

ORDINANCE NO. 4639

AN ORDINANCE TO DETERMINE THE ASSESSMENTS AGAINST THE PROPERTIES SPECIFICALLY BENEFITED BY STREET IMPROVEMENTS FOR ST-76-20, WAVERLY DRIVE (PACIFIC BLVD. TO SANTIAM HWY.), AND DECLARING AN EMERGENCY.

RECITALS:

1. The street assessments as referred to in this ordinance and previous resolutions and ordinances are for the street improvements to serve ST-76-20, Waverly Drive (Pacific Blvd. to Santiam Hwy.).
2. Preliminary resolutions and ordinances prescribing the manner and extent of the improvements are set forth in Resolution No. 1935.
3. The assessments set forth in the following ordinance are based upon the request and recommendation of the City Engineer in compliance with Ordinance No. 2864.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The costs of the street improvements to serve ST-76-20, Waverly Drive (Pacific Blvd. to Santiam Hwy.), are as follows:

<u>Project</u>	<u>Int. & Misc.</u>	<u>Cost</u>	<u>% E.L.A.</u>	<u>Total</u>
ST-76-20		\$25,695.79		\$25,695.79

Section 2: Property and assessment data are listed on the attached sheets.

Section 3: The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the city liens and give notice thereof as provided by law.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, safety, and health of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: August 8, 1984

Approved by the Mayor: August 10, 1984

Effective Date: August 8, 1984

Donald B. Brubaker
Mayor

ATTEST:

[Signature]
City Recorder

INTERDEPARTMENTAL MEMORANDUM
Public Works Department
Engineering/Wastewater Division

TO: Albany City Council
VIA: Bill Barrons, City Manager
FROM: John Joyce, P.E., Public Works Director
DATE: July 17, 1984 for July 25, 1984 City Council Meeting
SUBJECT: Final Assessment for ST-76-20, Waverly Drive

Description of Project and History

This project was for the improvement of Waverly Drive from Pacific Boulevard to the Santiam Highway with new curb and gutter, roadway, storm drains, traffic signal, right-of-way, signing and striping. The project was administered by Oregon State Highway Division. A contract was awarded to Morse Bros., in 1981 for the work, and the work was completed in 1981.

The planning for this project started in 1977 with a public hearing. There was considerable controversy over the size of storm drains to serve the area. It was subsequently decided by City Council to construct only storm drainage adequate to serve the roadway, rather than to oversize the line to serve a much larger area. The cost of the storm drain to serve the roadway is included as part of the street costs.

Federal Aid Urban (FAU) funds were used on this project, and compliance with State and Federal standards and procedures resulted in a long duration project. In June, 1984, the City received the final billing from the State. At this time, final assessments for the work are being levied.

In 1978, the property owners were advised the Engineer's Estimate for the City portion of the work was \$19,491.20. At the time the contract was awarded by the State, the estimated City cost was \$25,695.79. Now, at completion of all work, the total City portion of the project cost is \$30,989.53.

Over the intervening years, property owners have been desirous of settling the pending assessment. Some owners have paid a sum of money toward the assessment based on the estimated cost of \$25,695.79. Today, there may be new property owners who are unaware of the pending assessment.

Method of Assessment

It is recommended the property owners be assessed on a front foot basis in accordance with the Engineer's Report adopted by Resolution 1935. That report provided for a \$0.96 credit for those property owners who had previously constructed curbs along their frontage. It is also recommended that the amount of assessment be the \$25,695.79, which some property owners have already paid against. The difference between the final cost and the 1981 State Estimated Cost (\$5,293.74) will be paid by the City out of the Improvement Fund. The justification for not assessing the total City share is the long duration between adoption of project at the public hearing, much higher costs than previously discussed, and some owners have prepaid based on earlier estimate.

1. Property eligible for curb and gutter credit would be assessed \$6.9828/front foot.
2. Property not eligible for curb and gutter credit will be assessed \$7.9428/front foot.

