

ORDINANCE NO. 5198

AN ORDINANCE TO DETERMINE THE ASSESSMENTS AGAINST THE PROPERTIES SPECIFICALLY BENEFITTED BY CURB AND GUTTER, SIDEWALKS, DRIVEWAY APPROACHES, STORM DRAINAGE, PAVEMENT, AND PLANTER STRIP WITH STREET TREES FOR ST-94-3, HOWARD DRIVE EXTENSION LID, AND DECLARING AN EMERGENCY.

RECITALS:

1. The street extension assessments as referred to in this ordinance and previous resolutions and ordinances are for the street to serve ST-94-3, Howard Drive Extension LID .
2. Preliminary resolutions and ordinances prescribing the manner and extent of the improvements are set forth in Resolutions Nos. 3366, 3375, and 3542.
3. The assessments set forth in the following ordinance are based upon the request and recommendation of the City Engineer in compliance with Albany Municipal Code, Section 15.04.110.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The costs of the street extension to serve ST-94-3, Howard Drive Extension LID are as follows:

<u>Project</u>	<u>Right-of-Way Acquisition.</u>	<u>Construction Cost</u>	<u>E.L.A.</u>	<u>Total Cost</u>
ST-94-3	\$8,915.00	\$87,696.28	\$14,398.06	\$111,009.34

Section 2: Property and assessment data are listed on the attached sheets.

Section 3: The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the City liens and give notice thereof as provided by law.

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

Passed by the Council: September 13, 1995

Approved by the Council President: September 13, 1995  
*Wayne M. Fisk*

Effective Date: September 13, 1995

Wayne M. Fisk  
Council President

ATTEST:

Norm C. Withrow  
Deputy City Recorder



TO: Albany City Council

VIA: Steve Bryant, City Manager  
Mark A. Yeager, P.E., Public Works Director

FROM: Mark W. Shepard, P.E., Civil Engineer II *MWS*

DATE: September 6, 1995 for September 13, 1995, City Council Meeting

SUBJECT: ST-94-3, Howard Drive Extension LID  
Public Hearing regarding Final Engineer's Report and Assessments

Action Requested:

Staff recommends that Council accept this Final Engineer's Report and Financial Investigation Report regarding distribution of final assessments for this Local Improvement District (LID). It is further requested that Council adopt the attached ordinance determining the assessments for this LID.

Discussion:

This project extended Howard Drive to the north from 13th Avenue intersection approximately 235 lineal feet. The extension is a 36-foot-wide street ending in a cul-de-sac with a 36-foot radius as required by the City of Albany Development Code. The improvements have been constructed to City of Albany Construction Standards and include curb and gutter, sidewalks, driveway approaches, storm drainage, pavement, and planter strip with street trees. The project was accepted, and final payment authorized, at the July 12, 1995, Council Meeting.

This project also required a minor amount of property acquisition to complete the right-of-way required for the improvements. Approximately 1,457 square feet of land was acquired from Southern Pacific Transportation Company, and 316 square feet of land was acquired from Synthetech, Inc.

<u>Cost Summary:</u>	<u>Engineer's Report</u>		<u>Final Cost</u>
	<u>Estimate</u> <u>6/8/94</u>	<u>Estimate*</u> <u>8/18/94</u>	
Engineer's Report	\$ 1,950.00	\$ 1,950.00	\$ 1,950.00
Street Construction Cost	<u>84,400.00</u>	<u>95,663.00</u>	<u>85,746.28</u>
<b>SUBTOTAL:</b>	\$ 86,350.00	\$ 97,613.00	\$ 87,696.28
Engineering, Legal, Administrative	<u>\$ 17,300.00</u>	<u>\$ 17,300.00</u>	<u>\$ 14,398.06</u>
<b>SUBTOTAL:</b>	<b>\$103,650.00</b>	<b>\$114,913.00</b>	<b>\$102,094.34</b>
Right-of-Way Acquisition	<u>\$ 9,250.00</u>	<u>\$ 5,920.00</u>	<u>\$ 8,915.00</u>
<b>TOTAL PROJECT COST:</b>	<b>\$112,900.00</b>	<b>\$120,833.00</b>	<b>\$111,009.34</b>

\* Property owners were notified by letter of this revised cost estimate after bid opening and prior to award of the construction contract.

