

ORDINANCE NO. 1015

AN ORDINANCE DECLARING THE ASSESSMENT ON PROPERTY BENEFITTED FOR THE GRADING, PAVING, CURBING AND IMPROVEMENT OF A PORTION OF WEST EIGHTH STREET, AND DIRECTING THE CITY RECORDER TO ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS AND TO SERVE NOTICE TO THE ADJACENT BENEFITTED PROPERTY OWNERS.

THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1.

Whereas, the City Council did heretofore by Ordinance declare its intention to cause the grading, paving, curbing and improvement of a portion of West Eighth Street, in the City of Prineville, Oregon, and to assess the cost thereof upon each lot or parcel thereof adjacent to and benefitted by such improvement, its proportionate share of the costs of said improvement, and did fix the time and place for hearing protests against the construction of said improvements and the assessments and costs thereof, and

Whereas, Notice of said hearing was duly delivered by certified mail to the adjacent benefitted property owners as required by ORS 223.389, and

Whereas, a meeting of the City Council was held at the time and place fixed in said Ordinance for the purpose of considering any such protest, and there were no protests submitted relating to the proposed improvement and assessment thereof, and said Council has considered said matter and deeming that said construction and said improvement was and is of material benefit to the City, and that all property to be assessed therefore will be benefitted thereby, did order the construction of said improvements, and

Whereas, said improvements were constructed and the costs of said improvements were in the amount of \$23,640.00, and

Whereas, Notice of the proposed assessment was mailed by certified mail to the adjacent benefitted property owners as required by ORS 223.389, which Notice stated the amounts of the assessment proposed on each property and fixed a date by which time objection would be filed, and

Whereas, no objections to the proposed assessments were filed within the time period allowed for objections.

Section 2.

It is hereby determined that the proportionate share of the costs of construction of said improvements on each parcel of property adjacent to said improvement and benefitted thereby, is the amount set opposite the description of each piece or parcel of land below, and that each piece or parcel of land benefitted by the construction of said improvement, to the full extent of the amount so set opposite each piece or parcel in that respective amount, represents a proportionate benefit of said improvement to said respective parcel of property, and the Council does hereby declare that each of the parcels of property described below is hereby assessed the amount set opposite each respective description, for the costs of construction of said improvement.

Section 3.

The total amount of costs assessed for the grading, paving, curbing and improvement of a portion of West Eighth Street is \$23,640.00.

Section 4.

Assessments are hereby made on the following parcels of real property in Crook County, City of Prineville, Oregon, for the grading, paving, curbing and improvement of a portion of the above-described street within the City of Prineville, Oregon:

The South 41 feet of Lots 6 and 7 in Block 5 of Steve W. Yancey Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, (Crook County Tax Assessor No. 1416-31DC; TL 6100) is assessed \$4,728.00.

Parcel 2 of Partition Plat 1991-24 recorded October 25, 1991 at MF 101528, Partition Records of Crook County, Oregon, (Crook County Tax Assessor No. 1416-31DC; TL 6201) is assessed \$3,546.00.

A parcel of land described as follows: beginning at a point 80 feet West of the Northeast corner of Tract 6 of the Steve W. Yancey Addition to Prineville, Oregon, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, thence West 250 feet, thence South 280 feet, thence East 250 feet, thence North 280 feet to the point of beginning, EXCEPTING the following described tract: Beginning at the intersection of the West boundary of Harwood Street extended and the South boundary of Eighth Street, thence South 0°11' East 277.04 feet to a point thence West 57.59 feet to an iron pipe, thence North 11°34' East 282.79 feet to the point of beginning, (Crook County Tax Assessor No. 1416-31DC; TL 6800) is assessed \$9,850.00.

Lot 1 of Cains Subdivision to Prineville, Oregon, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon, (Crook County Tax Assessor No. 1416-31DC; TL 7900) is assessed \$1,970.00.

Section 5.

Parcel 1 of Partition Plat 1991-24, recorded October 25, 1991 at MF #101528, Partition Records of Crook County, Oregon has previously paid the full assessment due for that parcel of property.

Section 6.

The Recorder of the City of Prineville, Oregon, is hereby directed to enter a statement of said assessments in the docket of the City Liens in said City, and is hereby directed to serve Notice hereof on the property owners of the aforesaid by mailing them the Notice by certified mail within ten (10) days from the date of this Ordinance.

Section 7.


The amounts of assessments described in Section 4 above are due at this time. However, the owner of any property assessed shall have the right to make application to the City of Prineville to make payments in annual installments over ten (10) years at 7.5% per annum interest from November 1, 1994 until paid with payment to begin October 31, 1995 and on each October 31 thereafter until October 31, 2004. Such application shall be made on a form furnished by the City of Prineville and shall be made within ten days after the date the above Notice is published.

Passed by the City Council this 13th day of September, 1994.

Approved by the Mayor this 13th day of September, 1994.



TODD VALLIE, Mayor



HENRY HARTLEY, City Manager