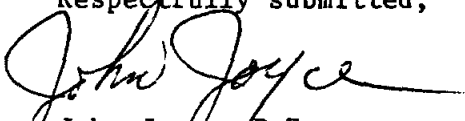
Summary of Estimated City Cost

<u>1978 Engineer's Estimate</u>	<u>1981 State Estimate</u>	<u>1984 Final Cost</u>
\$19,491.20	\$25,695.79	\$30,989.53

Assessment Data

Please refer to the attached property and assessment data sheet.

Respectfully submitted,


John Joyce, P.E.
Public Works Director

FINAL
PROPERTY AND ASSESSMENT DATA

Waverly Drive between Pacific Blvd. and Santiam Highway - ST-76-20

Office of the Public Works Director

NO.	OWNER/ADDRESS	TAX LOT & DESCRIPTION	ASSESS. FR. FT.	TOTAL STREET ASSESSMENT
*1.	Young, Gene E. & Sandra H. 2710 Pacific Blvd. SE Albany, OR 97321	11-3W-5DD, Tax Lot 709 Beginning at a point which is South 88°28'00" West 210.54 feet, South 1°30'00" East 240.25 feet and South 88°28'00" West 685.88 feet from the Northeast corner of Lot 18, of WAVERLY FRUIT FARM to Linn County, Oregon; and running thence North 1°25'00" West a distance of 124.69 feet to the Southerly right-of-way of Pacific Boulevard; thence Southwesterly along a 5,789.58 foot radius curve right 114.86 feet (the long chord of which bears South 61°13'30" West 114.86 feet); thence South 1°25'00" East 158.89 feet; thence North 88°28'00" East 172.15 feet; thence North 1°25'00" West 16.78 feet; thence North 46°32'00" West 98.99 feet to the true place of beginning.	158.89	\$ 1,262.03
*2.	Federal Metals Credit Union P.O. Box D	11-3W-5DD, Tax Lot 711 Beginning at a 5/8 iron rod which is S 88°28'00" W 210.54 feet, S 1°30'00" E 240.25 feet, S 88°28'00" W 787.33 feet and S 1°25'00" E from the NE corner of Lot 18 of WAVERLY FRUIT FARM to Linn County Oregon; thence N 88°28'00" E 162.15 feet; thence S 01°25'00" E 63.22 feet; thence n 88°28'00" E 141.65 feet; thence S 01°25'00" E 199.93 feet; thence 84.72 feet along a 385 foot radius curve to the left (the long chord of which bears S 74°36'20" W 84.51 feet); thence S 60°18'35" W 92.10 feet; thence 86.36 feet along a 175 foot radius curve to the right (the long chord of which bears S 74°26'48" W 85.48 feet); thence S 88°35'00" W 61.38 feet; thence n 01°25'00" W 278.67 feet to the point of beginning.	278.67	\$ 2,213.42

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Waverly Drive between Pacific Blvd. and Santiam Highway - ST-76-20

NO.	OWNER/ADDRESS	TAX LOT & DESCRIPTION	ASSESS. FR. FT.	TOTAL STREET ASSESSMENT
*3.	Wood Products Credit Union P.O. Box 297 Springfield, OR 97477	11-3W-5DD, Tax Lot 706 Beginning at the northwest corner of Lot 1, Block 13, Freeway Addition to Albany, Linn County, Oregon; thence N 01°25'00" W along the east right-of-way line of Waverly Drive 210 feet; thence N 88°35'00" E 71.38 feet along the south right-of-way line of 7th Avenue; thence 106.10 feet along a 215 foot radius curve to the left (the long chord of which bears N 74°26'48" E 105.00 feet); thence N 60°18'35" E 69.01 feet; S 01°25'00" W 267.86 feet; thence S 88°28'00" W 234.00 feet to the point of beginning.	210.00	\$ 1,667.99
*4.	Gariepy, Dennis M. & Lind 735 Waverly Drive SE Albany, OR 97321	11-3W-5DD, Tax Lot 900 Beginning at NW corner of Lot 27, WAVERLY FRUIT FARMS; thence N 88°21' E 174'; thence S 1°25' E 70'; thence S 88°21' W 174'; thence N 1°25' W 70' to beginning EXC pt in roadway.	70.00	\$ 556.00
*5.	Tripp, Russell W. & Rodne P.O. Box 747 Albany, OR 97321	11-3W-5DD, Tax Lot 1000 Lot 2, Block 2 Freeway Addition to City of Albany	70.00	\$ 556.00
*6.	Foree Vernon C. 5125 2nd Avenue SE Salem, OR 973065	11-3W-8AA, Tax Lot 100 Beginning at the northwest corner of Lot 2, Block 14, Freeway Addition to the City of Albany, Linn County, Oregon; thence N 01°25'00" W 100 feet; thence N 88°21'00" E 144.00 feet; thence S 1°25'00" E 100.00 feet; thence S 88°21'00" W 144.00 feet to the point of beginning.	100.00	\$ 794.28