Proposed Method of Assessment:

The proposed method of assessment is to use a ratio which combines benefited property area with the length of improved street frontage. The ratio will be ½ based upon benefited property area and ½ based upon improved street frontage. The attached map shows the boundary of the LID.

First, considering benefited area for each property:

a. **Map 11 3W 7BD, Tax Lot 111 (Peltier)**

This property has existing improved street frontage on both 13th Avenue and Montgomery Street, thus one-third of the area of this lot is proposed to be benefited by this LID. The benefited area is 0.33 acres.

b. **Map 11 3W 7BD, Tax Lot 110 (Peltier)**

This property has existing improved street frontage on Montgomery Street, thus one half of the area of this lot is proposed to be benefited by the LID. The benefited area is 0.18 acre.

c. **Map 11 3W 7BD, "No Tax Lot Number" (Railroad)**

The existing railroad property between Jackson Street and Queen Avenue consists of approximately 30 acres. This property has existing access from Jackson and Queen, thus the area considered to be benefited by this project is approximately the middle one third of the property. Because of the varying widths of the railroad property, we calculate this to be 11.25 acres.

d. **Map 11 3W 7CB, Tax Lot 2618 (Synthetech)**

A portion of this property has existing improved street frontage on Industrial Way, thus the area considered to be benefited by this project is that portion of the lot which is adjacent to the Howard Drive Extension. The benefited area is 0.35 acre.

e. **Total Benefited Area = 12.11 Acres**

Second, the improved street frontage for each lot:

a. **Map 11 3W 7BD, Tax Lot 111 (Peltier)**

There is 173 lineal feet of Peltier property which borders Howard Drive right-of-way.

b. **Map 11 3W 7BD, Tax Lot 110 (Peltier)**

There is 59 lineal feet of Peltier property which borders the Howard Drive right-of-way.

c. **Map 11 3W 7BD "No Tax Lot Number" (Railroad)**

There is 103 lineal feet of railroad property which borders the Howard Drive right-of-way.

d. **Map 11 3W 7CB, Tax Lot 2618 (Synthetech)**

There is 182 lineal feet of Synthetech property which borders the Howard Drive right-of-way.

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e. **Total Frontage = 517 Lineal Feet**

Total street construction related costs will be assessed on the ratio of benefited area and improved street frontage as calculated below.

Unit Cost Computation:

Total project cost is : \$111,009.34

a. **Street Assessment to 11 3W 7BD, Tax Lot 111 (Peltier)**

$$\frac{1}{2} (0.33/12.11) (111,009.34) + \frac{1}{2} (173/517) (111,009.34) = \begin{array}{r} \$20,092.69 \\ 18.1\% \end{array}$$

b. **Assessment to 11 3W 7BD, Tax Lot 110 (Peltier)**

$$\frac{1}{2} (0.18/12.11) (111,009.34) + \frac{1}{2} (59/517) (111,009.34) = \begin{array}{r} \$ 7,160.10 \\ 6.4\% \end{array}$$

c. **Assessment to 11 3W 7BD, "No Tax Lot Number" (Railroad)**

$$\frac{1}{2} (11.25/12.11) (111,009.34) + \frac{1}{2} (103/517) (111,009.34) = \begin{array}{r} \$62,609.27 \\ 56.4\% \end{array}$$

d. **Assessment to 11 3W 7CB, Tax Lot 2618 (Synthetech)**

$$\frac{1}{2} (0.35/12.11) (111,009.34) + \frac{1}{2} (182/517) (111,009.34) = \begin{array}{r} \$21,147.28 \\ 19.1\% \end{array}$$

Budget Impact:

The project is 100 percent funded from assessments to the benefited properties.

cms:kw

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\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Recorder

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CITY OF ALBANY  
ST-94-3, HOWARD DRIVE EXTENSION L.I.D.

