

RESOLUTION NO. 499

A RESOLUTION SPREADING AND LEVYING PREASSESSMENTS ON PROPERTY BENEFITED BY THE COST OF CONSTRUCTION OF STREETS, STORM DRAINAGE, WATER SYSTEM, SANITARY SEWER, SIDEWALK, BIKE PATH, SIGNING AND TRAFFIC CONTROL DEVICES, STREET LIGHTING, LANDSCAPING AND OTHER UTILITIES CONSTRUCTED FOR THE PROJECT DESIGNATED AS TOWN CENTER LOOP/PARKWAY AVENUE STREET AND UTILITIES IMPROVEMENTS LOCAL IMPROVEMENT DISTRICT NO. 5, HEREINAFTER REFERRED TO AS LID #5; AND DIRECTING THE CITY RECORDER TO GIVE NOTICE OF FINAL PREASSESSMENTS AND ENTER A STATEMENT THEREOF IN THE DOCKET OF CITY LIENS AS REQUIRED BY SECTION 3.216 OF THE WILSONVILLE CODE.

WHEREAS, the Wilsonville City Council did review and approve Resolution No. 498 titled "A Resolution Spreading and Levying Preassessments on Property Benefited by the Cost of Construction of Streets, Storm Drainage, Water System, Sanitary Sewer, Sidewalk, Bike Path, Signing and Traffic Control Device, Street Lighting, Landscaping and Other Utilities Constructed for the Project Designated as Town Center Loop/Parkway Avenue Street and Utility Improvements Local Improvement District No. 5, Hereinafter Referred to as LID #5; and Directing the City Recorder to Give Notice for the Public Hearing Date, Time and Place for the Board of Equalization to Equalize and Adjust the Preliminary Preassessment Roll According to Section 3.212 of the Wilsonville Code; and Directing the City Recorder to Mail and Post the Notice of Proposed Preassessments as Required by Section 3.212 of the

Wilsonville Code"; and

WHEREAS, a public hearing was held during a regularly scheduled Wilsonville City Council meeting as required by Resolution No. 498, on July 15, 1985, commencing at 7:30 o'clock p.m. Pacific Daylight Savings Time, in the Wilsonville City Council Chambers at 30000 SW Town Center Loop East for the purpose of considering any protests or remonstrances against the Final Preassments established in this resolution; and

WHEREAS, any remonstrances heard during the July 15, 1985, public hearing shall be listed on Exhibit "B" which would then be attached hereto and incorporated by reference as if fully set forth herein, and in the event no remonstrances are registered, no Exhibit "B" will be necessary; and

WHEREAS, the City Recorder shall give notice of Final Preassessments to all properties herein listed and enter a statement in the docket of City Liens as required by Section 3.216 of the Wilsonville Code; and

WHEREAS, the total cost to be preassessed by the Final Preassessment Roll is identified in Exhibit "A" attacehd hereto and incorporated by reference as if fully set forth herein, and is determined to be the sum of one million, six hundred fifty-six thousand, three hundred sixteen dollars and no cents (\$1,656,316.00) which has been recommended by the Board of Viewers appointed by the City Council; and the Preliminary

Preassessment Roll as equalized is being presented to the City Council.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Wilsonville that

1. The Final Preassessment Roll as recommended by the Board of Viewers is approved by the Wilsonville City Council acting as the Board of Equalization and adopted as the Final Preassessment Roll for LID #5.
2. The proportionate share of the cost of construction of LID #5 for each parcel of property within the boundary of LID #5 and benefited thereby is the amount set opposite the description as identified in the Final Preassessment Roll in Item 5 below.
3. Each piece or parcel of land will be benefited by the construction of LID #5 to the full extent of the amount shown below in Item 5 as the total Final Preassessment of such piece or parcel; and the respective amounts represent the proportionate benefits of said improvements for LID #5 to the respective parcels of property.
4. Each of the pieces or parcels of property described in Item 5 below is hereby assessed the amount set opposite each respective description for the cost of construction of LID #5 as hereinbefore described.

5. The following are the Final Preassessments hereby made on the various parcels of real property in the City of Wilsonville, Clackamas County, for the construction of LID #5.

FINAL PREASSESSMENT ROLL

<u>Preassessment No. 1</u>	AMOUNT
George and Betty Vlahos Tax Lot 400, Section 13, Township 3 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon	\$150,252
<u>Preassessment No. 2</u>	
Northwest Commercial Investment Partnership, an Oregon Ltd. Partnership Tax Lot 401, Section 13, Township 3 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon	\$ 47,215
<u>Preassessment No. 3</u>	
Stuart H. Lindquist Tax Lot 404, Section 13, Township 3 South, Range 1 West of the Willamette Meridian, Clackamas County, Oregon	\$130,504
<u>Preassessment No. 4</u>	
Wilsonville Project, an Oregon Limited Partnership Tax Lot 406, Section 13, Township 3 South, Range 1 West of the Willamette Mreidian, Clackamas County, Oregon	\$246,058

