

AN ORDINANCE LEVYING A CHARGE UNDER THE PROVISIONS OF CHAPTER 10.16 OF THE ALBANY MUNICIPAL CODE FOR AN IN-LIEU-OF ASSESSMENT FOR INTERCEPTOR SEWERS FOR SAID PROPERTY BEING DESCRIBED AS TAX LOT 900, OF MAP 10S-04W-26; REPEALING ORDINANCE NO. 5800, AND DECLARING AN EMERGENCY.

WHEREAS, ON DECEMBER 12, 2012, ORDINANCE NO. 5800 WAS APPROVED BY CITY COUNCIL WITH AN INCORRECT ASSESSMENT ACCOUNT NUMBER AND SECTION 4, BELOW, MISSING, WHICH DIRECTS THE CITY RECORDER TO ENTER A STATEMENT OF THE ASSESSMENT IN THE DOCKET OF THE CITY LIENS AND GIVE NOTICE AS PROVIDED BY LAW.

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

Section 1: A charge is hereby levied against the following described properties:

Post Tree Farm LLC	Acct #: naila000-0435-000
Daniel A. Post	Total: \$79,606.78
Nancy C. Post	Map:10S-04W-26 -00900
2771 Pineview Dr NW	Description: 31.06 Acres
Albany, OR 97321	Tax Acct#: 418362

Section 2: Said charges are for the purpose of a property outside the original North Albany Sanitary Sewer Assessment District to receive benefit from the existing sewer in the North Albany Sewer Basin as required under Chapter 10.16 of the Albany Municipal Code (AMC).

A request was submitted by Dan and Nancy Post for a lot line adjustment (LA-06-12) transferring 31.06 acres from property described as Map 10S-04W-26, Tax Lot 400 to Map 10S-04W-26DB, Tax lot 3500, see Exhibit A. Parent parcel 10S-04W-26 -00400 has a pending Interceptor In-lieu of assessment for 31.61 acres, totaling \$81,016.43. Currently, a portion of the assessment, 31.06 acres, totaling \$79,606.67, will be assessed and the balance, 0.55 acres, totaling \$1,409.65 (current rate), to be assessed or paid at the applicable rate upon connection to the sewer and request for a building permit. The Benton County Assessor has reassigned the property described as 10S-04W-26DB, Tax Lot 3500 to be Map 10S-04W-26, Tax Lot 900. See Exhibit B.

Section 3: The total cost for service from the sanitary sewer line serving the property described in Section 1 is as follows and is attached as Exhibit C:

$$\$2,563 \text{ (Interceptor Rate)} \times 31.06 \text{ Acres} = \$79,606.78$$

Section 4: 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 5: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the City of Albany, an emergency is hereby declared to exist. This ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council: March 13, 2013

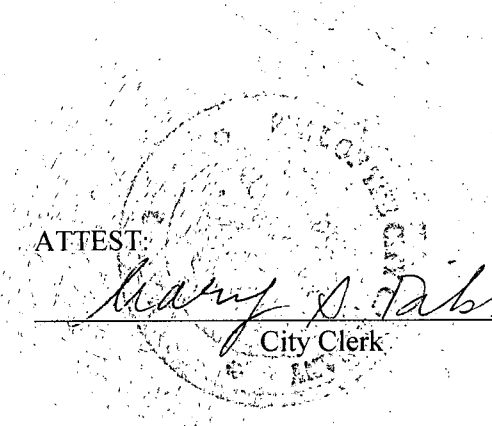
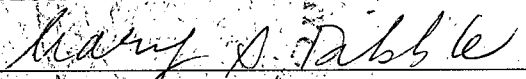
Approved by the Mayor: March 13, 2013

Effective Date: March 13, 2013



Mayor

ATTEST:

City Clerk

Exhibit C

Owner of Record

Post Tree Farm LLC
Daniel A. Post
Nancy C. Post
2771 Pineview Dr NW
Albany, OR 97321

Property Description

Acreage: 31.06
Map: 10S-04W-26 -00900
Tax Account #: 418362

Assessment Description

Acct#: naila000- 0435-000
Sewer Interceptor
Amount: \$79,606.78

Report Total: \$79,606.78