

RESOLUTION NO. 990

A RESOLUTION DECLARING THE FINAL ASSESSMENTS ON PROPERTY BENEFITED BY THE PLACEMENT OF A SANITARY SEWER LINE ON REAL PROPERTY IN THE EAST HIGHWAY 26 LOCAL IMPROVEMENT DISTRICT (LID) AND DIRECTING THE CITY RECORDER TO ENTER A STATEMENT THEREOF IN THE DOCKET OF THE CITY LIENS AND IN CROOK COUNTY RECORDS AND TO SERVE NOTICE TO THE ADJACENT BENEFITED PROPERTY OWNERS.

RECITALS:

- A. The City Council did by Resolution No. 964, passed on April 13, 2004, declare its intention to place a sanitary sewer line to serve real property located in the proposed East Highway 26 Local Improvement District area and to assess the costs thereof on each lot or parcel thereof benefited by such improvements its proportionate share of the costs of said improvements, and did fix the time and place of the hearing to protest against the formation of the LID and against the construction of said improvements and the assessment and costs thereof.
- B. Notice of said hearing was sent by certified mail to each owner of property within the proposed LID as required by ORS 223.389.
- C. The meeting of the City Council was held on May 11, 2004, at Prineville City Hall, which was the date and place fixed in Resolution 964 for the purpose of considering any such protest at which time the Council deemed the formation of the LID and the construction of said improvements was and is a material benefit to the City and all property to be assessed therefore will be benefited thereby, did order the formation of the East Highway 26 LID and directed the City Manager to proceed with the improvements for the LID and to obtain interim financing for the LID.
- D. The sanitary sewer line for the LID was constructed.
- E. Notices of the proposed assessments were mailed to the benefited property owners as required by Oregon law, which notice stated the amounts of the assessment proposed on each property and fixed December 14, 2004, as the date by which time objections were to be filed.
- F. On December 14, 2004, the City Council met to consider any objections to the proposed assessments. One property owner objected to the amount of EDUs on his property. The Council agreed to reduce the EDU on such property thereby spreading the corresponding assessment amount of such EDU among all other property owners. The Council then continued the hearing to January 11, 2005.

G. Notice of the revised proposed assessments were mailed to the benefited property owners as required by Oregon law. The notice set out the revised amounts of the assessments proposed on each property and fixed January 11, 2005, as the date objections to the revised proposed assessments were to be filed.

H. On January 11, 2005, the City Council met to consider any objections to the revised proposed assessments. No objections to the assessments were made.

BASED UPON the above Recitals it is hereby resolved by the City of Prineville as follows:

1. It is hereby determined that the proportionate share of the cost of said improvements and associated costs on each parcel of property benefited by said improvements is the amount set opposite the description of each piece and parcel of property on Exhibit A attached hereto and by this reference made a part hereof, and that each parcel of land benefited by the improvements to the full extent of the amount so set opposite each parcel in that respective amount represents a proportion of benefit of said improvements and associated costs to said respective parcel of property, and that the City Council does hereby declare that each of the parcels of property described on Exhibit A is hereby assessed the amount set opposite each respective description for the construction of said improvement and associated costs.

2. The total amount of cost assessed for the placement of the sanitary sewer line and associated costs is \$203,637.34.

3. Assessments are hereby made on the parcels of real property, which are located in Crook County, Oregon, and described on the attached Exhibit A for placement of the sanitary sewer line, accessories, and associated costs.

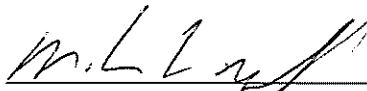
4. The recorder of the City of Prineville, Oregon, is hereby directed to enter a statement of said assessments in the docket of City Liens in said City, to record a notice of assessment with the Crook County Clerk, and is hereby directed to serve notice hereof on the property owners of the aforesaid properties by mailing them such notice within ten days from the date of this Resolution.

5. The amount of the assessments described on the attached Exhibit A are due at this time. No interest shall be owing if the full assessment is paid on or before 30 days from the date of this Resolution. However, the owner of any property assessed shall have the right to make application to the City of Prineville to make payments in semi-annual installments over ten years at 5.11 percent per annum interest beginning 30 days from the date of this Resolution until paid, subject to the entire balance becoming due and payable upon sale or transfer of the property or any portion thereof, or

upon any partitioning or subdivision of the property. Such application shall be made on a form furnished by the City of Prineville and shall be made within ten days after the above notice is mailed to the property owners.

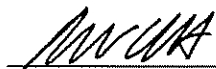
6. This Resolution is effective the date passed by the City Council.

Passed and adopted by the City Council this 25th day of January, 2005



Mike Wendel, Mayor

ATTEST:



Robb W. Corbett, City Manager/Recorder

	L	M	N	O	V	M	X
1	Map	TaxLot	Owner		Ave		
2	15-16-03	. 700	ODOT	PO Box 399	\$13,231		
3	14-16-34	. 1600	ODOT	PO Box 399	\$18,586		
4	15-16-03	. 800	State Forestry	3501 NE 3rd	\$46,280		
5	14-16-34	. 1500	Chandler Trust	905 Barnes	\$61,438		
6	14-16-34	. 1501	Chandler Trust	905 Barnes	\$4,474		
7	14-16-34	. 1502	Chandler Trust	905 Barnes	\$4,966		
8	15-16-04AA	. 100	Chandler Trust	905 Barnes	\$3,927		
9	15-16-04AA	. 200	Chandler Trust	905 Barnes	\$2,999		
10	15-16-04AA	300	Bradley Santucci	960 DryCrk	\$4,353		
11	15-16-04AA	400	Wayne Kee	2001 Oneil	\$6,995		
12	15-16-04AA	. 500	Michael Warren	PO Box 781	\$5,833		
13	15-16-04AA	500	Terry Roxanne Shulson	1940 SE Melrose	Same		
14	15-16-04AA	600	Van Harris	PO Box 426	\$9,274		
15	15-16-04AB	5700	Robert Edwards	PO Box 707	\$10,258		
16	15-16-03	. 600	David L Groves	3595 NE 3rd	\$3,448		
17	15-16-03	. 500	Janice Kay Land	652 SE Juniper	\$2,828		
18	15-16-03	. 400	Janice Kay Land	652 SE Juniper	\$4,747		
19					\$203,637		
20							
21				%			
22							
23					\$203,637		

EXHIBIT A