

AN ORDINANCE AMENDING ORDINANCE NO. 5574 SEGREGATING AN IN-LIEU-OF ASSESSMENT FOR INTERCEPTOR SEWER 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 an In-Lieu-of Assessment for Interceptor Sewer for 3.89 acres by Ordinance No. 5574, on April 28, 2004; and

WHEREAS, the property owner has requested subdivision of 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 In-Lieu-of Assessment for Interceptor Sewer, 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. #: SSCCN55741 Desc: 10S-04W-35DC-00100 Acreage: 3.89 acres Tax Acct. #: 0016851	\$ 8,414.07

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

Section 1: Those portions of Ordinance No. 5574 which originally assessed Tax Lot 100 for an In-Lieu-of Assessment for Interceptor Sewer totaling \$8,414.07, are hereby amended to segregate the lien thereon in the following manner.

SEE ATTACHMENT EXHIBIT A


Section 2: The City Recorder is hereby directed to enter a statement of the assessment 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. #: SSCCN55741 Desc: 10S-04W-35DC-00100 Acreage: 3.89 acres Tax Acct. #: 0016851 Site: Acreage	\$8,414.07	\$ -0-	(\$7,795.16)
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741A Desc: 10S-04W-35DC-03000 Tax Acct. #: 0417918, .34 acres, Lot 1 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741B Desc: 10S-04W-35DC-03100 Tax Acct. #: 0417919, .23 acres, Lot 2 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741C Desc: 10S-04W-35DC-03200 Tax Acct #: 0417920, .23 acres, Lot 3 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741D Desc: 10S-04W-35DC-03300 Tax Acct. #: 0417921, .28 acres, Lot 4 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741E Desc: 10S-04W-35DC-03400 Tax Acct. #: 0417922, .23 acres, Lot 5 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741F Desc: 10S-04W-35DC-03500 Tax Acct. #: 0417923, .24 acres, Lot 6 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60

<u>Continued:</u> <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. #: SSCCN55741G Desc: 10S-04W-35DC-03600 Tax Acct. #: 0417924, .24 acres, Lot 7 Site: Scenic Hills Subdivision	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741H Desc: 10S-04W-35DC-03700 Tax Acct. #: 0417925, .24 acres Site: Scenic Hills Subdivision, Lot 8	\$-0-	\$649.60	\$649.60
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741I Desc: 10S-04W-35DC-03800 Tax Acct. #: 0417926, .20 acres Site: Scenic Hills Subdivision, Lot 9	\$-0-	\$649.59	\$649.59
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741J Desc: 10S-04W-35DC-03900 Tax Acct. #: 0417927, .18 acres Site: Scenic Hills Subdivision, Lot 10	\$-0-	\$649.59	\$649.59
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741K Desc: 10S-04W-35DC-04000 Tax Acct. #: 0417928, .18 acres Site: Scenic Hills Subdivision, Lot 11	\$-0-	\$649.59	\$649.59
Timbergreen Homes, LLC 4624 Osborn Drive SE Turner, OR 97392	Acct. #: SSCCN55741L Desc: 10S-04W-35DC-04100 Tax Acct #: 0016851, .31 acres Site: Scenic Hills Subdivision, Lot 12	\$-0-	\$649.59	\$649.59

SEWER IN-LIEU OF ASSESSMENTS

04/19/04 16 28.32

Name/Address	Description		
TIMBERGREEN HOMES, LLC	ACREAGE	10-04W-35DC-00100	
C/O STEVE WAGENER		SUBDIVISION PDG	
4624 OSBORN DRIVE SE	04/24/04 0016851	10984	
TURNER, OR 97392	SSCCN04241*		8,414 07
Report total ..			8,414 07

