

W. 10. D. 1.

AGENDA COVER MEMO

DATE: June 11, 2004

TO: Lane County Board of Commissioners

DEPT.: Public Works

PRESENTED BY: Frank Simas
Right of Way Manager

AGENDA ITEM TITLE: In the Matter of Certification of Final Assessments for Improvements to River Road (County Road Number 200) Between Mile Post 7.747 and Mile Post 7.366, and Setting a Lien Value Against Property Identified as Map 16-04-35-30 Tax Lot 1302.

I. MOTION

THAT THE ORDER BE ADOPTED CERTIFYING THE FINAL ASSESSMENT AND SETTING A LIEN VALUE AGAINST PARCEL 16-04-35-30, TAX LOT 1302 FOR IMPROVEMENTS TO RIVER ROAD BETWEEN MILE POST 7.747 AND MILE POST 7.366, AS REPORTED BY THE COUNTY PUBLIC WORKS DIRECTOR, AS PROPER AND CORRECT, AND THAT THE ASSESSMENT AGAINST SAID PARCEL OF LAND BE ESTABLISHED AS THE FINAL, COMPLETE AND CORRECT ASSESSMENT WITH PAYMENT TO BE MADE IN ACCORDANCE WITH ORS 371.655.

II. ISSUE OR PROBLEM

To certify the final assessment for parcel 16-04-35-30, Tax Lot 1302 under the recent approved amendments to Lane Code Chapter 15, which provide a partial deferral for parcels with large frontages.

III. DISCUSSION

A. Background

The construction of improvements has now been completed and inspected, and in accordance with ORS 371.640, the project was approved by the County Engineer as constructed, solely for the purpose of levying final assessments, on December 2, 2003. In accordance with Lane Manual Chapter 21.149(2), the Public Works Director also accepted the project solely for the purpose of levying final assessments on December 2, 2003.

The Board, by Order No. 04-3-10-26, certified the final assessments and set lien values against the adjacent properties for improvements to River Road, MP 7.747 to MP 7.366, except for parcel 16-04-35-30 Tax Lot 1302, which had its final assessment delayed until Board consideration of the proposed changes to Lane Code Chapter 15, which include a provision for partial deferral for parcels with large frontages.

The Board approved the proposed changes to Lane Code Chapter 15, including the provision for partial deferral for parcels with large frontages, and those changes took effect on June 4, 2004.

B. Analysis

In accordance with the recently adopted Lane Code Chapter 15.636(1)(b)(ii), the parcel shall be assessed for a minimum frontage of 100 feet. The costs of the remaining frontage may be deferred.

Parcel 16-04-35-30, Tax Lot 1302, has 218.49 feet of frontage; therefore the assessment for the driveway and 100 feet of curb, gutter and sidewalk including engineering and administration is \$2,276.12. The remaining 118.49 feet of curb, gutter and sidewalk, including engineering and administration is \$2,230.78, and is eligible for deferral.

C. Alternatives/Options

1. Approve the Order certifying the final assessment for this parcel as shown on Exhibit "A".
2. Waive the assessment and forego the assessment costs.

D. Recommendations

It is recommended that the Board approve the Order.

IV. IMPLEMENTATION/FOLLOW-UP

Upon certification by the Board, the property owner will be notified to pay the non-deferred portion of the final assessment in full within 30 days or to make arrangements for installment payments. Collection of assessments will be handled by the Department of Assessment and Taxation. As required by ORS 371.650, the County Clerk will record the Order and enter the assessment into the County Lien Docket.

V. ATTACHMENTS

Exhibit “A” – Final Property Assessment.

**IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON**

ORDER NO.

**(IN THE MATTER OF CERTIFICATION OF FINAL
(ASSESSMENTS FOR IMPROVEMENTS TO
(RIVER ROAD (COUNTY ROAD NUMBER 200)
(BETWEEN MILE POST 7.747 AND MILE POST 7.366
(AND SETTING A LIEN VALUE AGAINST PROPERTY
(IDENTIFIED AS MAP 16-04-35-30 TAX LOT 1302.**

WHEREAS, the Director's Report for River Road, MP 7.747 to MP 7.366 (County Road Number 200), including the estimated assessments for improvements, was accepted by Board Order No. 03-3-19-3 and certain adjacent properties were ordered subject to a lien by Board Order No. 03-4-16-5; and

WHEREAS, construction of improvements to said River Road, MP 7.747 to MP 7.366, has now been completed and inspected and, in accordance with ORS 371.640, the project was approved as constructed solely for the purpose of levying final assessments by the County Engineer on December 2, 2003, and, in accordance with Lane Manual Chapter 21.149(2), the Public Works Director accepted the project solely for the purpose of levying final assessments on December 2, 2003; and

WHEREAS, the Board, by Order No. 04-3-10-26, certified the final assessments and set lien values against the adjacent properties for improvements to River Road, MP 7.747 to MP 7.366, except parcel 16-04-35-30 Tax Lot 1302, which had its final assessment delayed until Board consideration of the proposed changes to Lane Code Chapter 15 which include a provision for partial deferral for parcels with large frontages; and

WHEREAS, the Board approved the proposed changes to Lane Code Chapter 15 including the provision for partial deferral for parcels with large frontages, and those changes took effect on June 4, 2004.
NOW THEREFORE

BE IT ORDERED that the final assessment for parcel 16-04-35-30, Tax Lot 1302 for the improvement of River Road, MP 7.747 to MP 7.366, is hereby established and certified as the final amount assessed against this parcel which benefits by the improvements as shown on the attached "Exhibit A".
ALSO

BE IT ORDERED that the owner of the property so assessed shall have the option to apply for installment payments being available at an interest rate of 7.00 percent, which equals the prime rate of 4.00 percent as of July 14, 2004, plus 3 percent per annum. Said interest rate of 7.00 percent shall also apply to the assessment if it becomes delinquent. **AND ALSO**

BE IT ORDERED, in accordance with ORS 371.650(1), that this order shall be recorded and filed with the County Clerk and entered into the appropriate County lien docket.

Dated this _____ day of _____, 2004.

APPROVED AS TO FORM

Date 6-17-04 Lane County


COUNTY CLERK

Chair

Lane County Board of Commissioners

The Certified Final Assessment to your property for this project is as follows.

	No. of Units Placed	Credited Units	Assessed Units	Subtotal	Admin Cost @ 25.00%	SubTot w/ Admin Costs	Credit @ 0.00%	Line Items Waived	Line Total
Conc. Curb & Gutter (8" Base)	218.49 LF		218.49 @ \$6.70 per Linear Foot	\$1,463.88	\$365.97	\$1,829.85	\$0.00	\$0.00	\$1,829.85
Concrete Walks (4" Thick)	104.89 SY		104.89 @ \$15.05 per Square Yard	\$1,578.59	\$394.65	\$1,973.24	\$0.00	\$0.00	\$1,973.24
									Full Assessment -- 0.00%
Concrete Driveway (6" Thick)	22.45 SY		22.45 @ \$25.08 per Square Yard	\$563.05	\$140.76	\$703.81	\$0.00	\$0.00	\$703.81
Concrete Driveway (8" Thick)			0.00 @ \$33.44 per Square Yard	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:				\$3,605.52	\$901.38	\$4,506.90	\$0.00	\$0.00	\$4,506.90

Assessment Eligible for Deferral: \$2,230.78

Total: \$4,506.90

MALCOLM, HOWARD & PAM
4700 RIVER RD
EUGENE, OR 97404-0000

Taxlot No. 16-04-35-30-01302
Parcel No. 1321-26