

AN ORDINANCE LEVYING A CHARGE UNDER THE PROVISIONS OF CHAPTER 10.16 OF THE ALBANY MUNICIPAL CODE FOR AN IN-LIEU-OF ASSESSMENT FOR COLLECTOR SEWER FOR PROPERTY DESCRIBED AS TAX LOT NOS. 4600 AND 4700, OF PARCEL 10S-04W-36BC; AND DECLARING AN EMERGENCY.

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

Section 1: Charges are hereby levied against the following described property.

Russell and Rawnda Brock 2355 Gibson Hill Road NW Albany, OR 97321	Acct#: SSCCN09262* Desc: 10S-04W-36BC-04600 Site: 2365 Gibson Hill Road, PA-07-00	\$4,564.00
Russell and Rawnda Brock 2355 Gibson Hill Road NW Albany, OR 97321	Acct#: SSCCN09263* Desc: 10S-04W-36BC-04700 Site: 2375 Gibson Hill Road, PA-07-00	\$4,564.00

Said charges are for the purpose of a property within the original North Albany Sanitary Sewer Assessment District to receive additional benefit from the existing sewer in the North Albany Sewer Basin as required under Chapter 10.16 of the Albany Municipal Code (AMC). The original property, 10S-04W-36BC, Tax Lot 100, was assessed for sanitary sewer on April 14, 1993, by Ordinance 5041, as part of the North Albany Sanitary Sewer Local Improvement District (SS-90-07). Recently, the property owner has requested to partition this parcel into three lots, PA-07-00. The charge made by this ordinance is an In-lieu-of Assessment for Collector Sewer, for properties inside the original sewer district that divide, creating additional parcels within 150 feet of the existing sanitary sewer, AMC 10.16.220 (Ordinance 5048).

Section 2: The total costs for service from the sanitary sewer line serving the properties described in Section 1 is as follows:

Tax Lot 4600	\$4,564 (Collector Rate - Properties Inside District) x 1 additional lot = \$4,564
Tax Lot 4700	\$4,564 (Collector Rate - Properties Inside District) x 1 additional lot = 4,564

Note: The collector sewer rate for properties inside the sewer district is \$4,564 (Fiscal Year 2000-2001). This rate was originally established by Resolution 3444. The assessment will be levied to the parcels created from the partitioning as defined by AMC 10.16.230.

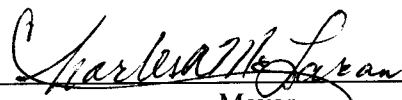
Section 3: The City Recorder is hereby directed to enter a statement of the assessment as above provided in the docket of the city liens and give notice thereof as provided by law.

Section 4: 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; and this ordinance will be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by Council: September 26, 2001

Approved by Mayor: September 26, 2001

Effective Date: September 26, 2001

  
\_\_\_\_\_  
Mayor

ATTEST:

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

SEWER COLLECTOR ILA  
09/11/01 17:15:35

Name/Address	Description	
-----		
BROCK, RUSSELL	ACREAGE	10-04W-36BC-00100
BROCK, RAWNDA		2355/2365/2375GIBSON HIL
2355 GIBSON HILL ROAD NW	09/26/01 0017867	09909
ALBANY, OR 97321	SSCCN09262*	0.00
-----		
BROCK, RUSSELL	PART PLAT 01-32	10-04W-36BC-04600
BROCK, RAWNDA	Lot-002 Blk-000	PARCEL 2, .24 ACRES
2355 GIBSON HILL ROAD NW	09/26/01 0000000	09918
ALBANY, OR 97321	SSCCN09262A*	4,564.00
-----		
BROCK, RUSSELL	ACREAGE	10-04W-36BC-00100
BROCK, RAWNDA		2355/2365/2375GIBSON HIL
2355 GIBSON HILL ROAD NW	09/26/01 0017867	09910
ALBANY, OR 97321	SSCCN09263*	0.00
-----		
BROCK, RUSSELL	PART PLAT 01-32	10-04W-36BC-04700
BROCK, RAWNDA	Lot-003 Blk-000	PARCEL 3, .36 ACRES
2355 GIBSON HILL ROAD NW	09/26/01 0000000	09919
ALBANY, OR 97321	SSCCN09263A*	4,564.00
-----		
Report total...	9,128.00	

2001-32

**NORTESTAR SURVEYING, INC.**  
720 N.W. 4th Street  
Corvallis, Oregon 97330  
Phone: 541-767-8050



**PARTITION PLAT 2001-32**  
for  
**RAIANDA & RUSSELL BROCK**  
in  
NW 1/4 SECTION 36, T10S, R4W, W.M.  
CITY OF ALBANY  
BENTON COUNTY, OREGON  
FEBRUARY 15, 2001

THIS DRAWING IS AN EXACT  
COPY OF THE ORIGINAL PLAT.

