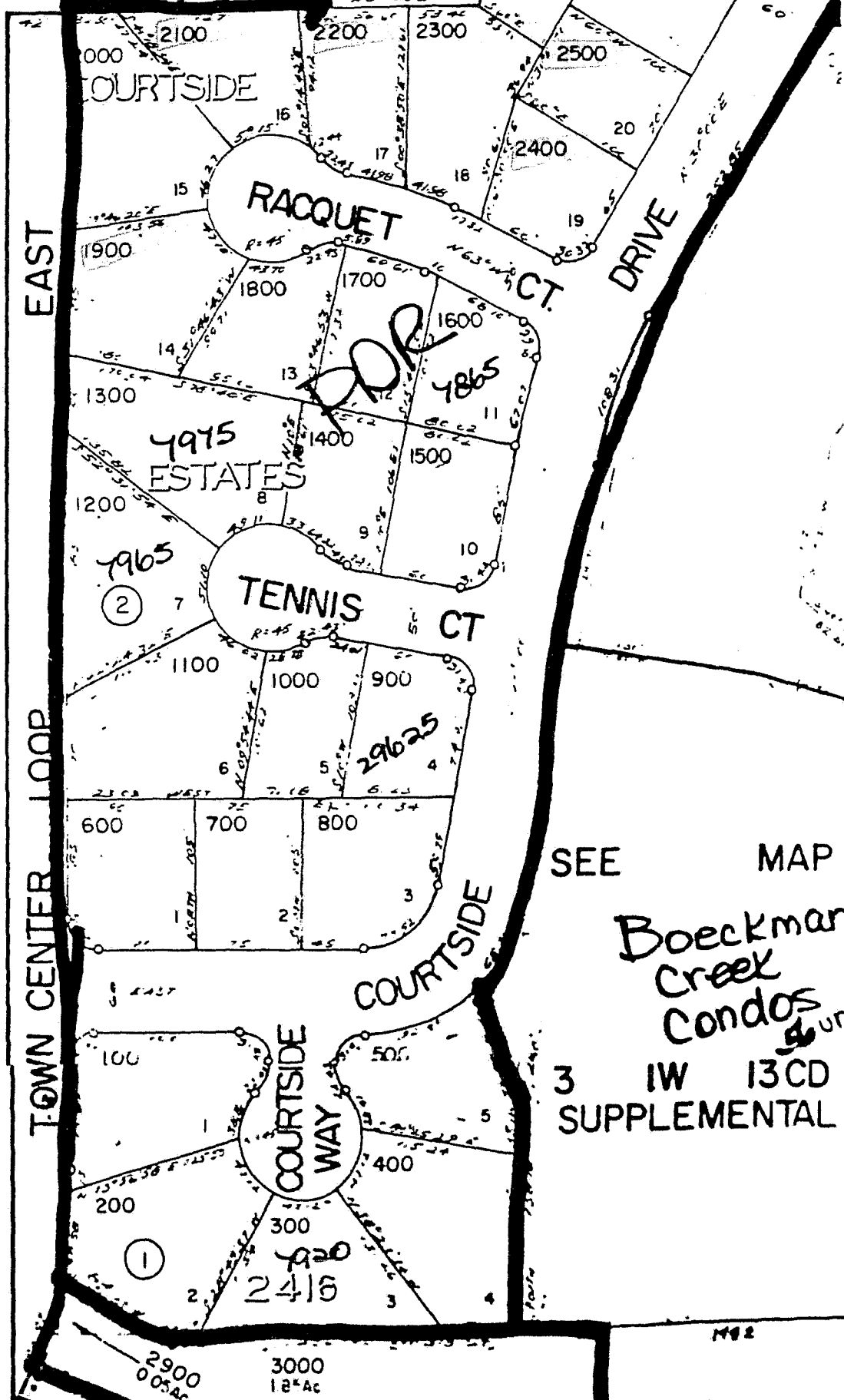
(3) "Summary abatement" as used in this chapter means abatement of the nuisance by the City, or a contractor employed by the City, by removal, repair, or other acts necessary to abate the nuisance and without notice to the owner, agent, or occupant of the property, except for the notice required by this section.

(4) When a pre-abatement hearing is not possible, an owner or person responsible may file a request for a post-abatement hearing, pursuant to Section 6.240. (Added Ord. #257, 5/2/84).

6.260. Violation - Civil Injunction. (1) The abatement procedures provided in other section of this Code or any other ordinance of the City are not exclusive remedies of the City in order to abate a nuisance. The City Council may authorize the City Attorney to institute and prosecute on behalf of the City and in its name an appropriate suit in a state court of this state to enjoin the creation, maintenance or continuance of any nuisance as defined by Sections 6.202 to 6.226 or any other ordinance or resolution of the City Council; and for the recovery of the City's costs of suit and the City's reasonable attorneys fee as may be allowed by the trial court and an appellate court on appeal.

