

RESOLUTION NO. 1166

A RESOLUTION DECLARING THE CITY'S INTENT TO PROCEED WITH THE PUBLIC IMPROVEMENTS KNOWN AS LOCAL IMPROVEMENT DISTRICT NO. 11-94-ST AND DIRECTING THE CITY ENGINEER TO PREPARE PLANS, SPECIFICATIONS AND THEN ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE PROPOSED IMPROVEMENTS.

WHEREAS, the Wilsonville City Council has deemed it necessary to make local improvement, as defined in ORS 223.387, to be paid by special assessment according to benefits conferred; and

WHEREAS, the public improvements known as LID #11-94-ST necessary for the orderly development of Industrially zoned property within the Wilsonville city limits; and

WHEREAS, the owners of over sixty-six and two thirds per cent of the property that will benefit and incur assessments by the improvement known as LID #11-94-ST, have presented the City with written petitions in support of the local improvement district formation and the City has accepted the petitions by Resolution No. 1139 and called for the Engineer's and Finance Director's Reports; and

WHEREAS, the Engineer and Finance Director have prepared reports in accordance with Ordinance No. 350 and the reports were approved by the City Council as presented by Resolution No. 1157; and

WHEREAS, the City Recorder has given notice of the proposed (Exhibit 'A') improvements by posting the notice in the City Hall and by sending a copy of the notice by certified mail to each and every affected property owner that a public hearing will be held to hear objections, if any, to the proposed improvement.

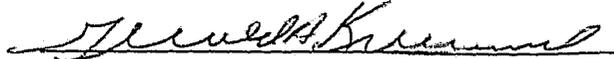
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. Having conducted a public hearing and failing to receive remonstrances from owners representing two-thirds or more of the area to be assessed, the City Council declares its intent to make the improvement known as LID No. 11-94-ST.

2. The City Engineer shall enter into a professional services agreement with the engineering firm of DeHaas & Associates, Inc. for the purpose of preparing plans, specifications and then advertise for bids for construction of the improvement project. Prior to the City Engineer commencing work on this project, the City shall have sufficient

evidence of the approval of Special Public Works Fund financing for the project and proper value of the affected property.

ADOPTED by the Wilsonville City Council at a regular meeting thereof the 6th day of March, 1995, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST



VERA A. ROJAS, CMC/AAC, City Recorder

SUMMARY of Voices:

Mayor Krummel	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Leahy	<u>AYE</u>
Councilor Leo	<u>AYE</u>



City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

ENGINEERING DEPARTMENT
STAFF REPORT & RECOMMENDATION

DATE: MARCH 6, 1995

TO: HONORABLE MAYOR
AND CITY COUNCILORS

FROM: MICHAEL A. STONE, P.E.
CITY ENGINEER

SUBJECT: FORMATION OF LOCAL IMPROVEMENT DISTRICT NO. 11-94-ST FOR THE PURPOSE OF CONSTRUCTING SANITARY SEWER, STORM DRAIN, AND STREET IMPROVEMENTS IN AND AROUND THE AREA OF RIDDER, GARDEN ACRES AND CLUTTER ROADS.

RECOMMENDATION:

Staff has prepared the attached Resolution for adoption by the City Council pending the outcome of the public hearing associated with the formation of the proposed Local Improvement District.

SUMMARY:

On October 17, 1994, the city of Wilsonville City Council adopted Resolution No. 1139 accepting the petition and directing the preparation of the Engineer's and Finance Director's Reports on the formation of a Local Improvement District proposed for the construction of sanitary sewer, storm drain and street improvements in and around the area of Ridder, Garden Acres and Clutter Roads. On October 24, 1994, the city of Wilsonville City Council adopted Resolution No. 1157 accepting the Engineer's and Finance Director's Report and set a public hearing for the purpose of taking testimony on the formation of the Local Improvement District at the City Council Meeting of March 6, 1995. Based on the outcome of the public hearing and the number of remonstrances, if any received, City Council can proceed with the formation of the Local Improvement District by adopting the attached Resolution.