Name/Address	Description		
TIMBERGREEN HOMES, LLC	ACREAGE	10-04W-35DC-00100	
4624 OSBORN DRIVE SE	04/28/04 0016851	SCENIC HILLS SUB PDG	
TURNER, OR 97392	SSCCN55741	10984	0.00
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03000	
4624 OSBORN DRIVE SE	Lot-001 Blk-000		
TURNER, OR 97392	06/17/05 0417918	11533	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03100	
4624 OSBORN DRIVE SE	Lot-002 Blk-000		
TURNER, OR 97392	06/17/05 0417919	11561	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03200	
4624 OSBORN DRIVE SE	Lot-003 Blk-000		
TURNER, OR 97392	06/17/05 0417920	11564	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03300	
4624 OSBORN DRIVE SE	Lot-004 Blk-000		
TURNER, OR 97392	06/17/05 0417921	11568	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03400	
4624 OSBORN DRIVE SE	Lot-005 Blk-000		
TURNER, OR 97392	06/16/05 0417922	11567	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03500	
4624 OSBORN DRIVE SE	Lot-006 Blk-000		
TURNER, OR 97392	06/17/05 0417923	11570	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03600	
4624 OSBORN DRIVE SE	Lot-007 Blk-000		
TURNER, OR 97392	06/17/05 0417924	11571	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03700	
4624 OSBORN DRIVE SE	Lot-008 Blk-000		
TURNER, OR 97392	06/17/05 0417925	11572	649.60
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03800	
4624 OSBORN DRIVE SE	Lot-009 Blk-000		
TURNER, OR 97392	06/17/05 0417926	11573	649.59
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-03900	
4624 OSBORN DRIVE SE	Lot-010 Blk-000		
TURNER, OR 97392	06/17/05 0417927	11574	649.59
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-04000	
4624 OSBORN DRIVE SE	Lot-011 Blk-000		
TURNER, OR 97392	06/17/05 0417928	11575	649.59
TIMBERGREEN HOMES, LLC	SCENIC HILLS	10-04W-35DC-04100	
4624 OSBORN DRIVE SE	Lot-012 Blk-000		
TURNER, OR 97392	06/17/05 0016851	11576	649.59

