

ORDINANCE NO. 5628

AN ORDINANCE AMENDING ORDINANCE NO. 5609 SEGREGATING A NORTH ALBANY STREET IMPROVEMENT ASSURANCE ASSESSMENT AGAINST PROPERTY OWNED BY TIMBERGREEN HOMES, LLC, AND DESCRIBED AS TAX LOT NO. 100, OF PARCEL 10S-04W-35DC; AND DECLARING AN EMERGENCY.

WHEREAS, the property described as Map 10S-04W-35DC, Tax Lot No. 100 was assessed a Street Improvement Assurance Assessment for 209.08 feet on Scenic Drive by Ordinance No. 5609, on February 9, 2005; and

WHEREAS, the property owner has requested subdivision of parent Tax lot 100 into twelve lots (SD-04-03), to be platted as Scenic Hills Subdivision; and

WHEREAS, the property owner has requested a segregation of the Street Improvement Assurance Assessment, equally between twelve lots, and

WHEREAS, the following charges were levied against the parent parcel:

<u>Record Owner</u>	<u>Property Description</u>	<u>Assessment</u>
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094 Desc: 10S-04W-35DC-00100 Acreage: 3.89 acres Tax Acct. #: 0016851	\$40,561.52

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Those portions of Ordinance No. 5609 which originally assessed Tax Lot 100 for a Street Improvement Assurance Assessment totaling \$40,561.52 are hereby amended to segregate the lien thereon in the following manner.

SEE ATTACHED EXHIBIT A

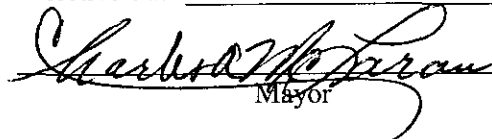
Section 2: The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the City liens and give notice thereof as provided by law.

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health and safety of the City of Albany, Oregon, an emergency is hereby declared to exist. This ordinance will be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by Council: July 27, 2005

Approved by Mayor: July 27, 2005

Effective Date: July 27, 2005


Mayor

ATTEST:

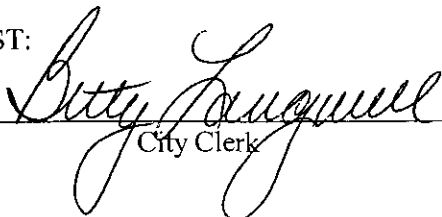

City Clerk

EXHIBIT A

<u>Record Owner</u>	<u>Property Description</u>	<u>Original Assessment</u>	<u>Current Amount Owed</u>	<u>Segregated Amount</u>
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094 Desc: 10S-04W-35DC-00100 Acreage: 3.89 acres Tax Acct. # 0016851 Site: Acreage	\$40,561.52	\$-0-	(\$40,561.52)
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094A Desc: 10S-04W-35DC-03000 Tax Acct. #: 0417918, .34 acres Site: Scenic Hills Subdivision, Lot 1	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094B Desc: 10S-04W-35DC-03100 Tax Acct. #: 0417919, .23 acres Site: Scenic Hills Subdivision, Lot 2	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094C Desc: 10S-04W-35DC-03200 Tax Acct. #: 0417920, .23 acres Site: Scenic Hills Subdivision, Lot 3	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094D Desc: 10S-04W-35DC-03300 Tax Acct. #: 0417921, .28 acres Site: Scenic Hills Subdivision, Lot 4	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094E Desc: 10S-04W-35DC-03400 Tax Acct. #: 0417922, .23 acres Site: Scenic Hills Subdivision, Lot 5	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094F Desc: 10S-04W-35DC-03500 Tax Acct. #: 0417923, .24 acres Site: Scenic Hills Subdivision, Lot 6	\$-0-	\$3,380.13	\$3,380.13

<u>Continued: Record Owner</u>	<u>Property Description</u>	<u>Original Assessment</u>	<u>Current Amount Owed</u>	<u>Segregated Amount</u>
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094G Desc: 10S-04W-35DC-03600 Tax Acct. #: 0417924, .24 acres Site: Scenic Hills Subdivision, Lot 7	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094H Desc: 10S-04W-35DC-03700 Tax Acct. #: 0417925, .24 acres, Lot 8 Site: Scenic Hills Subdivision	\$-0-	\$3,380.13	\$3,380.13
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094I Desc: 10S-04W-35DC-03800 Tax Acct. #: 0417926, .20 acres, Lot 9 Site: Scenic Hills Subdivision	\$-0-	\$3,380.12	\$3,380.12
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094J Desc: 10S-04W-35DC-03900 Tax Acct. #: 0417927, .18 acres, Lot 10 Site: Scenic Hills Subdivision	\$-0-	\$3,380.12	\$3,380.12
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094K Desc: 10S-04W-35DC-04000 Tax Acct. #: 0417928, .18 acres, Lot 11 Site: Scenic Hills Subdivision	\$-0-	\$3,380.12	\$3,380.12
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: IMPAS56094L Desc: 10S-04W-35DC-04100 Tax Acct. #: 0016851, .31 acres, Lot 12 Site: Scenic Hills Subdivision	\$-0-	\$3,380.12	\$3,380.12

