

RESOLUTION NO. 2358

A RESOLUTION GRANTING AN EXEMPTION FROM PROPERTY TAXES UNDER ORS 307.540 TO ORS 307.548 FOR WIEDEMANN PARK, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY ACCESSIBLE LIVING, INC.

WHEREAS, maintaining Wilsonville's existing affordable housing supply is necessary for its continued health and growth; and

WHEREAS, Accessible Living, Inc., a not-for-profit organization, owns and manages the Wiedemann Park Apartments, an affordable housing development located at 29940 SW Brown Road, Wilsonville OR; and

WHEREAS, the Wiedemann Park Apartments includes 58 residential units, for seniors with very low income; and

WHEREAS, Accessible Living, Inc., is currently seeking to preserve Wiedemann Park as affordable housing; and

WHEREAS, a property tax exemption is essential to Accessible Living, Inc's continuation as affordable housing; and

WHEREAS, ORS 307.540 to 307.548 authorizes property tax exemptions for affordable housing owned by not-for-profit corporations and occupied by low-income persons; and

WHEREAS, the City of Wilsonville wishes to adopt and/or ratify the policy set forth in those sections; and

WHEREAS, Accessible Living Inc. has requested a property tax exemption for its Wiedemann Park development, pursuant to ORS 307.543(2); and

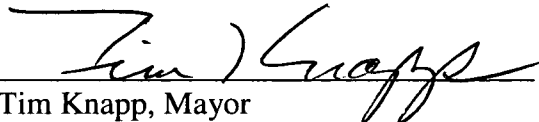
WHEREAS, the City of Wilsonville and West Linn-Wilsonville School District property tax levies jointly comprise 64% of the total combined rate of taxation on Accessible Living Inc's development at Wiedemann Park; and

WHEREAS, Accessible Living, Inc. has received an exempt status from the West Linn-Wilsonville School District for the Wiedemann Park Apartments for property taxation arising under its jurisdiction unless and until terminated pursuant to ORS 307.548;

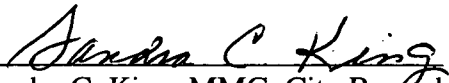
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

- Section 1: The City of Wilsonville adopts the provisions of ORS 307.540 to 307.548.
- Section 2: Accessible Living, Inc. and its affordable housing development, Wiedemann Park Apartments, qualify for a property tax exemption pursuant to ORS 307.540 to 307.548.
- Section 3: The Finance Director is directed to request the Clackamas County Assessor to exempt Accessible Living, Inc. from taxation by all taxing jurisdictions pursuant to ORS 307.543(2), commencing on the first day of the tax assessment year beginning July 1, 2012.
- Section 4: This Resolution shall take effect upon the occurrence of the following:
- a) Submission, to the City of Wilsonville's City Manager, of an application conforming to the requirements of ORS 307.545 requesting a property tax exemption for Creekside Woods LP.
- Section 5: This Resolution is to remain in effect unless and until termination occurs pursuant to ORS 307.548.
- Section 6: This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting there of this 16th day of April, 2012, and filed with the Wilsonville City Recorder this date.


Tim Knapp, Mayor

ATTEST:


Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp Yes
Council President Núñez Yes
Councilor Hurst Excused
Councilor Goddard Yes
Councilor Starr Yes

Webberson Park

APPLICATION

PROPERTY TAX EXEMPTION FOR LOW-INCOME HOUSING HELD BY CHARITABLE, NONPROFIT ORGANIZATIONS

(For Office Use Only)

City of Wilsonville, Oregon

\$250 Application Fee _____

Date Received: _____

\$50 Renewal Fee _____

Receipt No. _____

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Section A – Applicant Information

Corporate Name: Accessible Living, Inc.

Address: 6160 SW Main St., Beaverton, Oregon 97008

Telephone: 503-895-1592
Business

Residence (Optional) _____

Email Address: karenv@housingindependence.org

Chief Executive Officer: Karen Voiss

Contact Person: Karen Voiss Telephone: 503-895-1592

Section B – Property to be Considered for Exemption

(Sections B, C, and D must be filled out for each building for which you are requesting a tax exemption)

Organization: Wiedemann Park Apartments Limited Partnership

Property Address: 29940 SW Brown Road, Wilsonville, OR 97070

Assessor's Property Tax Account Number(s): #00810590 , #05001064

(Be sure to identify all account numbers for both land and improvements on the property for which you are requesting tax exemption, in some cases, land and improvements may have separate property tax account numbers.)