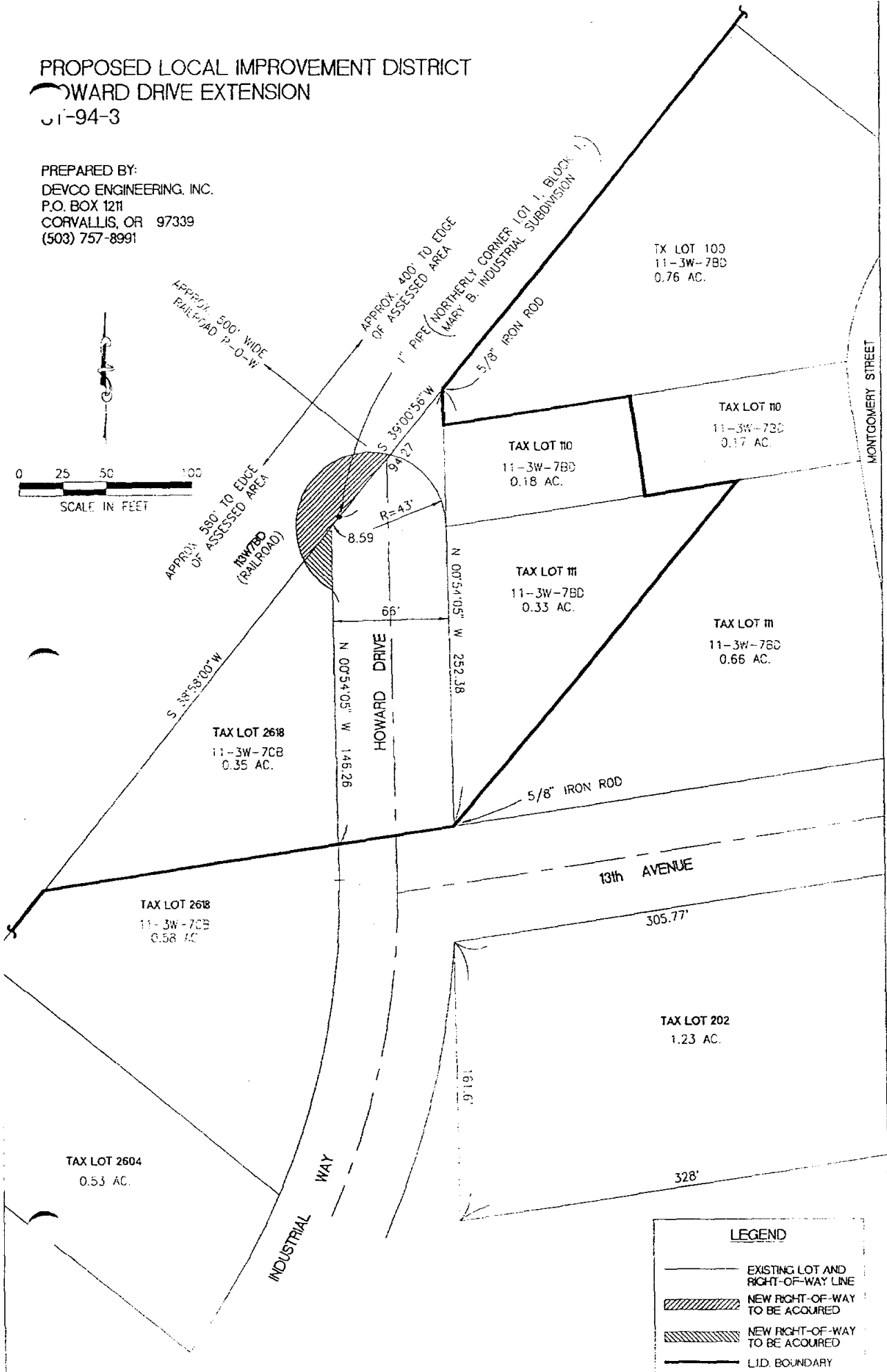
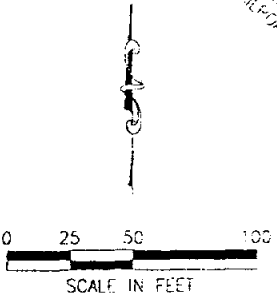
FINAL ASSESSMENTS  
8/10/95