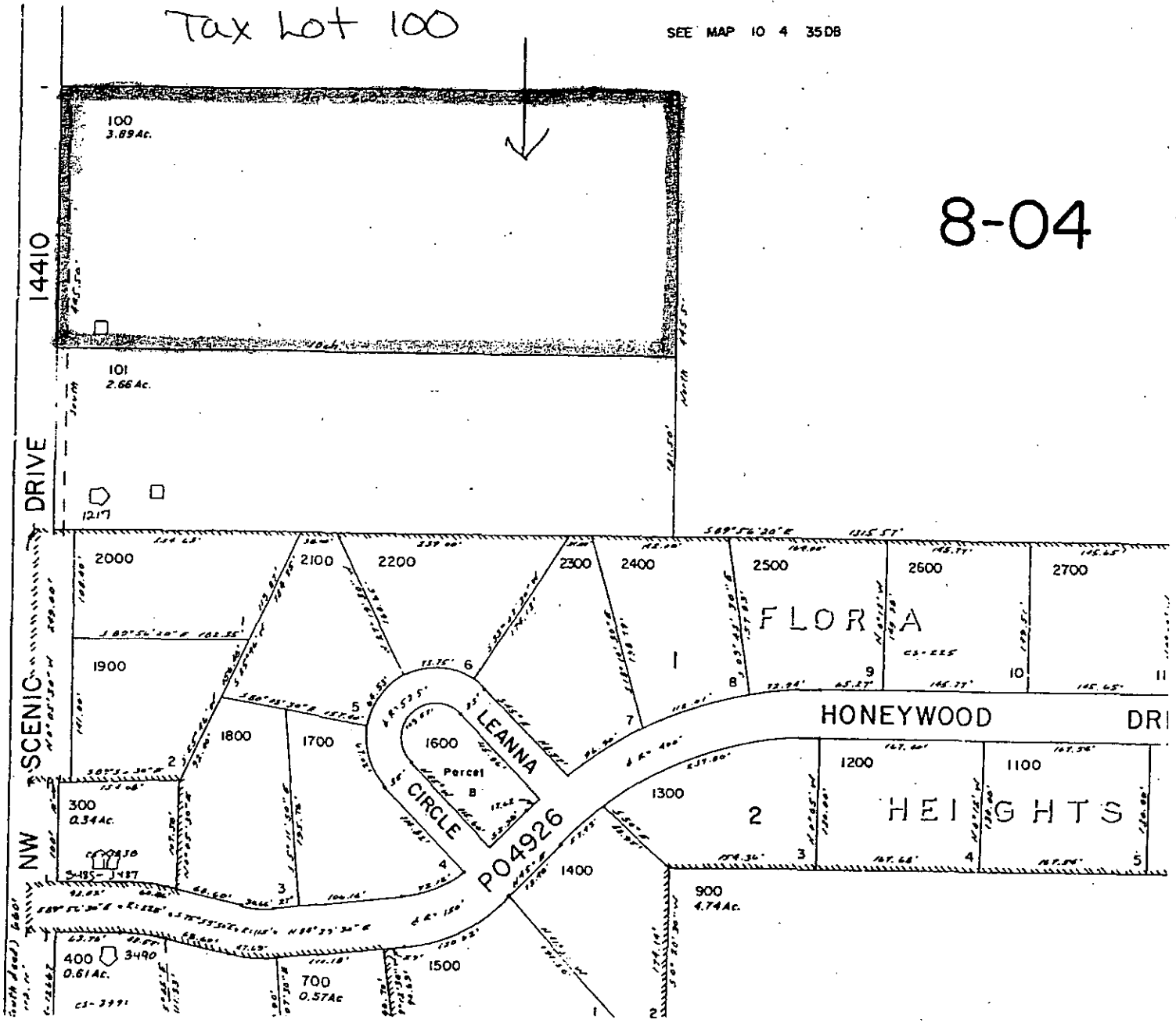
Report total... 7,795.16

Desc: 105-04W-35DC

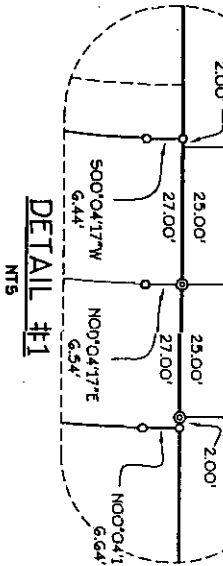
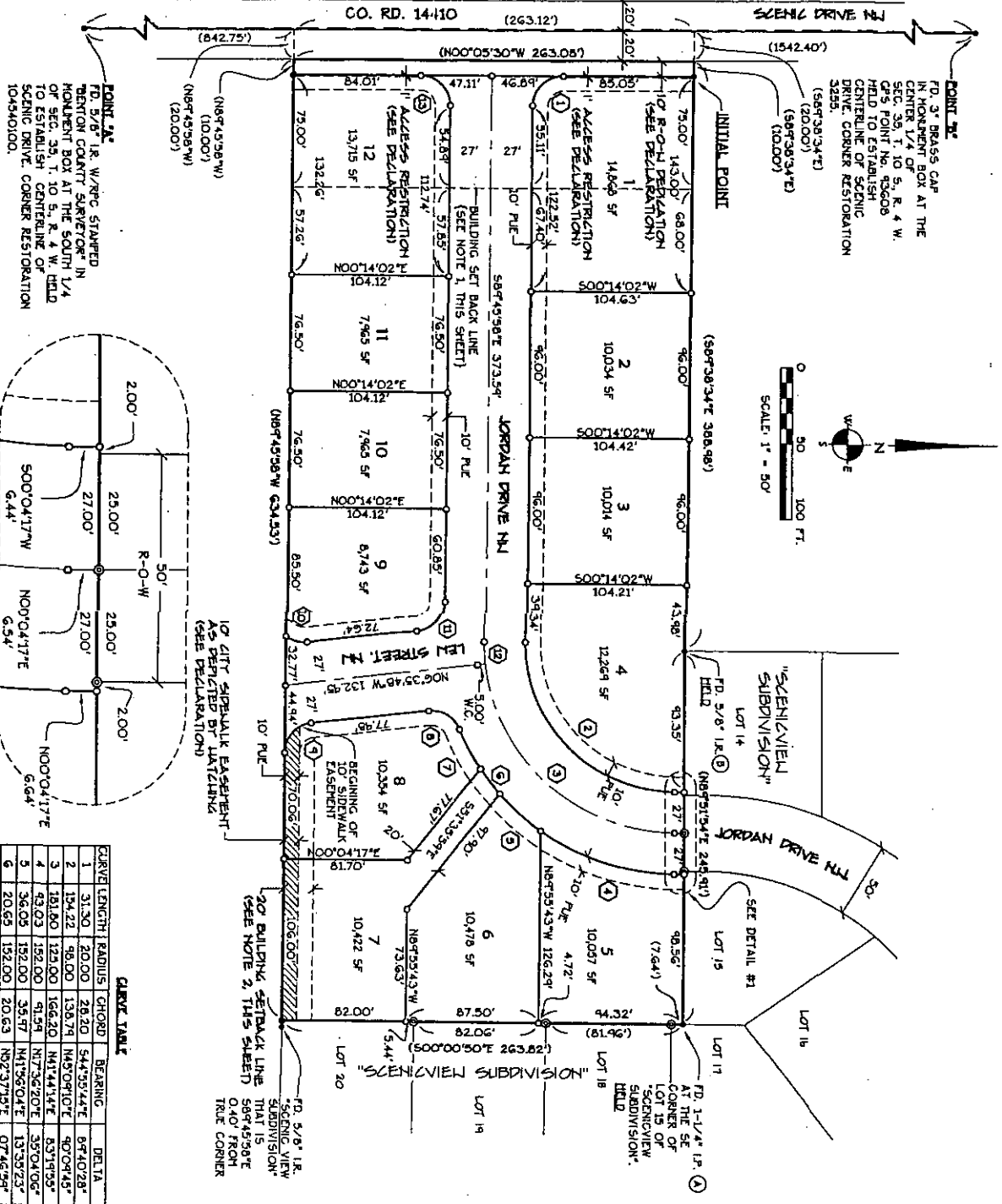
Tax lot 100