Total number of residential units in the building: Fifty-Eight (58)

Number of residential units occupied by very low-income people: Fifty-Eight (58)

Total square feet in building: 45,999

Total square feet used to house very low-income people⁴ 45,999

Section C – Leasehold Interest in Eligible Property

Do you own the property in question? Yes No

If you answered "no" to the above question, do you have leasehold interest in the property?

Yes No

If yes, please include a statement describing how, as the nonprofit organization, you are obligated under the terms of the lease to pay the ad valorem taxes on this property or other contractual arrangement such that the property tax exemption benefits accrue to the nonprofit agency and the residential tenants served rather than the owner or corporation from whom you lease.

N/A

⁴ This includes halls, baths, dining, and other space dedicated to residential use. Retail uses and other accessory uses not related to residential use are not to be counted.

Section D – Description Of Charitable Purpose/Project Benefit (Use for multiple projects if same conditions apply)

Will the cost savings resulting from the proposed tax exemption enable you to do the following?

1. Reduce the rents that your very low-income residential tenants pay on the property in question? Yes No If so, by approximately how much? At least by \$40,000 per year from the restricted/allowed rent. The original development proforma for the project anticipates year 2012 income in excess of \$100,000 per year more than current actual income. The majority of the current rent discount is to provide affordability equal to the needs of the existing tenant population. The project's current rent restriction is at 60% of median income while the average tenant income is 35% of median income. The project cannot continue to meet current expense obligations and maintain this level of affordability unless the property tax exemption is achieved. The Owner has already mitigated expenses below original estimates.

2. Provide greater services to your very low-income residential tenants? Yes No.

3. If yes, in what way(s)? The exemption will assure that resident service coordination is continued to be provided to residents as outlined to Oregon Housing and Community Services.

4. Provide any other benefit to your very low-income residential tenants? Yes No.
If yes, please explain: _____

If you lease the property identified in this application, to what extent does your lease agreement coincide with the timeframe of the qualifying tax year? Please Explain:

N/A

Section E- Declarations

Please read carefully and sign below before a notary.

1. I have attached to this application the IRS declaration of the status of application as a tax exempt corporation under 26 U.S.C. Section 501(c)(3) or (4).
2. I am aware that the income qualifying tenants must meet the income guidelines in accordance with 42 U.S.C. Section 1437 (a)(b)(2) as amended. See Attachment A, Income Eligibility Schedule). Tenant incomes do not exceed these limitations, as I verily believe.
3. I am aware of all requirements for tax exemption imposed by ORS 307.540-307.545 (Chapter 660 Oregon Laws 1985, as amended by Chapter 756 Oregon Laws 1987) and implemented by Resolution No. 1854 of the City of Wilsonville.
4. The above-described properties qualify or will qualify upon completion of any rehabilitation improvements and subsequent occupancy by very low-income residents for property tax exemption within 30 days of the April 1st application or the date of approval.

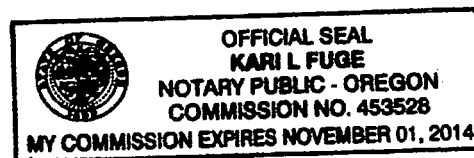
By: Karen A. Voiss
Agency Chief Executive Officer (Signature)

Karen A. Voiss
Agency Chief Executive officer (Print or typed)

For: Accessible Living Inc.
Corporate Name (Print or type)

Subscribed and sworn to before me this 22 day of March, 2010²

Kari L. Fuge
Notary Public For Oregon
My Commission Expires: Nov. 1, 2014





West Linn-Wilsonville School District 3Jt

ADMINISTRATION BUILDING

22210 SW Stafford Rd – Tualatin, Oregon 97062

503-673-7000 or Fax 503-673-7001

March 28, 2012

David G. Bachman
President and CEO
8532 SW St. Helens Dr. STE 201
Wilsonville OR 97070

Re: Wiedemann Park Apartments

Dear David,

Thank you for your application and supporting documentation to seek the School District's approval of a tax exemption for Wiedemann Park Apartments under ORS 307.540 - 307.545. The request for exemption will be reviewed and determined at our next School Board Meeting on April 9, 2012 at 7:00PM. If approved, we will provide notice of the approved resolution to the City of Wilsonville to facilitate the processing of the exemption with Clackamas County.

Although the meeting starts at 7:00 pm, we have preliminary procedures that will take some time to work through. It may be that you choose to show up a little later than 7:00 just for your own convenience (8:pm should work).

Thank-you again for your efficiency in presenting the supporting evidence in advance. Please feel free to call me if you have any questions,

Regards,

Doug Middlestetter, CPA
Business Manager