OWNER ADDRESS	MAP TAX LOT	BENEFITTED AREA	LENGTH OF STREET FRONTAGE	AREA ASSESSMENT <sup>1</sup>	FRONTAGE ASSESSMENT <sup>2</sup>				TOTAL ASSESSMENT
Peltier Real Estate Co. 4130 SW Fairhaven Drive Corvallis, OR 97330	11 3W 7BD 111	0.33 Acre	173 LF	\$1,498.63	\$18,594.06				\$20,092.69
Peltier Real Estate Co. 4130 SW Fairhaven Drive Corvallis, OR 97330	11 3W 7BD 110	0.18 Acre	59 LF	832.57	6,327.53				7,160.10
Southern Pacific Transportation Company (SPTC) One Market Plaza Room 200 San Francisco, CA 94105	11 3W 7BD "No Tax Lot"	11.25 Acre of Railroad Right-of-Way	103 LF	\$1,563.84	11,045.43				62,609.27
Synthetech, Inc. 1290 Industrial Way SW Albany, OR 97321	11 3W 7CB 2618	0.35 Acre	182 LF	1,609.64	19,537.64				21,147.28
TOTALS		12.11 Acres	517 LF	\$55,504.68	\$55,504.66				\$111,009.34

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PROPOSED LOCAL IMPROVEMENT DISTRICT  
 HOWARD DRIVE EXTENSION  
 11-94-3

PREPARED BY:  
 DEVCO ENGINEERING, INC.  
 P.O. BOX 1211  
 CORVALLIS, OR 97339  
 (503) 757-8991



LEGEND	
	EXISTING LOT AND RIGHT-OF-WAY LINE
	NEW RIGHT-OF-WAY TO BE ACQUIRED
	NEW RIGHT-OF-WAY TO BE ACQUIRED
	L.I.D. BOUNDARY

FINANCIAL INVESTIGATION REPORT - SECTIONS 1 & 2  
 HOWARD DRIVE EXTENSION L.I.D. - ST-94-3

10-Aug-95 02:05 PM

\*\*HOWARD2.WQ2\*\*

OWNER OF RECORD	PROPERTY DESCRIPTION	% OF PROJECT	ESTIMATED TOTAL ASSESSMENT	BOND MAXIMUM	Assessed Valuation as of Sept. 1994 ***** TRUE CASH VALUE 1994/1995**			OTHER ASSMTS	% TO TCV	10 YEAR SEMI-ANNUAL PAYMENT AT 9%	10 YR MO. PAYMT AT 9%
					LAND	IMPRVMTS	TOTAL				
Peltier Real Estate Company 4130 SW Fairhaven Drive Corvallis, OR 97333	11-3W-07BD-00111 1214 Montgomery St SE	0.181	\$20,092.69	856,120	49,090	378,970	428,060	0.00	0.05	1,544.65	254.53
Peltier Real Estate Company 4130 SW Fairhaven Drive Corvallis, OR 97333	11-3W-07BD-00110	0.064	\$7,160.10	50,100	14,800	10,250	25,050	0.00	0.29	550.44	90.70
Southern Pacific Transportation Company (SPT) One Market Plaza Room 200 San Francisco, CA 94105	11-3W-07BD- Railroad ROW Approx. 11.25 acres will be benefitted of the 30 acre ROW.	0.564	\$62,609.27	0	0	0	0	0.00	0.00	4,813.16	793.11
Synthetech, Inc. 1290 Industrial Way SW Albany, OR 97321	11-3W-07CB-02618 1290 Industrial Way SE	0.191	\$21,147.28	1,769,720	41,690	843,170	884,860	0.00	0.02	1,625.72	267.88
TOTALS.....		1.000	\$111,009.34	2,675,940	105,580	1,232,390	1,337,970	0.00	0.36	8,533.97	1,406.22

111,009.34

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Name/Address	Description	
PELTIER REAL ESTATE CO 4130 SW FAIRHAVEN DRIVE CORVALLIS, OR 97333	JACKSON IND 06/22/94 0349023 20,092.69 ST94030001*	11-03W-07RD-00111 RES# 3375 07607
PELTIER REAL ESTATE CO 4130 SW FAIRHAVEN DRIVE CORVALLIS, OR 97333	JACKSON IND 06/22/94 0349015 7,160.10 ST94030002*	11-03W-07RD-00110 RES# 3375 07608
SO PACIFIC TRANS. CO. ONE MARKET PLAZA ROOM 200 SAN FRANCISCO, CA 94105	ACREAGE 06/22/94 0000000 62,609.27 ST94030003*	11-03W-07RD-99999 RES# 3375, SEE NOTES 07609
SYNTHETECH, INC. 1290 INDUSTRIAL WAY SW ALBANY OR 97321	MARY B IND SUP 06/22/94 0441317 21,147.28 ST94030004*	11-03W-07CB-02618 RES 3375 07610
Report total...	111,009.34	