IMPROVEMENT ASSURANCE FEE
02/02/05 10 54:55

Name/Address	Description	
TIMBERGREEN HOMES, LLC	ACREAGE	10-04W-35DC-00100
C/O STEVE WAGENER		SCENIC HILLS SUB PDG
4624 OSBORN DRIVE SE	02/09/05 0016851	11210
TURNER, OR 97392	IMPAS02094*	40,561 52
Report total...	40,561.52	

Name/Address	Description		
TIMBERGREEN HOMES, LLC	ACREAGE	10-04W-35DC-00100	
4624 OSBORN DRIVE SE	03/15/05 0016851	11210	
TURNER, OR 97392	IMPAS56094		0.00
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03000	
4624 OSBORN DRIVE SE	06/17/05 0417918	11562	
TURNER, OR 97392	IMPAS56094A		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03100	
4624 OSBORN DRIVE SE	06/17/05 0417919	11563	
TURNER, OR 97392	IMPAS56094B		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03200	
4624 OSBORN DRIVE SE	06/17/05 0417920	11565	
TURNER, OR 97392	IMPAS56094C		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03300	
4624 OSBORN DRIVE SE	06/17/05 0417921	11569	
TURNER, OR 97392	IMPAS56094D		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03400	
4624 OSBORN DRIVE SE	06/16/05 0417922	11566	
TURNER, OR 97392	IMPAS56094E		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03500	
4624 OSBORN DRIVE SE	06/17/05 0417923	11577	
TURNER, OR 97392	IMPAS56094F		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03600	
4624 OSBORN DRIVE SE	06/17/05 0417924	11578	
TURNER, OR 97392	IMPAS56094G		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03700	
4624 OSBORN DRIVE SE	06/17/05 0417925	11579	
TURNER, OR 97392	IMPAS56094H		3,380.13
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03800	
4624 OSBORN DRIVE SE	06/17/05 0417926	11580	
TURNER, OR 97392	IMPAS56094I		3,380.12
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03900	
4624 OSBORN DRIVE SE	06/17/05 0417927	11581	
TURNER, OR 97392	IMPAS56094J		3,380.12
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-04000	
4624 OSBORN DRIVE SE	06/17/05 0417928	11582	
TURNER, OR 97392	IMPAS56094K		3,380.12
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-04100	
4624 OSBORN DRIVE SE	06/17/05 0016851	11583	
TURNER, OR 97392	IMPAS56094L		3,380.12