**APPROVALS**  
*Gene D. Steyer* for *Allen Brock* 7/15/01  
Albany Community Development Director  
*Michele L. Campbell* for *Robert Collins* 7/17/01  
Albany Public Works Director  
*Bob Wilson* 7/15/01  
City Engineer  
*Wade Nesbitt* 08-01-01  
Chair, Benton County Board of Commissioners

I hereby certify that pursuant to O.R.S. 92.005 of our various laws, fees and other charges required by law to be placed on this plat, to wit: the recording fee, which became a lien, or will become a lien on the partition that are now due and payable have been paid to me this 15th day of July, 2001, by *Wade Nesbitt*, Director, Benton County Dept. of Assessment.

I hereby certify that all ad valorem taxes and other charges required by law to be placed upon the tax roll which have become a lien on the partition that are now due and payable have been paid to me this 15th day of July, 2001, by *Wade Nesbitt*, Director, Benton County Dept. of Finance, Auditing & Tax.

STATE OF OREGON ) S.S.  
COUNTY OF BENTON )

I hereby certify that this partition plat was prepared and duly recorded by me as Partition Plat 2001-32 in Benton County being Records M-233431-87 on this 15th day of February, 2001, at 2:00 P.M. of a block 221

**MARRIATTE**

This plat is the result of City of Albany Community Development Department File no. PA-07-00. It divides the tract conveyed and described per M-233431, Benton County Deed Records, into 3 parcels. I had monuments from CS 5874 and the plat of FULBERT PARK SUBDIVISION to control the property boundary. The southerly 30 feet of the said tract lies within the right-of-way of Gibson Hill Road. I computed the SE property corner on the plat to be 179.160205 feet from the NW corner of the plat. I also computed the NW corner of the plat to be 160.00 feet from the NW corner of the plat.

**NORTESTAR SURVEYING, INC.**  
720 N.W. 4th Street  
Corvallis, Oregon 97330  
Phone: 541-767-8050



**PARTITION PLAT 2001-32**  
for  
**RAIANDA & RUSSELL BROCK**  
in  
NW 1/4 SECTION 36, T10S, R4W, W.M.  
CITY OF ALBANY  
BENTON COUNTY, OREGON  
FEBRUARY 15, 2001

THIS DRAWING IS AN EXACT  
COPY OF THE ORIGINAL PLAT.

**APPROVALS**  
*Gene D. Steyer* for *Allen Brock* 7/15/01  
Albany Community Development Director  
*Michele L. Campbell* for *Robert Collins* 7/17/01  
Albany Public Works Director  
*Bob Wilson* 7/15/01  
City Engineer  
*Wade Nesbitt* 08-01-01  
Chair, Benton County Board of Commissioners

I hereby certify that pursuant to O.R.S. 92.005 of our various laws, fees and other charges required by law to be placed on this plat, to wit: the recording fee, which became a lien, or will become a lien on the partition that are now due and payable have been paid to me this 15th day of July, 2001, by *Wade Nesbitt*, Director, Benton County Dept. of Assessment.