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7.	Dott, Louise P.O. Box 231 Albany, OR 97321	11-3W-8AA, Tax Lot 201 Lot 2, Block 14 Freeway Addition to City of Albany	100.00	\$ 698.28
*8.	Sjogren, P.H. & Christi Orzech, David & Judy P.O. Box 1192 Corvallis, OR 97330	11-3W-8AA, Tax Lot 202 Lot 3 and 4, Block, 14 Freeway Addition to City of Albany	195.49	\$ 1,552.74
*9.	Fisher, Aumell R. c/o Wold, Richard A. & Dorot 39014 Hillside Way Scio, OR 97374	11-3W-8AA, Tax Lot 1306 Beginning at the initial point of Freeway Addition to the City of Albany, Linn County, Oregon; thence N 74°42'00" E 149.75 feet; thence S 17°18'00" E 48.77 feet; thence S 89°22'00" W 157.17 feet; thence N 01°22'00" W 3.78 feet to the point of beginning.	3.78	\$ 30.02
*10.	Lipsey, Dale L. & Bonnie 903 Waverly Drive SE Albany, OR 97321	11-3W-8AA, Tax Lot 1300 Beginning at a point which bears S 89°22'00" W 6 feet from the northwest corner of Glendorr in Linn County; thence n 89°22'00" E 190 feet; thence S 1°22'00" E 92.18 feet; thence S 89°22'00" W 190 feet; thence N 89°22'00" W 92.18 feet to the point of beginning.	92.18	\$ 732.17

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NO.	OWNER/ADDRESS	TAX LOT & DESCRIPTION	ASSESS. FR. FT.	TOTAL STREET ASSESSMENT
*11.	Linn County P.O. Box 100 Albany, OR 97321	11-3W-8AA, Tax Lot 1301 Beginning at a point which bears S 01°22'00" E 3.78 feet; thence N 89°22'00" E 161.46; thence N 72°42'00" E 105.89 feet; thence 135.68 along a 30 foot radius curve to the right (the long chord of which bears S 22°14'20" W 46.17 feet); thence 13.86 feet along a 10' radius curve to the left (the long chord of which bears N 67°21'40" W 12.78 feet); thence S 72°42'00" W 44.93 feet; thence S 89°22' W 196 feet; thence N 01°22'00" W 17.02 feet to the point of beginning.	17.02	\$ 135.19
*12.	Estabrook, Warren R. 915 Waverly Drive Albany, OR 97321	11-3W-8AA, Tax Lot 1200 Beginning at a point which bears S 01°22'00" E 92.18 feet and N 89°22'00" E 6 feet from the northwest corner of Lot 5, Block 1, Glendorr, Linn County, Oregon; thence N 89°22'00" E 286.60 feet to a 5/8" bolt on the east line of Lot 5; thence S 19°47'00" W 98.43 feet to a 5/8" bolt; thence S 89°22'00" W 251.45 feet; thence N 01°22'00" W 86.64 feet to the point of beginning.	86.64	\$ 688.16
*13.	Hash, Thomas J. 31845 Lawrence Street Lebanon, OR 97355	11-3W-8AA, Tax Lot 1100 Beginning at a point which bears S 01°22'00" E 237.82 feet and S 89° 22'00" E 6.00 feet from the northwest corner of Lot 5, Block 1, Glendorr, Linn County, Oregon; thence S 89°22'00" E 251.45 feet; thence S 19°47'00" W 62.43 feet; thence N 89°22'00" W 228.93 feet; thence N 01°22'00" W 59.0 feet to the point of beginning.	59.00	\$ 468.63