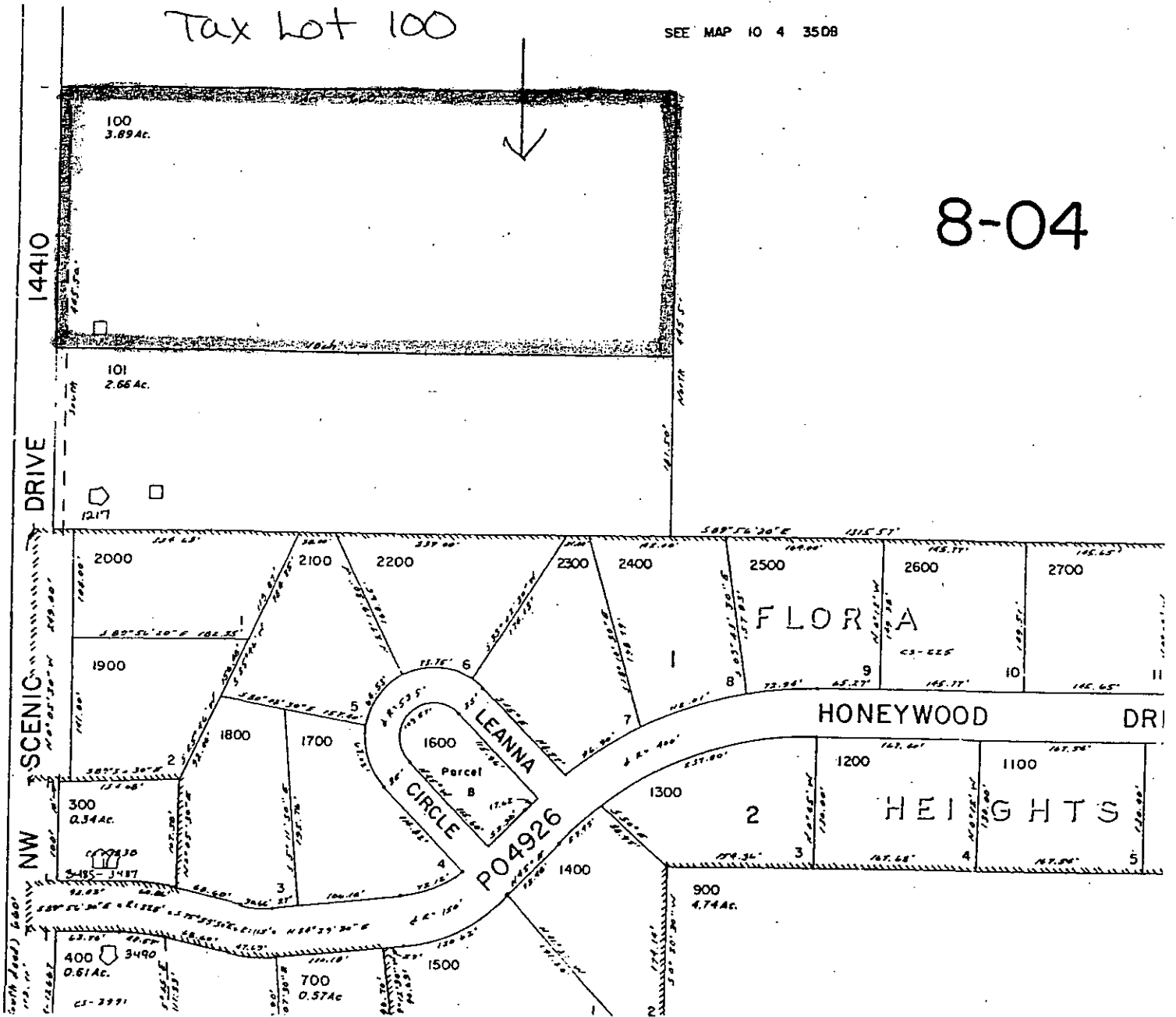
Report total... 40,561.52

Desc: 105-04W-35DC

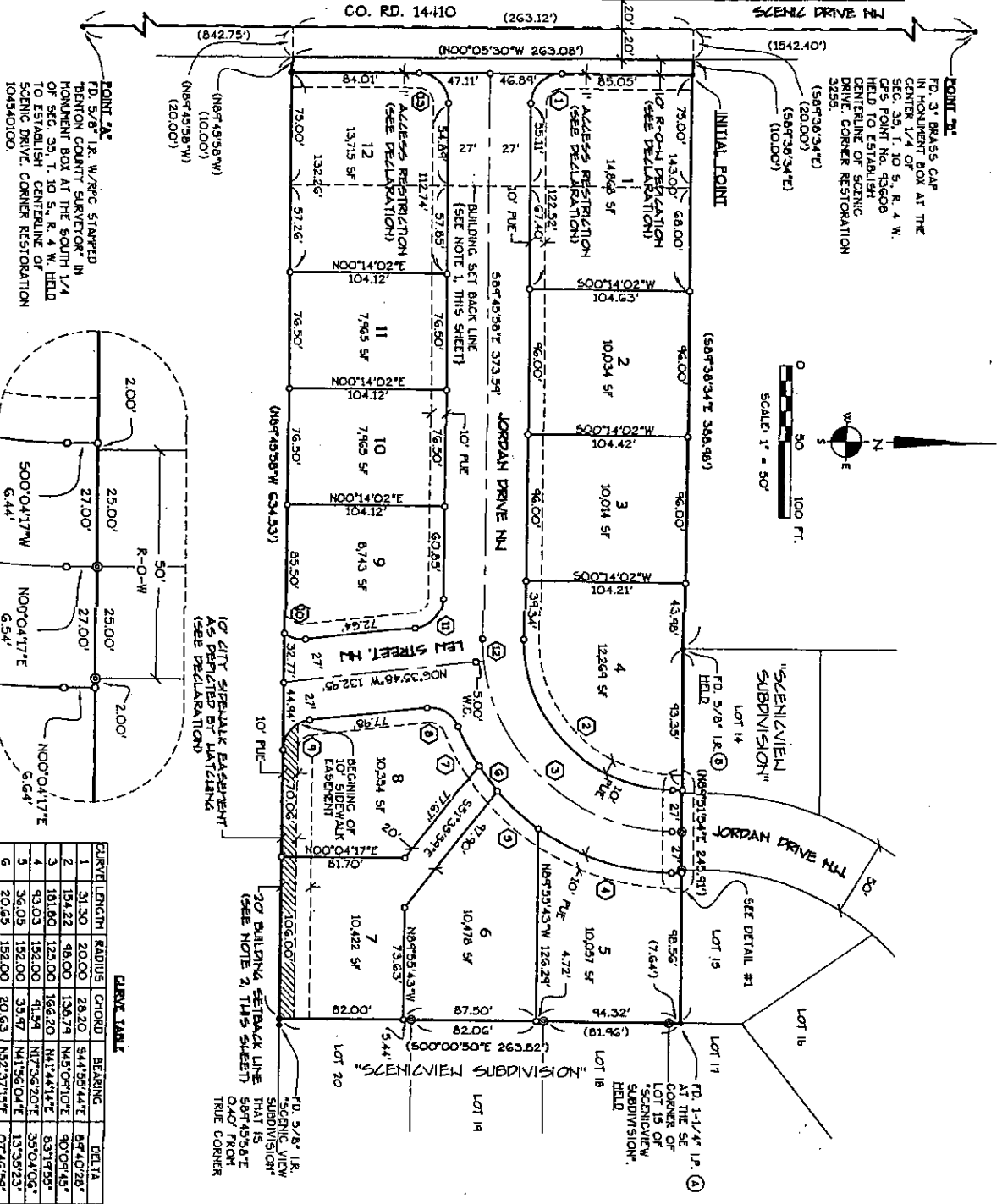
Tax Lot 100

SEE MAP 10 4 3508

8-04



BASIS OF BEARINGS: GALLOWAY HARD COPY 10-04 0024
(N00°05'30"W 2648.27')



SCENIC HILLS
A SUBDIVISION
LOCATED IN
SE 1/4 SEC. 35, T105, R4
CITY OF ALBANY, BENTON COUNTY
JANUARY 26, 2005
CITY FILE NO. SD-04-1

LEGEND:

- FOUND 5/8" I.R. W/TPC N+D ENCL. L.S. 28561' EXCEPT AS NOTED
- FOUND 5/8" I.R. W/TPC "JIM UDILL RES 1366' IN "SCENICVIEW SUBDIVISION"
- SET 5/8" x 30" ROD W. PLASTIC CAP MARKED "K L.S. 28561"
- △ SET WITNESS CORNER 5. IRON ROD W/TPC STAMP L.S. 28561'
- () MEASURED INFORMATION AS RECORDED FOR C.S. 94 COUNTY SURVEY
- C.S. FOUND
- I.P. IRON PIPE (INSIDE DIAMETER)
- I.R. IRON ROD
- W.C. WITNESS CORNER
- Y.P.C. YELLOW PLASTIC CAP