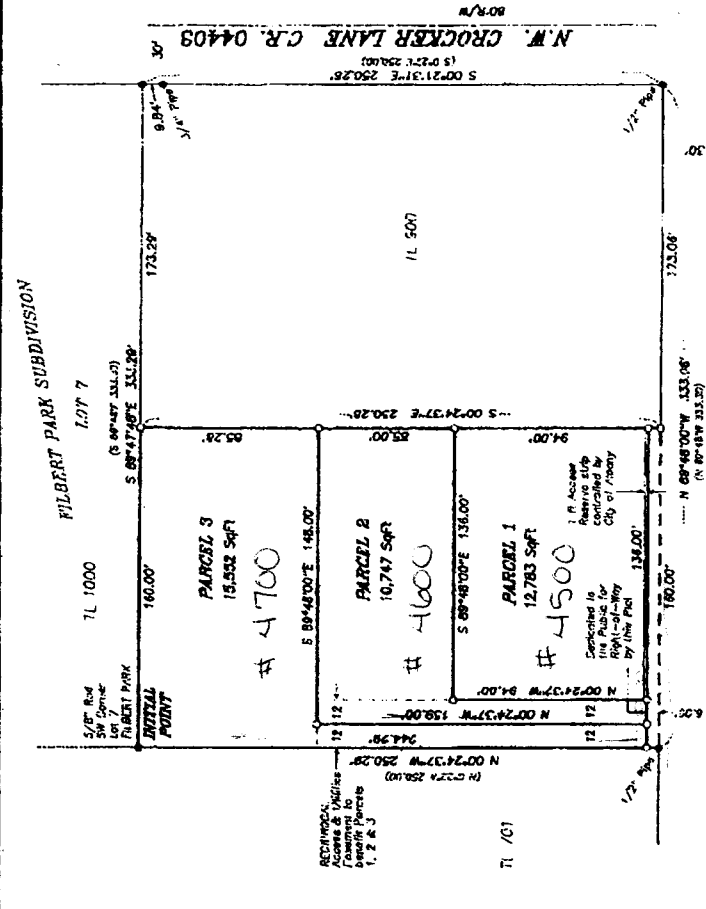
I hereby certify that all ad valorem taxes and other charges required by law to be placed upon the tax roll which have become a lien on the partition that are now due and payable have been paid to me this 15th day of July, 2001, by *Wade Nesbitt*, Director, Benton County Dept. of Finance, Auditing & Tax.

STATE OF OREGON ) S.S.  
COUNTY OF BENTON )

I hereby certify that this partition plat was prepared and duly recorded by me as Partition Plat 2001-32 in Benton County being Records M-233431-87 on this 15th day of February, 2001, at 2:00 P.M. of a block 221

**MARRIATTE**

This plat is the result of City of Albany Community Development Department File no. PA-07-00. It divides the tract conveyed and described per M-233431, Benton County Deed Records, into 3 parcels. I had monuments from CS 5874 and the plat of FULBERT PARK SUBDIVISION to control the property boundary. The southerly 30 feet of the said tract lies within the right-of-way of Gibson Hill Road. I computed the SE property corner on the plat to be 179.160205 feet from the NW corner of the plat. I also computed the NW corner of the plat to be 160.00 feet from the NW corner of the plat.



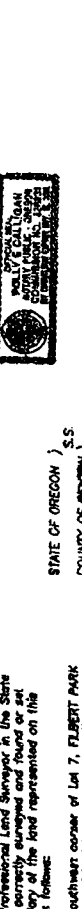
**LEGEND**  
● Found monuments 5/8" iron rod by plat of FULBERT PARK SUBDIVISION unless otherwise noted.  
○ Set monument 5/8" x 3/4" rebar with red plastic cap stamped "NORTESTAR PLS 1823"  
( ) Record data from the plat of FULBERT PARK SUBDIVISION.  
NOTE: pipe dimension is inside diameter.

**PARTITION PLAT CONSENT**  
A Partition Plat Consent Affidavit from Oregon Taxes Credit Utility, the recorded beneficiary of these tract interests, was filed as M-23186-88 M-23186-89, has been recorded in M-202835. -62, Benton County Deed Records.

**DECLARATION**  
Know all men by these presents that Russell Brock and Raimonda Brock are the recorded owners of the land represented as the accompanying map and described in the accompanying surveyor's certificate and has caused same to be surveyed and partitioned into parcels as shown hereon.  
We hereby create the Redipical Access and UTRIME Easement for the benefit of Parcels 1, 2 and 3.  
We hereby dedicate the 5.00-foot strip as shown hereon to public use forever for road right-of-way.  
We hereby agree to the reserve strip for access control as shown hereon.

STATE OF OREGON ) S.S.  
COUNTY OF BENTON )  
Signed and attested before me at this 13th day of April, 2001.  
*Wade Nesbitt*  
Henry Public

**RAIANDA & RUSSELL BROCK**  
Russell Brock  
Raimonda Brock



STATE OF OREGON ) S.S.  
COUNTY OF BENTON )  
Signed and attested before me at this 13th day of April, 2001.  
*Wade Nesbitt*  
Henry Public