Preassessment No. 5

AMOUNT

Wilsonville Project an Oregon
Limited Partnership
Tax Lot 407, Section 13,
Township 3 South, Range 1
West of the Willamette
Meridian, Clackamas County,
Oregon

\$ 9,132

Preassessment No. 6

Northwest Commercial Investment
Partnership, an Oregon Limited
Partnership
Tax Lot 408, Section 13,
Township 3 South, Range 1
West of the Willamette
Meridian, Clackamas County,
Oregon

\$ 74,072

Preassessment No. 7

Wilsonville Project, an Oregon
Limited Partnership
Tax Lot 409, Section 13,
Township 3 South, Range 1
West of the Willamette
Meridian, Clackamas County,
Oregon

\$ 8,697

Preassessment No. 8

Wilsonville Park Oregon Limited
Tax Lot 100, Section 14D,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$ 152,663.88

Preassessment No. 9

Plaza Royal, a General Partnership
Tax Lot 101 and 102, Section 14D,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$ 115,995.13

Preassessment No. 10

AMOUNT

Pacific Plaza Center, a General
Partnership
Tax Lot 201, Section 14D,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$ 99,116.14

Preassessment No. 11

Ash and Associates
Tax Lot 200, Section 14A,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$100,432

Preassessment No. 12

Ash and Associates
Tax Lot 100, Section 14A,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$173,085

Preassessment No. 13

Oak View Condominiums
Tax Lot 2433, Section 13BC,
Township 3 South, Range 1 West
of the Willamette Meridian,
Clackamas County, Oregon

\$ 9,628

Preassessment No. 14

Ash Meadows
Tax Lot 2583, Section 13BC Supplement,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$ 34,184

Preassessment No. 15

Ash and Associates
Tax Lot 2600, Section 13B,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$165,409

Preassessment No. 16

AMOUNT

Ash and Associates
Tax Lot 2700, Section 13B,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$143,307

Preassessment No. 17

General Telephone
Tax Lot 2701, Section 13B,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$ 7,719

Preassessment No. 18

Jack E. Sr. & Suzanne Kohl
Tax Lot 2900, Section 13B,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$ 4,242

Preassessment No. 19

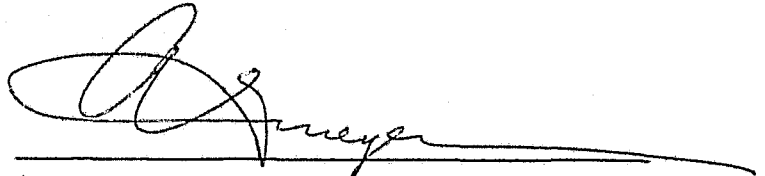
Jack E. Sr. & Suzanne Kohl
Tax Lot 3000, Section 13B,
Township 3 South, Range 1 West of
the Willamette Meridian, Clackamas
County, Oregon

\$ 3,223

6. The City Recorder of the City of Wilsonville is hereby directed to send notice of Final Preassessment by registered or certified mail, to all owners of the property as assessed in the Final Preassessment Roll and in accordance with Section 3.216 of the Wilsonville Code; and enter in the Docket of City Liens, a statement of the amount(s) assessed upon each of the above described parcels of property, the name of the owner(s)


and date of the adoption of the Final Preassessment Resolution as required by Section 3.216 of the Wilsonville Code. Notice of these Final Preassessments shall also be published in the Portland Metropolitan area, once a week for two successive weeks.

ADOPTED by the Wilsonville City Council at its regular meeting thereof this 15th day of July, 1985, and filed with the Wilsonville City Recorder this same date.



A. G. MEYER, Mayor

ATTEST:


DEANNA J. THOM, City Recorder

CITY OF WILSONVILLE
MEMO

July 15, 1985

DATE

TO: MAYOR AND CITY COUNCIL

FROM: LARRY R. BLANCHARD
PUBLIC WORKS DIRECTOR

SUBJECT: MODIFICATIONS TO BOARD OF EQUALIZATION LID #5 AND
RESOLUTION CB-R-156-85

Please make the following changes to Final Pre-assessment Roll:

Pre-assessment No. 8

Wilsonville Park Oregon Limited Partnership \$ 152,63.88
Tax Lot 100, Section 14D, Township 3 South,
Range 1 West of the Wilsonville Meridian,
Clackamas County, Oregon.

Pre-assessment No. 9

Plaza Royal, a General Partnership \$ 115,995.13
Tax Lot 101 and 102, Section 14D, Township 3
South, Range 1 West of the Wilsonville Meridian,
Clackamas County, Oregon.

Pre-assessment No. 10

Pacific Plaza Center, a General Partnership \$ 99,116.14
Tax Lot 201, Section 14D, Township 3 South,
Range 1 West of the Willamette Meridian,
Clackamas County, Oregon.

Wilsonville LID #5 Assessment Formulas & Computations

<u>Property Owner</u>	<u>Option II</u>
Mala (Wilsonville Park)	Change \$146,484 to \$152,663.88
Mala (Plaza Royal)	Change \$110,209 to \$115,995.13
Mala (Pacific Plaza Center)	Change \$ 92,464 to \$ 99,116.14
Subtotal	Change \$349,157 to \$367,775.15
Subtotal	Change \$1,015,087 to \$1,033,705.15
Total	Change \$1,656,316 to \$1,674,934.15

Modifications to Resolution CR-R-156-85 reflect the same changes that occur above.