- P.U.E. PUBLIC UTILITY EASEMENT
- R-O-W RIGHT-OF-WAY
- ① POINT REFERENCE DATA
- ② CURVE REFERENCE DATA
- ③ CENTERLINE SECTION

REFERENCES:

- ① GALLOWAY HARD COPY 10-04 0024
- ② C.S. 2303
- ③ C.S. 9992

NOTES:
1) THE BUILDING SETBACK SHOWN ON LOTS 7 AND 8 IS TO A FUTURE WEST SIDE OF SCENIC DRIVE. THE BUILDING SETBACK SHOWN ON LOTS 1 AND 12 IS TO THE CENTERLINE OF SCENIC DRIVE.
2) THE BUILDING SETBACK SHOWN ON LOTS 7 AND 8 IS TO A FUTURE WEST SIDE OF SCENIC DRIVE. THE BUILDING SETBACK SHOWN ON LOTS 1 AND 12 IS TO THE CENTERLINE OF SCENIC DRIVE.

REGISTERED PROFESSIONAL LAND SURVEYOR
JOE J. CORTEZ
EXPIRES 12/31/05

K&D
K & D ENGINEERING, INC.
208 N.W. Highway 200, P.O. Box 723
Albany, Oregon 97321
Tel: 503/325-1111

Date: 1/26/2005
Scale: 1"=50' (P)
File: dwg:2003\03-38-1\0333P-Subdiv.dwg (P) (Rev 2)