

Canby Urban Renewal District

Ordinance URO 06-001

AN ORDINANCE ASSESSING BENEFITED PROPERTY FOR THE COST OF CONSTRUCTION FOR LOCAL IMPROVEMENT DISTRICT NO. 0200, KNOWN AS HAZEL DELL WAY LOCAL IMPROVEMENT DISTRICT, AND AUTHORIZING THE CITY RECORDER TO ENTER THE ASSESSMENTS INTO THE DOCKET OF CITY LIENS, AND DECLARING AN EMERGENCY.

WHEREAS, based upon duly noticed public meeting and hearing the Canby Urban Renewal Agency has heretofore taken the following action:

1. On September 9, 2003, the Urban Renewal Agency (Agency) authorized a feasibility study for the development of Hazel Dell Way.
2. On October 14, 2003, a recommendation was made by the Agency to the Urban Renewal Advisory Committee that Hazel Dell Way should be constructed following the topography that would lead to First Avenue.
3. On January 14, 2004, the Agency authorized the City Council, as contract review board, to contract with Curran-McLeod, Inc for engineering services for the proposed public improvements to Hazel Dell Way.
4. On April 7, 2004, the Agency adopted URR 04-002, an intergovernmental agreement with the City of Canby, regarding the OECDD loan and construction of Hazel Dell Way.
5. On April 7, 2004, the Agency approved the Memorandum of Understanding III (MOU III) concerning the construction of Hazel Dell Way and provisions for a local improvement district (LID) with the local property owners.
6. On July 24, 2004, notice of a remonstrance hearing for Hazel Dell Way LID was published.
7. On August 4, 2004, the Agency held a remonstrance hearing and LID No. 0200, known as Hazel Dell Way LID was initiated by motion of the Agency following the hearing. The Agency then adopted resolution URR 04-005 allowing Hazel Dell Way construction to move forward as a Local Improvement Project consisting of tax lots 31E34 0500, 31E34 0300, 31E34 0301, 31E34 2000, 34E34 0400 and 31E34 0700. The Agency authorized the City Council acting as the contract review board to award to award the Hazel Dell Way LID construction project to Parker NW Paving.
8. On August 2004, change order No 1 in the amount of \$9,765.00 for fabric was authorized; and.

WHEREAS the final cost of the improvement is \$1,165,409.49 with Canby Urban Renewal District paying \$466,169.15 and the property owners paying \$699,240.34 per MOU III, as the benefiting property owners within this LID; and.

WHEREAS, each parcel of land within the LID receives special and peculiar benefits from the project as set forth as follows:

Final Assessment Roll

Map ref exhibit "A".	Owner	Acres assessed	Total Assessed	per acre	Total cost of parcel
A	Tax Lot 31E 34 0500 Frank & Margaret Madeira Sold to Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley 1400 SW Schaefer Road, West Linn, OR 97068	2.21	\$271.54		\$271.54
B	Tax Lot 31E 34 0500 Original owner Charles Burden Sold to Madeira Sold to Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley, 1400 SW Schaefer Road, West Linn, OR 97068	1.51		\$20,963.90	\$31,655.49
	Tax Lot 31E 34 0400 Ray L. Burden estate, 23230 S Hwy 99E, Canby Subdivided as follows:	Total acres was 10.73	\$224,942.68	\$20,963.90	
C	Tax Lot 31E 34 3600 Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley 1400 SW Schaefer Road, , West Linn, OR 97068	2.57		\$20,963.90	\$53,877.22
D	Tax Lot 31E 34 3800 Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley 1400 SW Schaefer Road, , West Linn, OR 97068	2.4		\$20,963.90	\$50,313.36
E	Tax Lot 31E 34 3700 Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley 1400 SW Schaefer Road, , West Linn, OR 97068	2.26		\$20,963.90	\$47,378.41
F	Tax Lot 31E 34 3900 Gordon C. Root, William L Root, Jack B Root and estate of Anne Marie Wiley 1400 SW Schaefer Road, , West Linn, OR 97068	1.99		\$20,963.90	\$41,718.16
	Tax Lot 31E 34 0700 Ray L. Burden, Estate 23230 S Hwy 99E, Canby, OR 97013 subdivided as follows:	total acres was 5.97	\$180,837.76	\$30,291.08	
G	Tax Lot 31E 34 4000	1.52		\$30,291.08	\$46,042.44
H	Tax Lot 31E 34 4100	1.39		\$30,291.08	\$42,104.60
I	Tax Lot 31E 34 4200	1.54		\$30,291.08	\$46,648.26
J	Tax Lot 31E 34 4300 Bowen Development Company, 565 Powhatten, Tualatin OR 97062	1.52		\$30,291.08	\$46,042.44

P	Tax Lot 31E 34 0300 Kathryn V. Lewelling PO Box 156, 760 NE 23rd Avenue, Canby OR 97013	20.21		\$64,382.93	\$64,382.93
	Tax Lot 31E 34 0700 Ray L. Burden, Estate 23230 S Hwy 99E, Canby, OR 97013 Subdivided as follows:	Total acres was 25.56		\$192,958.60	\$7,549.24
K	Tax Lot 31E 34 4300	1.94		\$7,549.24	\$14,645.53
L	Tax Lot 31E 34 4500	4.91		\$7,549.24	\$37,066.77
M	Tax Lot 31E 34 4400	7.56		\$7,549.24	\$57,072.25
N	Tax Lot 31E 34 4600 Pioneer Properties, 461 NE Third Avenue, Canby OR 97013	4.4		\$7,549.24	\$33,216.66
O	Tax Lot 31E 34 4700	6.75		\$7,549.24	\$50,957.37
Q	Tax Lot 31E 34 0301 Phillip a & Tammy M. Parsons 165 S Walnut Street, Canby OR 97013	3.42		\$11,175.11	\$11,175.11
R	Tax Lot 31E 34 2000 Paula Palmer, Trustee 30300 S Candlelight Court, Canby Or 97013	9.82		\$24,671.72	\$24,671.72
	URD			\$466,169.15	\$466,169.15
	Total Assessment				\$1,165,409.42

