

AFFIDAVIT OF POSTING
ORDINANCE CB-0-105-87


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 2nd day of November, 1988, I caused to be posted copies of the attached Ordinance CB-O-105-87, an Ordinance reapportioning the assessment for Local Improvement District No. 4 (AKA Kinsman Road Local Improvement District No. 4) within Section 14C, Tax Lot 307, Clackamas County, Oregon, 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 7th day of November, 1988.


VERA A. ROJAS, City Recorder

Subscribed and sworn to before me
this 18th day of November, 1988.


NOTARY PUBLIC, STATE OF OREGON

My Commission expires: 8-23-89

ORDINANCE NO. 336

AN ORDINANCE REAPPORTIONING THE ASSESSMENT FOR LOCAL IMPROVEMENT DISTRICT NO. 4 (AKA KINSMAN ROAD LOCAL IMPROVEMENT DISTRICT NO. 4) WITHIN SECTION 14C, TAX LOT 307, CLACKAMAS COUNTY, OREGON

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

WHEREAS, the owners of Tax Lot 307 have 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 of the Wilsonville Code; and the City Recorder mailed notice to each property owner and party having an interest in such property that the City Council would consider such reapportionment at a regular meeting held November 7, 1988, commencing at 7:30 o'clock p.m.; and

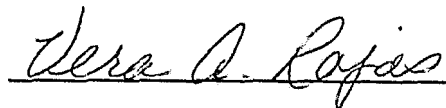
WHEREAS, pursuant to the City Code, Section 3.219, the City Manager has made a report and recommendation to the City Council, attached hereto as Exhibit "A" and incorporated by reference as if fully set forth herein, for the reapportionment of the property proposed to be divided, describing the effect of such division upon 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 Manager.

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


1. The assessment for Assessment District No. 4, Section 14C, Tax Lot 307, Clackamas County, is hereby reapportioned for the parcels of property under the application on file as described in the report of the City Manager, dated November 7, 1988; provided past due assessments are brought current through the planned escrow closing, currently scheduled, of the sale of a reapportioned parcel.
2. The report by the City Manager is hereby adopted by reference and made a part of this ordinance.
3. The Wilsonville City Council finds that the said apportionment of the assessment liens will not impair the security of the bond holders of the City of Wilsonville for the collection of the assessment upon said property.

SUBMITTED to the Wilsonville City Council and read the first and second time at a regular meeting thereof on the 7th day of November, 1988, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall.



VERA A. ROJAS, City Recorder

ENACTED by the City Council on the 7th day of November, 1988 by the following votes: YEAS: 5 NAYS: 0.



VERA A. ROJAS, City Recorder

DATED and signed by the Mayor this 7th day of November, 1988.

William E Stark

WILLIAM E. STARK, Mayor

SUMMARY of Votes:

Mayor Stark	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Braymen	<u>AYE</u>
Councilor Clarke	<u>AYE</u>
Councilor Jameson	<u>AYE</u>

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: PETE WALL, CITY MANAGER

**SUBJECT: CB-O-105-88 REAPPORTIONMENT OF ASSESSMENT
FOR SECTION 14C, TAX LOT 307 WITHIN LOCAL
IMPROVEMENT DISTRICT NO. 4**

DATE: NOVEMBER 7, 1988

On October 4, 1988, Messers Pete Olson and George Vlahos filed a request for reapportionment of Tax Lot 307 in Section 14C. The reapportionment of assessment request was filed in accordance with Wilsonville Code, Section 3.219.

Assessments were levied by Resolution No. 433, entitled "Kinsman Road Local Improvement District No. 4 - LID #4" and adopted by City Council September 4, 1984.

Owners and parties having an interest in Tax Lot 307 to be reapportioned have been duly notified of the date, time and place the City Council will consider the request for this reapportionment.

Both parcels will have frontage on Kinsman Road following the reapportionment of assessment.

The original assessment and former reapportionment of Tax Lot 307 was made on a pro-rata acreage basis. The relative value, area, frontage on public streets are proportionate to the proposed separation and reapportionment of assessment. There should be no impairment to the security of the City or the holders of the Bancroft Bonds. An application for a 27,000 square foot industrial improvement has been submitted and approved by the Planning Commission to be constructed on the 5.1815 acres to be separated. This improvement will enhance the land value, thereby, further securing the assessment debt to be paid.

Messers Olson and Vlahos recognize that their assessment payments are in arrears to date. They have requested that the balance of the amount due, to bring their assessment on Tax Lot 307 current, be paid through escrow. The following reapportionment of assessment reflects the reduced principal amount.

