

AFFIDAVIT OF POSTING
ORDINANCE #228


STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
 AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:


On the 16th day of March, 1983, I caused to be posted copies of the attached Ordinance #228, an ordinance adding Section 3.219 to the Wilsonville Code, allowing reapportionment of assessments, in the following four public and conspicuous places of the City, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 21st day of March, 1983.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me
this 20th day of April, 1983.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: August 23, 1985

ORDINANCE NO. 228

AN ORDINANCE ADDING SECTION 3.219 TO THE WILSONVILLE CODE,
ALLOWING REAPPORTIONMENT OF ASSESSMENTS.

WHEREAS, Section 3.210 through 3.218 allows for public improvements and establishes all the methods and procedures for a local improvement district; and

WHEREAS, the City Charter, Chapter XI, Section 3, states that any special assessments for public improvements shall be governed by general ordinance; and

WHEREFORE, there is a need to establish provisions for approval of reapportionment of assessments in case of a lot split within a local improvement district;

NOW, THEREFORE, the City of Wilsonville ordains as follows:

1) Section 3.219 be added to the Wilsonville Code entitled "Reapportionment of Assessment". Property in single ownership at the time of the initial hearing at which the City acquires jurisdiction to perform a public improvement need not be divided by the City for the purpose of levying assessments except when the City received actual notice of the division of ownership of such property prior to the enactment of the assessment ordinance. After an assessment has been levied upon

contiguous property in single ownership as provided in this ordinance, there shall be no division or reapportionment of the assessment lien except under the following procedure:

(A) The owner of all or any portion of a parcel of contiguous land subject to a single assessment may make application to the City Recorder for a division and reapportionment of the assessment; and such application shall contain a legal description of each parcel of land into which the property is proposed to be divided together with the name and address of each of the owners and other parties having an interest in such property.

(B) After the receipt of the application, the City Recorder shall mail notice to each owner and party having an interest in such property of the application and the date and time of the meeting of the City Council at which the matter shall be considered, which meeting shall not be earlier than ten (10) days from the mailing of written notice.

(C) At or prior to the meeting of the City Council at which the application will be considered the City Administrator shall make a report and recommendation to the Council for the apportioning of the assessment lien between portions of the property to be divided

and describing the effect of such division upon the security of the City.

(D) At the designated meeting of the City Council the applicant and any owner or party having an interest in such property may be heard and the Council may make a decision at such meeting or the Council may defer its decision to a meeting to be held within forty-five (45) days.

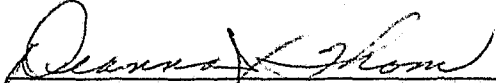
(E) The Council shall make no reapportionment of an assessment which will impair the security of the City of Wilsonville for the collection of the assessments upon the property, and the Council may impose conditions upon such reapportionment for the protection of the City.

(F) A reapportionment of assessments shall become effective only after the enactment of an ordinance declaring such reapportionment and providing for the amendment of the docket of city liens to conform with the ordinance.


(G) The Council may, by resolution, from time to time assess an administrative charge for any reapportionments taken under this ordinance.

It being determined by the Wilsonville City Council an emergency exists, this Ordinance shall take effect immediately upon final reading and passage by the Wilsonville City Council.


Submitted to the Council and read the first time at a regular meeting thereof on the 7th day of March, 1983, and scheduled for second reading at a regular meeting of the Council on the 21st day of March, 1983, commencing at the hour of 7:30 o'clock p.m., at the Willamette Valley Wesleyan Church.


DEANNA J. THOM, City Recorder

ENACTED by the Council on the 21st day of March, 1983, by the following votes: YEAS 5 NAYS 0.


DEANNA J. THOM, City Recorder

DATED and signed by the Mayor this 22nd day of March, 1983.


WILLIAM G. LOWRIE, Mayor