

RESOLUTION NO. 1287

A RESOLUTION ESTABLISHING THE CLIFFSIDE REIMBURSEMENT DISTRICT

WHEREAS, Jeff Twenge and Deona Twenge, husband and wife, ("Twenges") constructed at their cost, approximately 320 feet of sewer line from SW Park Drive north on SW Cliffside Lane (the "New Sewer Line") within the City of Prineville ("City") to serve Twenges' property described on Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, James H. Taylor, Jr., and Josephina W. Taylor ("Taylors"), Oliver W. Cross ("Cross"), Robert L. Jordan ("Jordan"), and Franklyn U. Bell and Sheryl G. Bell ("Bells") each own property in the vicinity of the sewer line and each of their properties could be connected to the New Sewer Line. The legal description of each of their properties is shown on Exhibit B attached hereto and by this reference made a part hereof; and

WHEREAS, pursuant to Chapter 39 of the Code of Prineville, a person who constructs public improvements capable of providing services to property other than the property owned by the person constructing the public improvements may request the City establish a reimbursement district which would allow payment of a portion of the costs of constructing the public improvement to be reimbursed when other designated properties connect to such public improvement; and

WHEREAS, the Twenges have applied to the City for a reimbursement district to include the Taylor, Cross, Jordan, and Bell properties; and

WHEREAS, pursuant to the Code of Prineville, the City engineer reviewed the application for reimbursement district, evaluated whether a reimbursement district should be established or not, and prepared a written report to the Prineville City Council, including a recommendation that Cliffside Reimbursement District be established; and

WHEREAS, a public hearing was held on April 12, 2016, to allow persons who are or may be monetarily affected by the formation of the reimbursement district an opportunity to comment on the formation of the proposed reimbursement district; and

WHEREAS, there were no comments submitted at the April 12, 2016, public hearing on the formation of the proposed reimbursement district; and

WHEREAS, the City Council approved the establishment of the Cliffside Reimbursement District and instructed City staff to prepare a Resolution embodying their decision;

NOW, THEREFORE, the City of Prineville resolves as follows:

1. The Cliffside reimbursement district is hereby established.
2. The Cliffside reimbursement district shall include the Twenge, Taylor, Cross, Jordan, and Bell properties described on Exhibits A and B to this Resolution.

3. The City engineer's report dated March 15, 2016, and attached to this Resolution as Exhibit C, including an aerial map of the approximate location of the New Sewer Line and the five properties within the Cliffside reimbursement district is approved.

4. A reimbursement fee of \$2,188.60 shall be paid to the City when any of the properties described on Exhibit B connect to the New Sewer Line. Payment of such fee is a precondition of receiving City permits to connect to or utilize the new sewer line.

5. Pursuant to Section 39.07(B) of the Code of Prineville, the City Manager is authorized to enter into an agreement with the applicant pertaining to the reimbursement district improvements.

6. The City waives the right to collect an administrative fee to supervise the reimbursement district and agreement with the applicant.

7. The obligation to pay the reimbursement fee ends ten years from the date of this Resolution unless prior to April 26, 2026, the time period to pay the reimbursement fee is extended by Prineville City Council Resolution.

Dated: April _____, 2016

Betty J. Roppe, Mayor

ATTEST:

Lisa Morgan, City Recorder



City of Prineville

387 NE THIRD STREET ♦ PRINEVILLE, OREGON 97754

DEPARTMENT OF PUBLIC WORKS

ENGINEERING DEPARTMENT

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03/15/2016

Engineer's Report

Re: *Cliffside Reimbursement District for SW Cliffside Ln. sewer extension*
Applicant: *Jeff & Deona Twenge*

Ordinance 1149 allows the formation of reimbursement districts when a person constructs public infrastructure such as a water or sewer line to serve their property when that line also may serve other properties in the vicinity. That Ordinance requires that other properties that could be served by the infrastructure be identified and it creates a mechanism that allows the person constructing the infrastructure to recover part of the cost of the infrastructure by requiring the City to charge other property owners in the district a proportional amount of the infrastructure cost when those properties connect to the infrastructure.