I recommend that the City Council adopt Ordinance CB-O-105-88 to reapportion the assessment as follows:

REAPPORTIONMENT OF ASSESSMENT TAX LOT 307 - LID #4

Principal Due	\$135,989.90
To be paid at Closing	<u>16,998.75</u>

Principal to be Reapportioned	\$118,991.15
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Total acreage 13.0100 \$118,991.15 = \$9,146.13/Acre

Reapportion	5.1815 Acres x \$9,146.13 = \$ 47,390.67
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Olson/Vlahos	7.8285 Acres x 9,146.13 = \$ 71,600.48
To be paid at closing	16,998.75

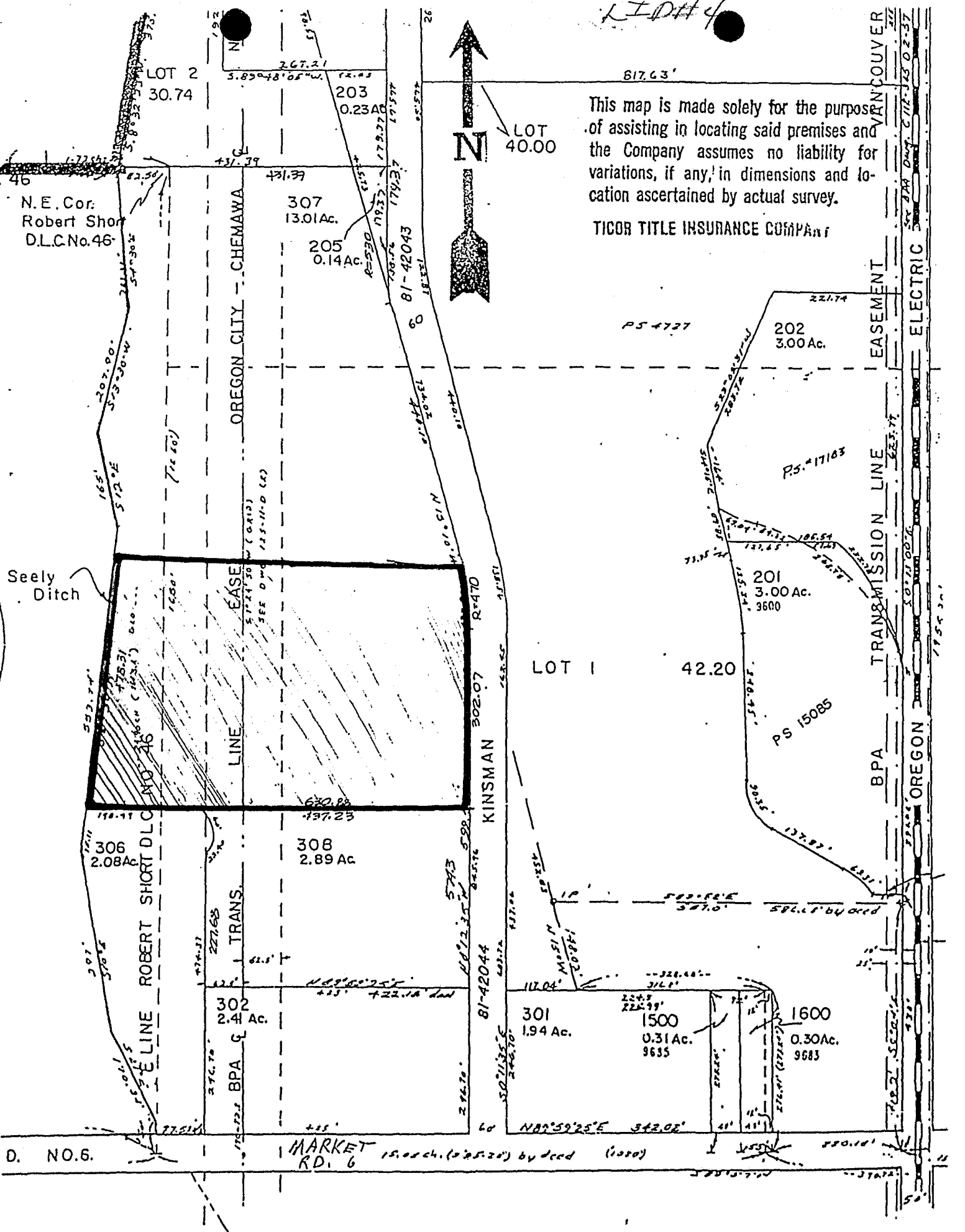
TOTALS	13.0100 Acres	\$135,989.90
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The above principle amount to be paid at closing has been added to the Seller's share of assessment. This amount reflects only principle. The interest amount will be calculated and added on the date of closing.

NOTE: The above figures show only the principal amount due. Interest accrued shall be pro-rated and reapportioned on the same basis as the unpaid principal balance. Interest thereafter shall accrue in accordance with previous assessment action in this matter.

djt:vr

L.I.D.A. 4



This map is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

TICOR TITLE INSURANCE COMPANY

N.E. Cor.
Robert Short
D.L.C. No. 46

Seely
Ditch

D. NO. 6.

MARKET RD. 6 15.00 ch. (2' 5.20") by deed (1980)

VANCOUVER

EASEMENT

TRANSMISSION LINE

BPA

OREGON ELECTRIC

LOT 1 42.20

LOT 40.00

LOT 2 30.74

OREGON CITY - CHEMAWA

LINE ROBERT SHORT D.L.C. NO. 46

TRANS. BPA

KINSMAN

OREGON

ELECTRIC

306 2.08 Ac.

302 2.4 Ac.

308 2.89 Ac.

301 1.94 Ac.

1500 0.31 Ac. 9635

1600 0.30 Ac. 9683

307 13.01 Ac.

205 0.14 Ac.

203 0.23 Ac.

202 3.00 Ac.

201 3.00 Ac. 3600

J. 46

81-42043

81-42044

PS 4727

PS 47183

PS 15085