BACKGROUND:

The proposed Local Improvement District will construct public utilities consisting of sanitary sewer, storm drain and street improvements in and around the area of Ridder, Garden Acres and Clutter Roads. The proposed public improvements associated with this LID area are essentially those that were proposed to be constructed concurrent with the South Metro Transfer Facility that was previously approved by the city. However, subsequent to this approval, Metro abandoned the project and the proposed operator of the facility, Willamette Resources Inc. is now proposing the construction of a smaller facility. In order to properly address the Conditions of Approval that were placed on the project by the city's Planning Commission and lacking the ability to finance all the improvements itself, Willamette Resources has proposed the formation of the Local

Improvement District. The city received a petition from 100% of the affected property owners for the construction of the improvements.

As referenced above, the procedure has been conducted in full compliance with ORS 223.378 and Ordinance No. 350, Section 3.214 and Section 3.218 of the city of Wilsonville.

At the time of the preparation of this Staff Report, the city had not received any remonstrances against the formation of the District, although the deadline for submission of these was 5:00 PM, March 6, 1995. If any remonstrances have been submitted to the city after the completion of this Staff Report, the City Recorder will address the Council and the public hearing.

Staff has been closely involved with the petitioners, and has been fully involved in the proposed usage of Oregon Economic Development Funds under the special public work fund program for the funding necessary to complete the improvements.

Respectfully Submitted,

Handwritten signature of Michael A. Stone, with the initials "MAS" and "dr" written below the name.

Michael A. Stone, P.E.
City Engineer

MAS/dr

MS STF REPRT/LID 11-94-ST CONST

EXHIBIT A

NOTICE OF PUBLIC HEARING

TO OWNERS OF REAL PROPERTY IN THE
RIDDER ROAD INDUSTRIAL AREA
TO FORM LOCAL IMPROVEMENT DISTRICT (LID NO. 11-94-ST)

(For Street, Storm Drainage, and Sanitary Sewer)

Pursuant to action by the Wilsonville City Council at a regular meeting thereof on Tuesday, January 24, 1995, and its Resolution 1157 adopted on that date and in accordance with the provisions of Chapter 3.230 of the Wilsonville Code, the undersigned City Recorder for the City of Wilsonville, Clackamas and Washington Counties, Oregon, hereby gives the following notice to the owners of real property within the improvement district which is known as "Ridder Road Industrial Area LID # 11-94-ST, the tax lots of which are as follows:

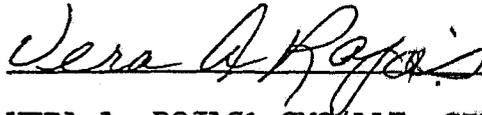
Tax Lots 700, 800, and 801, Map T3S-R1W-2C; and
Tax Lots 3001 and 3003, Map T3S-R1W-11; and
Tax Lot 3002, Map T3S-R1W-11; and
Tax Lots 2500 and 2900, Map T3S-R1W-11

- A. The proposed improvements are for the purpose of laying out and constructing 2360 lineal feet of storm drainage, 3830 lineal feet of sanitary sewer lines, and further to realign and reconstruct the western 1235 lineal feet of SW Ridder Road, including 42 foot from curb to curb, with in-street storm drainage, sidewalks, street lights, and traffic control signage and striping. The properties to be specially benefited by such improvements are immediately adjacent to or take access from said portion of SW Ridder Road and the assessment area for each of said property and the extent of the proposed improvement district is shown in a map in the City Engineer's Report. The City declared its intentions to make such improvements by its Resolution No. 1139, adopted October 17, 1994.
- B. Preliminary Plans and written report of the City's engineer as referred to in the foregoing paragraph A, as well as a Financial Investigation Report, were approved by the Wilsonville City Council at a regular meeting on Tuesday January 24, 1995. Said Plans, Reports, Specifications, Maps, and costs estimates and the entire record of this local improvement district project are now on file with the Wilsonville Community Development Director at the Wilsonville City Hall Annex, and is subject to the examination of any person or persons whomever may be interested. Said reports and records may be examined at the Wilsonville City Hall Annex at 8445 SW Elligsen Road, Wilsonville, Washington County, Oregon, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday in each week hereafter.

