

RESOLUTION 950

A RESOLUTION DECLARING THE FINAL ASSESSMENTS ON PROPERTY BENEFITTED BY THE PLACEMENT OF WATER LINES ON REAL PROPERTY IN THE NW MADRAS HWY – GARDNER ROAD LOCAL IMPROVEMENT DISTRICT (LID) AND DIRECTING THE CITY RECORDER TO ENTER A STATEMENT THEREOF IN THE DOCKET OF THE CITY LIENS AND IN CROOK COUNTY RECORDS AND TO SERVE NOTICE TO THE ADJACENT BENEFITTED PROPERTY OWNERS.

RECITALS:

- A. The City Council did by Resolution No. 941 passed on June 10, 2003 declare its intention to place a water main to serve real property located in the NW Madras Hwy – Gardner Road Local Improvement District area and to assess the cost thereof on each lot or parcel thereof benefitted by such improvements, its proportionate share of the costs of said improvements, and did fix the time and place for hearing protests against the construction of said improvements and the assessments and costs thereof.
- B. Notice of said hearing was sent by mail to each owner of property in the proposed local improvement district as required by ORS 223.389.
- C. A meeting of the City Council was held on June 24, 2003 which was the date and place fixed in said Resolution 941 for the purpose of considering any such protest. at which time the Council deemed that the construction of said improvements was and is of material benefit to the City and that all property to be assessed thereof will benefitted thereby, did order the bidding and construction of said improvements and formation of the NW Madras Hwy – Gardner Road Local Improvement District by Resolution 942. Said costs were estimated at \$202,000 including a grant from the Central Oregon Investment Board in the amount of \$100,655 for a potential assessment to benefitting properties of \$101,345 anticipated to be assessed on a combined frontage foot and acreage basis.
- D. Said improvements were duly advertised for bid and Bids opened on July 21, 2003. City Council awarded the construction improvement contract and notice to proceed issued August 4, 2003.
- E. The project was completed on September 12, 2003. The final costs of said improvements are \$205,569.00. The total amount to be paid by the City for the placement of water mains and accessories after the \$100,655.00 grant is \$104,914.00.
- F. Notice of the proposed assessment was mailed to the benefitted property owners as required by Oregon law, which notice stated the amounts of the assessment proposed on each property and fixed the date by which time objections were to be filed.
- G. On October 14, 2003, the City Council met to consider any objections to the proposed assessment. No objections to the assessments were made.

BASED UPON THE ABOVE RECITALS IT IS HEREBY RESOLVED BY THE CITY OF PRINEVILLE AS FOLLOWS:

- 1. It is hereby determined that the proportionate share of the costs of construction of said improvements on each parcel of property benefitted by said improvements is the amount set opposite the description of each piece and parcel of property on Exhibit “A” attached hereto and by this reference made

a part hereof, and that each parcel of land benefitted by the construction of said improvements to the full extent of the amount so set opposite each parcel in that respective amount, represents a proportion benefitted of said improvements to said respective parcel of property, and that Council does hereby declare that each of the parcels of property described on Exhibit "A" is hereby assessed the amount set opposite each respective description for the costs of construction of said improvements.

2. The total amount of costs assessed for the placement of water mains and accessories is \$104,914.

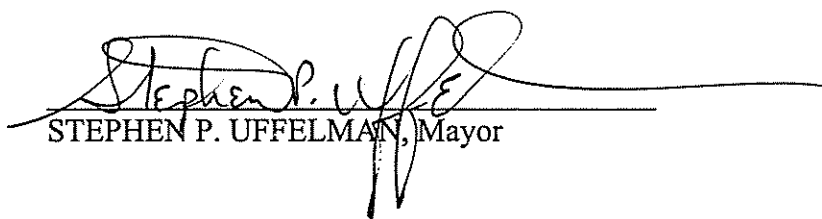
3. Assessments are hereby made on the parcels of real property, which are located in Crook County, Oregon, and described on the attached Exhibit "A" for placement of water mains and accessories.

4. The recorder of the City of Prineville, Oregon, is hereby directed to enter a statement of said assessments in the docket of city liens in said city, to record a notice of assessment with the Crook County clerk, and is hereby directed to serve notice hereof on the property owners of the aforesaid properties by mailing them such notice within ten days from the date of this resolution.

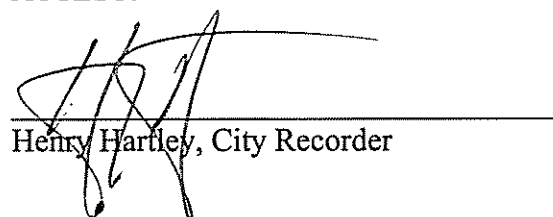
5. The amount of the assessments described on the attached Exhibit "A" are due at this time. No interest shall be owing if the full assessment is paid on or before 30 days from the date of this Resolution. However, the owner of any property assessed shall have the right to make application to the City of Prineville to make payments in semi-annual installments over 10 years at 6.25% per annum interest beginning 30 days from the date of this Resolution until paid, subject to the entire balance becoming due and payable upon sale or transfer of the property or any portion thereof, or upon any partitioning or subdivision of the property. Such application shall be made on a form furnished by the City of Prineville and shall be made within ten days after the above notice is mailed to the property owners.

6. This Resolution is effective the date passed by the City Council.

PASSED AND ADOPTED THIS 28th day of October, 2003.


STEPHEN P. UFFELMAN, Mayor

ATTEST:


Henry Hartley, City Recorder