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*14.	Sjogren, Jon A. P.O. Box 1192 Corvallis, OR 97330	11-3W-8AA, Tax Lot 1000 Beginning at a point which bears S 01°22'00" E 296.82 feet and S 89°22'00" E 6.00 feet from the northwest corner of Lot 5, Block 1, Glendoor, Linn County, Oregon; thence S 89°22'00" E 228.93 feet; thence S 19°47'00" W 62.43 feet; thence N 89°22'00" W 206.40 feet; thence N 01°22'00" W 59.00 feet to the point of beginning.	59.00	\$ 468.63
*15.	Gantt, Tommy J. & Lena G. 933 Waverly Drive SE Albany, OR 97321	11-3W-8AA, Tax Lot 900 Beginning at a point which is S 70°17'00" E 6.00 feet from the southwest corner of Lot 3, Block 1, Glendorr in Linn County; thence N 01°22'00" W 50.00 feet; thence S 89°22'00" E 206.40 feet; thence S 19°47'00" W 116.00 feet; thence N 70°17'00" W 176.65 feet to the point of beginning.	50.00	\$ 397.14
*16.	Russell, Rodney R. & Dori 945 Waverly Drive SE Albany, OR 97321	11-3W-8AA, Tax Lot 500 Beginning at a point which is S 70°17'00" E 6.00 feet from the southwest corner of Lot 3, Block 1 Glendorr in Linn County; thence S 70°17'00" E 176.65 feet; thence S 19°47'00" W 70.15 feet; thence N 78°20'00" W 142.56 feet; thence N 01°22'00" W 97.30 feet to the point of beginning.	97.30	\$ 772.83
*17.	Tripp, Rodney W. & Russell P.O. Box 747 Albany, OR 97321	11-3W-8AA, Tax Lot 501 Beginning at a point which bears S 01°22'00" E 97.30 feet and N 78°20'00" W 6.00 feet from the northwest corner of Lot 1, Block 1, Glendorr in Linn County; N 78°20' W 142.56 feet; thence S 20°25'30" W 120.83 feet; thence N 72°54'48" W 74.20 feet; thence N 37°38'00" W 34.32 feet; thence N 01°22'00" W 87.72 feet to the point of beginning.	87.72	\$ 696.74

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*18.	Kampfer, I.M. 23533 Gap Road Harrisburg, OR 97446	11-3W-8AB, Tax Lot 1501 Lot 3, 4, 5, 6, and 7, Block 8 Motley's Addition	228.11	\$ 1,811.83
19.	Nelson, David A. & Janet Lee 1330 Center Street Albany, OR 97321	11-3W-8AB, Tax Lot 1700 Lot 9, Block 8 Motley's Addition	55.00	\$ 384.05
20.	Wong, Gordan c/o Bamboo Terrace P.O. Box 886 Albany, OR 97321	11-3W-8AB, Tax Lot 1800 Lot 10, Block 8 Motley's Addition	55.00	\$ 384.05
21.	Chui Yip Chun 640 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 2100 Lot 13, Block 8 Motley's Addition	55.00	\$ 384.05
22.	China Grill, Inc. c/o Choi, Yuk H. & Conraok P.O. Box 886 Albany, OR 97321	11-3W-8AB, Tax Lot 2200 Lot 14, Block 8 Motley's Addition	55.00	\$ 384.05
23.	Lee, A.M. 710 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 2500 Lot 17, Block 8 Motley's Addition	55.00	\$ 384.05
24.	Yeh, Henry F. & Mai Sue 2410 Pacific Blvd. SE Albany, OR 97321	11-3W-8AB, Tax Lot 2600 Lot 18, Block 8 Motley's Addition	55.00	\$ 384.05