WHEREAS, the Agency has received an engineers report dated July 21, 2004 and updated August 10, 2006 regarding assessments for LID No. 0200. Both reports are adopted as part of this record; and

WHEREAS, the Agency has considered the proposed assessments to the benefited property, now therefore

THE CANBY URBAN RENEWAL DISTRICT ORDAINS AS FOLLOWS:

Section 1.

1. The findings as recited above are adopted, approved and incorporated by reference as if fully set forth herein.
2. The final assessment roll recited above for each of the special and peculiarly benefited properties is thereby adopted, approved and incorporated by reference as if fully set forth herein.
3. The City Recorder shall enter the assessments in the Docket of City Liens.
4. The City Recorder shall mail final assessments notices to all owners or benefited property as described in the recital above.
5. The final assessments set forth above are for a capital construction local improvement, instituted and incurred at the request and for the benefit of all property owners and are not subject to property tax limitation established by Article XI, Section 11b of the Oregon Constitution.
6. Installment payments shall be calculated based on Canby Municipal Code Section 4.04.110, and adopted by the Canby Urban Renewal District in Resolution 04-004, which

sets forth the rate determined by the governing body at _____ from the date on which the assessment was entered in the lien docket.

Section 2. Emergency Declared

It being necessary for the health, safety and general welfare of the citizens of Canby that this LID be completed as soon as possible, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after the final reading.

SUBMITTED to Canby Urban Renewal Agency and read the first time at a meeting therefore on August 16, 2006 after the hour of 7:30 PM at the City Council Chambers located at 155 NW 2nd Avenue, Canby Oregon

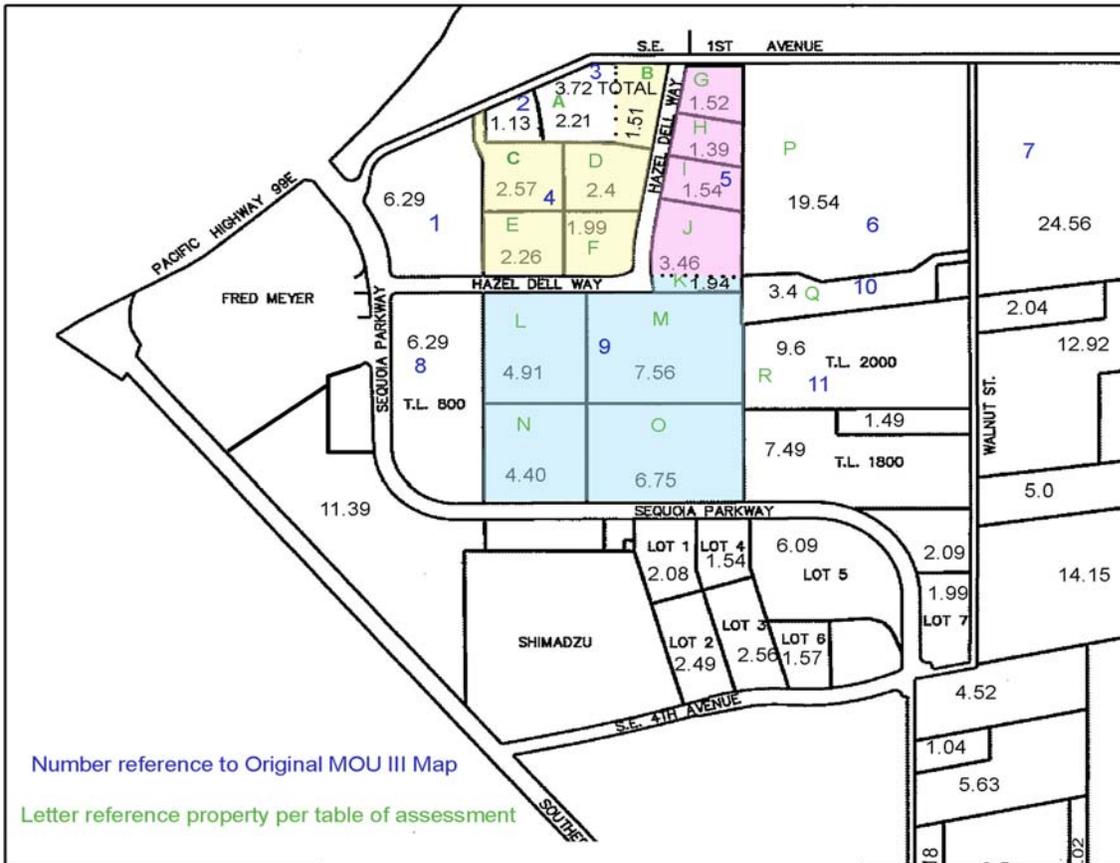
ENACTED on the second and final reading by the Canby Urban Renewal Agency at a meeting thereof on September 6, 2006 by the following vote:

YEAS _____ NAYS _____

Randy Carson, Chairman

ATTEST:

Kimberly Scheafer, City Recorder Pro Tem



CANBY PIONEER INDUSTRIAL PARK
 Sequoia Parkway, Canby, Oregon