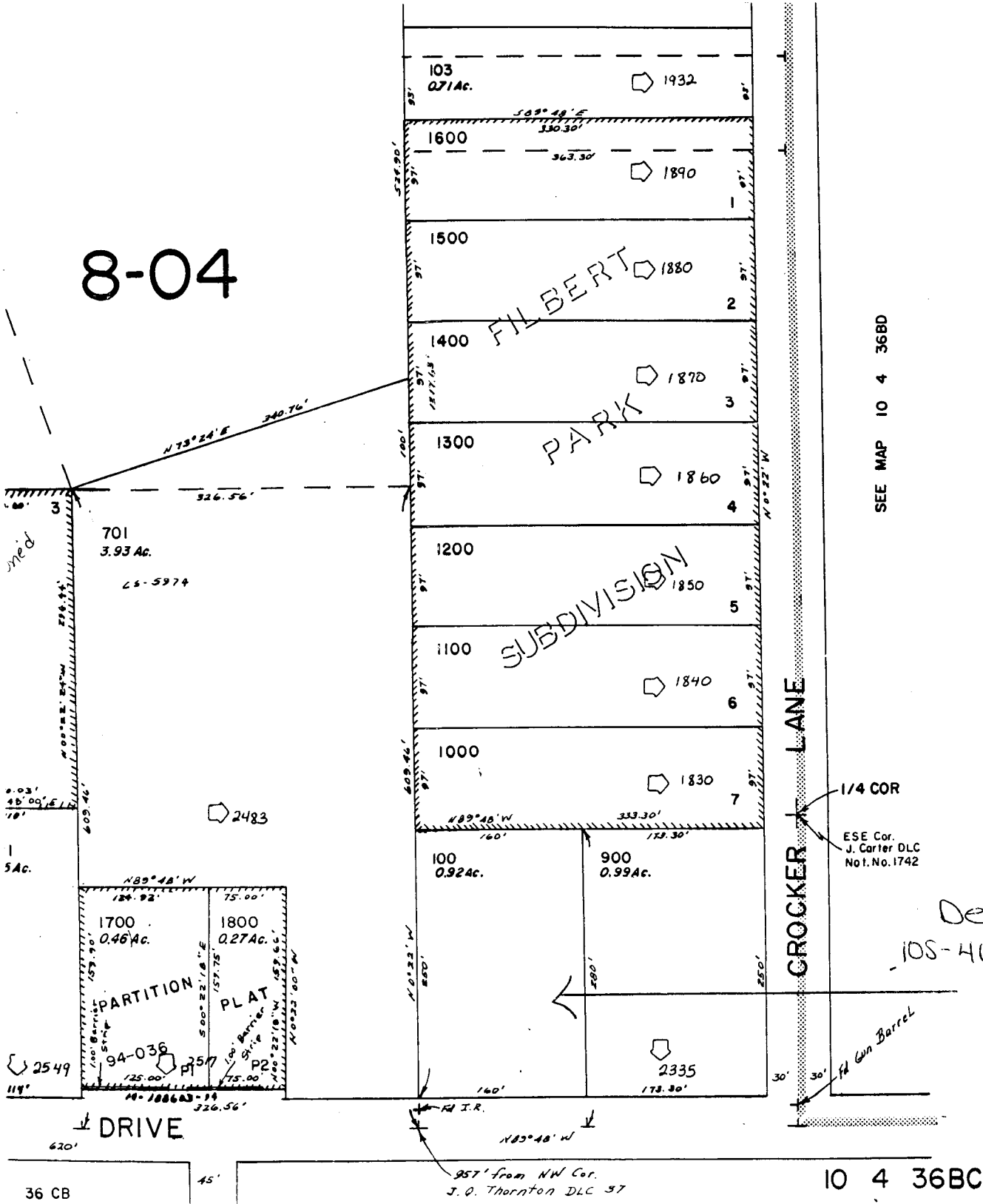
**DECLARATION**  
Know all men by these presents that Russell Brock and Raimonda Brock are the recorded owners of the land represented as the accompanying map and described in the accompanying surveyor's certificate and has caused same to be surveyed and partitioned into parcels as shown hereon.  
We hereby create the Redipical Access and UTRIME Easement for the benefit of Parcels 1, 2 and 3.  
We hereby dedicate the 5.00-foot strip as shown hereon to public use forever for road right-of-way.  
We hereby agree to the reserve strip for access control as shown hereon.

STATE OF OREGON ) S.S.  
COUNTY OF BENTON )  
Signed and attested before me at this 13th day of April, 2001.  
*Wade Nesbitt*  
Henry Public

**RAIANDA & RUSSELL BROCK**  
Russell Brock  
Raimonda Brock



8-04



SEE MAP IO 4 36BD

1/4 COR  
ESE Cor.  
J. Carter DLC  
No. 1. No. 1742

Desc:  
10S-4W-36BC-100