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25.	Henschel, William A. & Delores J. 722 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 2900 Lot 21, Block 8 Motley's Addition	55.00	\$ 384.05
26.	Cole, Mary E. 728 Waverly Drive SE Albany, OR 97321	11-3W-8AB, Tax Lot 3000 Lot 22, Block 8 Motley's Addition	55.00	\$ 384.05
27.	Berry, Jack V. & Betty Lou 734 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 3300 Lot 25, Block 8 Motley's Addition	55.00	\$ 384.05
28.	Schroeder, Lawrence H. & Gloria J. 38617 Hungry Hill Drive Scio, OR 97374	11-3W-8AB, Tax Lot 3500 Lot 2, Block 9 Motley's Addition	55.00	\$ 384.05
29.	Pilloud, Ed C. & Louise R. c/o Gerig, Robbie D. 2812 NE Old Salem Road Albany, OR 97321	11-3W-8AB, Tax Lot 3600 Lot 3, Block 9 Motley's Addition	55.00	\$ 384.05
30.	Fordham, Vicki C. 816 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 3900 Lot 6, Block 9 Motley's Addition	55.00	\$ 384.05
31.	Houfek, W.J. & Adeline M. c/o Stutzman, Leslie J., Agt. 2719 Bluff Place NW Albany, OR 97321	11-3W-8AB, Tax Lot 4000 Lot 7, Block 9 Motley's Addition	55.00	\$ 384.05

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32.	Anderson, Stephen T. Anderson, Darca L. 828 Waverly Drive SE Albany, OR 97321	11-3W-8AB, Tax Lot 4300 Lot 10, Block 9 Motley's Addition	55.00	\$ 384.05
33.	Pederson, Bothilda K. 834 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 4400 Lot 11, Block 9 Motley's Addition	55.00	\$ 384.05
34.	Lewis, Wayne A. & Laurine L. 840 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 4700 Lot 14, Block 9 Motley's Addition	55.00	\$ 384.05
35.	Hendry, George W. & Elsie E. 846 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 4800 Lot 15, Block 9 Motley's Addition	55.00	\$ 384.05
36.	Waller, Esther H. 904 Waverly Drive SE Albany, OR 97321	11-3W-8AB, Tax Lot 7400 Lot 2, Block 12 Motley's Addition	55.00	\$ 384.05
37.	Tann, Sr., Jess V. & Patricia A. 910 S. Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 7500 Lot 3, Block 12 Motley's Addition	55.00	\$ 384.05
38.	Tann, Sr., Jess V. & Patricia A. 916 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 7800 Lot 6, Block 12 Motley's Addition	55.00	\$ 384.05

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NO.	OWNER/ADDRESS	TAX LOT & DESCRIPTION	ASSESS. FR. FT.	TOTAL STREET ASSESSMENT
39.	Dunn, Dawn E. 922 Waverly Drive SE Albany, OR 97321	11-3W-8AB, Tax Lot 7900 Lot 7, Block 12 Motley's Addition	55.00	\$ 384.05
40.	Summers, John R. & Carolyn 9006 Seregent Drive Milwaukie, OR 97206	11-3W-8AB, Tax Lot 8200 Lot 10, Block 12 Motley's Addition	55.00	\$ 384.05
41.	Semler, Francis & Pauline 3490 Bernard Albany, OR 97321	11-3W-8AB, Tax Lot 8300 Lot 11, Block 12 Motley's Addition	55.00	\$ 384.05
42.	Westbrook, Curtis S. & Joyce I. 940 Waverly Drive Albany, OR 97321	11-3W-8AB, Tax Lot 8600 Lot 14, Block 12 Motley's Addition	55.00	\$ 384.05
43.	United States Baker, Inc. 340 NE 11th Street Portland, OR 97208	11-3W-8AB, Tax Lot 8700 Lot 15, 16, 17, & 18, Block 12 Motley's Addition	139.84	\$ 976.51
			3,423.64	\$25,695.79
TOTALS				

Property without curb and gutter credit