- C. **OBJECTIONS TO SAID REPORTS, PLANS AND IMPROVEMENT PROJECT WILL BE CONSIDERED BY THE WILSONVILLE CITY COUNCIL AT A REGULAR MEETING AND PUBLIC HEARING AT THE WILSONVILLE CITY HALL ANNEX, SCHEDULED TO BEGIN AT 7:00 P.M. ON MONDAY MARCH 6, 1995.**
- D. Written remonstrances may be filed against the proposed improvement project, and any such remonstrances must be filed at the office of the Wilsonville City Recorder not later than 5:00 p.m. on Monday March 6, 1995. Oral objections or written remonstrances may be made or filed at the time of the public hearing.
- E. The estimated total cost of the project is \$811,280, consisting of \$414,540 for street, \$201,780 for storm drainage, and \$194,960 for sanitary sewer, all of which will be financed by Oregon Special Public Works Funds repaid by assessments to the benefited properties, the owners thereof and the assessed values are as follows:
1. Tax Lot 700, 800, and 801, Map T3S-R1W-2C
 Owner: Peltier Real Estate Company
 Assessed Value: \$804,850
 2. Tax Lot 3001 and 3002, Map T3S-R1W-11
 Owner: Oregon Glass Company
 Assessed Value: \$1,755,120
 3. Tax Lot 3002, Map T3S-R1W-11
 Owner: L.D. McFarland Co. Ltd.
 Assessed Value: \$1,124,680
 4. Tax Lot 2500, Map T3S-R1W-11
 Owner: Mt. Tahoma Leasing Co.
 Assessed Value: \$846,630
 5. Tax Lot 2900, Map T3S-R1W-11
 Owner: Edward Bolf
 Assessed Value: \$201,640

The estimated total cost of the proposed improvement project which is to be paid by the special assessment of benefited properties is AN ESTIMATE ONLY which includes construction costs, right-of-way and easement costs, engineering, surveying, inspection, administration, legal and contingencies. The estimated assessments of the various properties within the improvement district are as set forth in Exhibit 5 of the City Engineer's Report, attached hereto.

Dated, posted and mailed this 3rd day of February, 1995.



VERA A. ROJAS; CMC/AAE, CITY RECORDER
Wilsonville City Hall
30000 SW Town Center Loop E.
Wilsonville, Oregon 97070

PRELIMINARY ASSESSMENT DISTRIBUTION ROLL Exhibit No. 3

County Tax Map No. T.L. No.	Owner Name: Address:	Property Description for Assessment Purpose	Street		Storm Drain		Sanitary Sewer	
			Front	Foot Assessment	Acres	Assessment	Acres	Assessment
1. Washington County 15-1W-2G T.L. 700, 800, 801	Peltier Real Estate Co. o/o Richard Brentano 2215 N. Front St. Woodburn, OR 97071	A tract of land in Section 2 of Township 3 South, Range 1 West, Willamette Meridian, Washington Co., Oregon: Being that tract of land more particularly described in Fee Number 91-029719 and Parcels II and III of Fee Number 90-055370, Washington County Records.	1580	\$241,866.00	15.05	\$108,340.00	15.05	\$ 62,349.00
2. Clackamas County 15-1W-11 T.L. 3001, 3003	Oregon Glass Co. 10450 SW Ridder Rd. Wilsonville, OR 97070	A tract of land in Section 11 of Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon: Being that tract of land more particularly described in Fee Number 72-17221 and Fee Number 87-47108, Clackamas County Records.			7.64	34,998.00	7.64	31,650.00
3. Clackamas County 15-1W-11 T.L. 3002	L.D. McFarland Co. Ltd. o/o McFarland Casnada P.O. Box 1496 Tacoma, WA 98401-1496	A tract of land in Section 11 of Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon: Being that tract of land more particularly described in Fee Number 84-18781, Clackamas County Records.					19.03	78,838.00
4. Clackamas County 15-1W-11 T.L. 2900	Edward L. Bolf P.O. Box 99307 Tacoma, WA 98499	A tract of land in Section 11 of Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon: Being that tract of land more particularly described in Fee Number 87-17758, Clackamas County Records.	298	45,618.00	2.74	19,726.00	2.74	11,352.00
5. Clackamas County 15-1W-11 T.L. 2500	Ht. Tehoma Leasing Co. P.O. Box 4599 Tacoma, WA 98455-0999	A tract of land in Section 11 of Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon: Being that tract of land more particularly described in Fee Number 84-44546, Clackamas County Records.	330	<u>50,516.00</u> \$414,340.00	2.60	<u>18,716.00</u> \$201,780.00	2.60	<u>10,771.00</u> \$194,960.00

PRELIMINARY ASSESSMENTS (6/26/94)

Sanitary Sewer and Storm Drain
(does not include storm drain in Ridder Road)
(Spreads equivalent BPA assessment among remaining owners.)