1) Approximately 320 feet of sewer line has been constructed within SW Cliffside Ln. to serve the applicant's property at 503 SW Cliffside Ln. This portion of Cliffside Ln is unimproved and not a through street. Four other properties have the ability to be served by this sewer line as shown on Exhibit A.

2) Exhibit A attached to this report shows the properties that will be included in the district including the applicant's property. The property located at the NE corner of Park Dr. and Cliffside Ln. (15-16-06CA 00600) is already connected to City sewer and therefore will not be a part of this reimbursement district. There is a potential for this property to be partitioned which would require the northern portion of the property to connect to this sewer line. However, the city requirement to pave a portion of Cliffside Lane and install sidewalks and curbs as part of the partitioning process would most likely make a partitioning of this property cost prohibitive and including the property within the district would make it more difficult for the applicant to recover their costs. The following is a list of tax lots to be included in the district:

15-16-06C 000100 - Twenge Single Family Home (SFH)

15-16-06CA 00100 – Cross (vacant)

15-16-06C 003600 – Taylor (SFH)

15-16-06CA 00200 – Jordan (SFH)

15-16-06CA 00500 – Bell (SFH)

3) Confirmation of the actual cost of the project has been provided by the applicant and their contractor. The total cost associated with the extension of the sewer line and connection of the applicant's property to the sewer line is \$11,793.00. \$850.00 of such cost was for onsite work associated with the service line to the applicant's property and decommissioning of the applicant's septic tank. This on site work only benefits the applicant and was subtracted from the total amount. The following is the total cost of the public improvement:

$\$11,793.00 - \$850.00 = \$10,943.00$

4) As shown in Exhibit A and described in section (2), five properties will be included in the district. \$10,943.00 will be divided equally among these properties with each paying 20% of the total cost, which is \$2,188.60. This fee will be due concurrently with payment of the City's System Development Charge for sewer and sewer connection fee prior to connection to the sewer line.

5) Due to the small size of the project the City is waiving its right to charge an administration fee.

6) Similar to other local improvement districts that the City has administered, I recommend that the right of reimbursement exist for no more than 10 years beginning with the Council's approval of the reimbursement district.

7) The project is complete and built to City standards. A bill of sale has been signed by the applicant and myself to complete the transfer of the sewer line to the City.

8) I recommend that Cliffside reimbursement district be established with the terms of such district consistent with the provisions of this report.