SE. 1/4

SEE MAP 3 1W 13CA



Traffic Zone 5

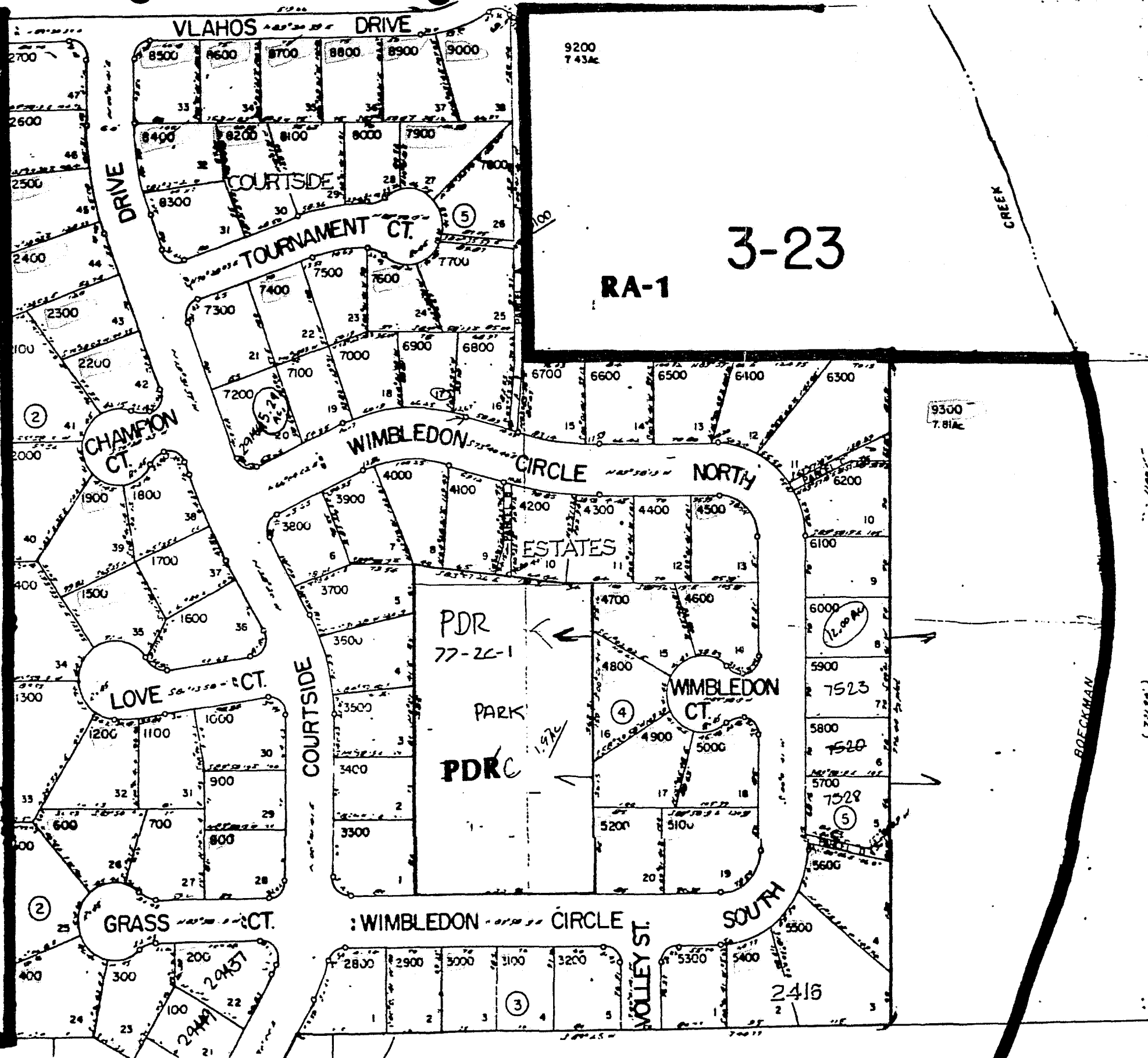
SEE MAP 3 1W 13

SEE

SEE MAP

Boeckman Creek Condos 6 uni

3 1W 13CD SUPPLEMENTAL



SEE MAP 3 IW 13

335
700
1000
1500
2000

SEE MAP 3 IW 13

RA-1 3-23

PDR
77-26-1
PDR C

9300
7.81Ac

2416

2700
2600
2500
2400
2300
2200
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1800
1700
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1300
1200
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200
100

VLAHOS DRIVE
COURTSIDE DRIVE
TOURNAMENT CT.
CHAMPION CT.
LOVE CT.
GRASS CT.

WIMBLEDON CIRCLE NORTH
ESTATES
WIMBLEDON CT.
WIMBLEDON CIRCLE SOUTH
VOLLEY ST.

CREEK

BOECKMAN

8500 8600 8700 8800 8900 9000
8400 8200 8100 8000 7900
8300
7400 7500 7600 7700
7300 7200 7100 7000 6900 6800
7200 7100
4000 4100 4200 4300 4400 4500
3900 3800 3700 3600 3500 3400 3300
3200 3100 3000 2900 2800
2800 2900 3000 3100 3200
5300 5400

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4

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3