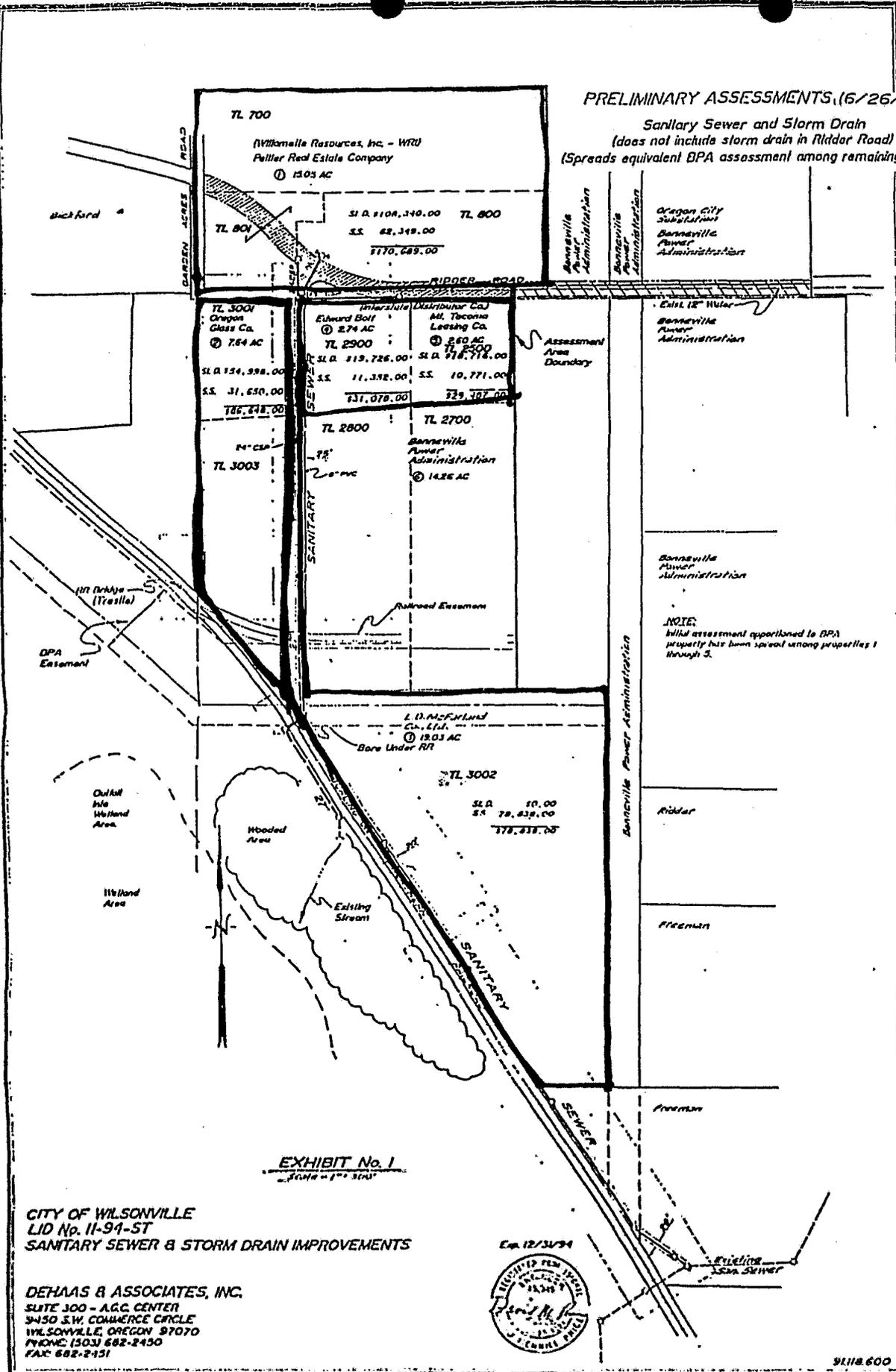


EXHIBIT No. 1
- SCALE - 1" = 300'

CITY OF WILSONVILLE
LID No. 11-94-5T
SANITARY SEWER & STORM DRAIN IMPROVEMENTS

DEHAAS & ASSOCIATES, INC.
SUITE 300 - A.G.C. CENTER
3450 S.W. COMMERCE CIRCLE
WILSONVILLE, OREGON 97070
PHONE: (503) 682-2450
FAX: 682-2451