SEE MAP 10 4 35DB

8-04



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



CHORD	RADIUS	CHORD BEARING	DELTA
1	31.30	20.00	54°55'44"E
2	15.22	90.00	138°04'07"E
3	151.00	125.00	156.22
4	43.03	152.00	51.24
5	36.05	152.00	35.47
6	20.65	152.00	20.63
7	29.27	152.00	29.22
8	25.08	20.00	24.11
9	29.03	20.00	26.55
10	19.24	20.00	14.86
11	24.03	20.00	26.55
12	14.50	125.00	14.84
13	31.33	20.00	54°55'44"E

**LEGEND:**  
 ● FOUND 5/8" I.R. W/TPC  
 \*44 ENCL. U.S. 58561\*  
 EXCEPT AS NOTED  
 ○ FOUND 5/8" I.R. W/TPC  
 \*JIM URELL R/S. 13667\*  
 \*SCENICVIEW SUBDIVISION  
 SET 5/8" x 30" ROD W/  
 PLASTIC CAP MARKED TK  
 L5 58561\*  
 △ SET WITNESS CORNER 5,  
 IRON ROD W/TPC STAMP  
 L5 58561\*  
 ( ) HEADS/RECORD INFORMATION  
 AS RECORDED PER C.S. 99  
 C.S. COUNTY SURVEY  
 F.D. FOUND  
 I.P. IRON PIPE (INSIDE DIAMETER)  
 I.R. IRON ROD  
 W.C. WITNESS CORNER  
 TPC YELLOW PLASTIC CAP  
 PUE PUBLIC UTILITY EASEMENT  
 R-O-W RIGHT-OF-WAY  
 ● POINT REFERENCE DATA,  
 CURVE REFERENCE DATA,  
 CENTERLINE SECTION

**NOTES:**  
 1) THE BUILDING SETBACK SHOWN ON LOTS 7 AND 8 IS TO A FUTURE 125' FOOT SETBACK FROM THE ETD W/ETD SIDE OF SCENIC DRIVE. THE SETBACK FROM THE EXISTING W/ETD SIDE OF SCENIC DRIVE IS TO ESTABLISH CENTERLINE OF SCENIC DRIVE CORNER RESTORATION LOTS 1 AND 12.  
 2) THE BUILDING 20'-FOOT WIDE BUILD ON LOTS 7 AND 8 IS TO A FUTURE THAT MAY BE CONSTRUCTED ALONG BOUNDARY LINES AND SAID LOTS.

**REFERENCE:**  
 ① GALLOWAY HARDCOPY 10-04 0024  
 ② C.S. 2303  
 ③ C.S. 9942

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

**K&D**  
 K & D ENGINEERING, Inc.  
 770 N.W. Highway 200, Box 722  
 Astoria, Oregon 97103  
 (503) 325-3333  
 Date: 1/26/2005  
 Scale: 1"=50'(FS)  
 File: dny\2003\03-38-1\0338-518.dwg (Sheet 2)

**SCENIC HILLS**  
 A SUBDIVISION  
 LOCATED IN  
 SE 1/4 SEC. 35, T.10S., R.4  
 CITY OF ALBANY, BENTON COUNTY  
 JANUARY 26, 2005  
 CITY FILE NO. 5D-04-1