Sincerely,

Eric Klann
City of Prineville Engineer

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

 Properties within District

Exhibit 'A'
Cliffside Reimbursement District

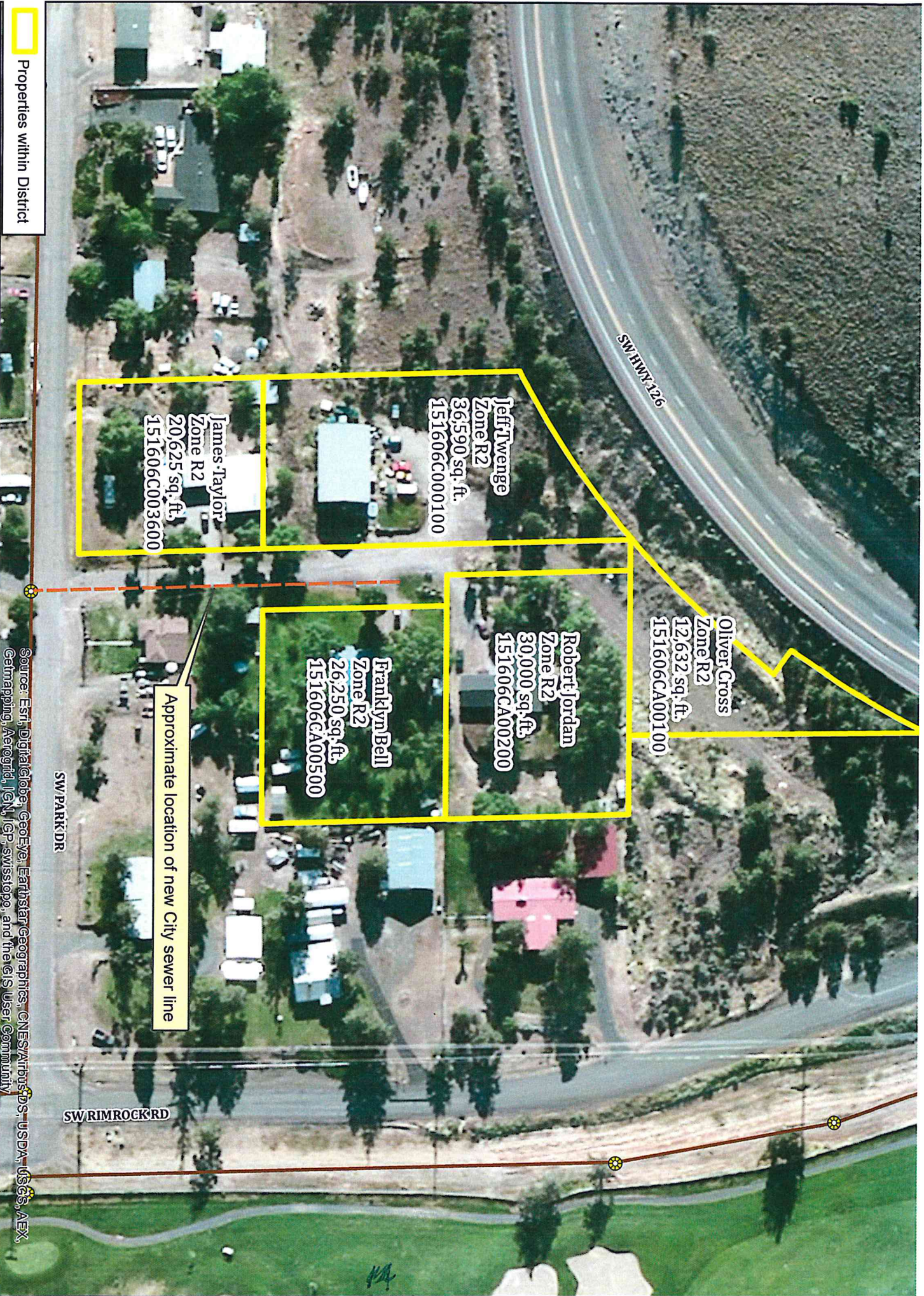


EXHIBIT A
(Twenge Property)

Real property in Crook County, Oregon, described as follows:

A parcel of land in the SW¹/₄ of Section 6 in Township 15S, Range 16E of the Willamette Meridian, more particularly described as follows: Beginning at a point on the North line of Lot 20 of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, said point being 25 feet West of the Northeast corner of said Lot 20, thence West 137.5 feet, thence North 1° 35' West 225 feet, more or less, to a point on the southerly right-of-way line of the Ochoco-McKenzie Highway, as it is now located and constructed, thence northeasterly along said southerly right-of-way line 137.5 feet, more or less, to a point 25 feet West of the West line of Lot 1 of said Bowen's Subdivision, thence South 1° 35' East 300 feet, more or less, to the point of beginning.

EXHIBIT B

Real property in Crook County, Oregon, described as follows:

TAYLOR'S PROPERTY:

Beginning at a point 25 feet West of the Northeast corner of Lot 20 of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, thence West along the North line of said Lot 20 a distance of 137.5 feet, thence South 150 feet parallel with the East line of said Lot 20 to a point on the South line of Lot 20, thence East 137.5 feet along the South line of said Lot 20 to a point 25 feet West of the Southeast corner of said Lot 20, thence North parallel with the East line of said Lot 20 a distance of 150 feet to the point of beginning.

CROSS' PROPERTY:

Beginning at a point on the North line of Bowen's Subdivision, said point being 247.5 feet, more or less, West of the Northeast corner of said Bowen's Subdivision and being on the 1/16 line running North and South through the West half of Section 6 in Township 15S, Range 16E of the Willamette Meridian, thence North along said 1/16 East line to a point on the southerly right-of-way line of State Highway No. 126, as located and constructed, thence southwesterly following along said right-of-way line to a point on the North line of said Bowen's Subdivision, thence East along the North line of said Bowen's Subdivision, to the point of beginning.

JORDAN'S PROPERTY:

The W $\frac{1}{2}$ of Lot One (1) of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon,

BELL'S PROPERTY:

The W $\frac{1}{2}$ of Lot Two (2) of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, less the West 25 feet thereof for road purposes.