Pre-assessment No. 8, 9, 10 changes would be inserted on page 5 of 8 and 6 of 8 on Resolution CB-R-156-85.

Changes to Wilsonville LID #5 Assessment Formulas and Computation are to be inserted in EXHIBIT "A" of CB-R-156-85.

cc: LID #5 - Legal Business Resolutions

WILSLIDS ASSESSMENT FORMULAS & COMPUTATIONS

SUMMARY

PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	ASSESS- MENTS:	OF			DRAINAGE	WATER	SEWER	OTHER UTILITIES	OPTION 1 TOTAL	OPTION 2 TOTAL	OPTION 3 TOTAL	OPTION 1 PB TOTAL	OPTION 1 NET
					STREETS OPTION 1	STREETS OPTION 2	STREETS OPTION 3									
✓ Vlahos	400	10	9.20		40552	40083	29435	33705	34459	0	42005	150721	150252	139604	18264	132457
✓ Crispe	401	3.39	2.52		14104	13976	10196	10120	11612	0	11507	47343	47215	43435	3626	43717
✓ Lindquist	404	7.02	6.63		33704	33366	24402	23365	21689	21810	30274	130842	130504	121540	18667	112175
✓ The Wilsonville Pr	406	13.86	13.38		65650	64968	47560	47154	50668	22171	61097	246740	246058	228650	32882	213858
✓ The Wilsonville Pr	407	.92	.42		2351	2329	1699	1480	2023	1382	1918	9154	9132	8502	1183	7971
✓ Crispe	408	4.32	3.45		19309	19133	13959	12158	15678	11349	15754	74248	74072	68898	9714	64533
✓ The Wilsonville Pr	409	.59	.40		2239	2218	1618	1410	1927	1316	1827	8718	8697	8097	1126	7592
Subtotal		40.1	36.00		177908	176073	128869	29393	138056	58027	164381	667766	665930	618726	85463	582303
✓ Mala(Wilsonville Pk)	100	9.06	8.66		69194	44473	44473	36320	37559		28132	171205	146484	146484	10067	161138
✓ Mala(Plaza Royal) 101 & 102		5.17	5.71		45624	29323	29323	35829	26508		18549	126510	110209	110209	18564	107945
✓ Mala(Pac. Plaza Ctr)	201	4.5	5.02		40136	25796	25796	31519	18832		16318	106804	92464	92464	16332	90472
Subtotal		18.73	19.39		154954	99593	99593	103668	82898		62999	404519	349157	349157	44963	359556
Subtotal		58.83	55.39		332861	275666	228462	233061	220955	58027	227380	1072285	1015087	967883	130426	941859
✓ Ash & Associates	200	23.68	23.68		50571	49365	49365	20578			30489	101638	100432	100432	14096	87543
✓ Ash & Associates	100	40.83	40.81		87155	85075	85075	35465			52545	175165	173085	173085	24293	150872
✓ Oak View Condos	2433	2.27	2.27		4848	4732	4732	1973			2923	9744	9628	9628	1351	8393
✓ Ash Meadows	2583	8.06	8.06		17213	16802	16802	7004			10378	34595	34184	34184	4798	29797
✓ Ash & Associates	2600	39	39.00		83289	81302	81302	33892			50215	167396	165409	165409	23215	144180
✓ Ash & Associates	2700	23.86	23.62		50443	49240	49240	63655			30412	144510	143307	143307	32848	111662
General Telephone	2701	1.82	1.82		3887	3794	3794	1582			2343	7812	7719	7719	1083	6729
Kohl	2900	1	1.00		2136	2085	2085	869			1288	4293	4242	4242	595	3697
Kohl	3000	.8	.76		1623	1584	1584	660			979	3262	3223	3223	452	2809
Subtotal		141.32	141.02		301165	293980	293980	165678			181572	648415	641229	641229	102732	545682
TOTAL		200.15	196.41		634026	569646	522441	398739	220955	58027	408952	1720700	1656316	1609112	233159	1487541

LID NO. 5

DESCRIPTION OF PROPOSED ASSESSMENT METHOD

The total proposed assessment package for the City of Wilsonville's LID No. 5 has been established by analyzing the cost of each improvement and the nature of the associated benefits. The following discussion is a summary of the theory behind the computation of assessments for each type of improvement.

The term "net" acres, on which several assessments are based, excludes street right-of-way areas to be dedicated for Town Center Loop East, Town Center Loop West, the relocation of Parkway and the proposed Vlahos Drive, and includes the area of Parkway to be vacated within LID No. 5.

Streets

Two street sections are viewed to be of general benefit to the entire LID; Town Center Loop West south of the LID boundary, and the new, five-lane, section of Parkway just north of the intersection with Town Center Loop. The cost of these improvements are distributed uniformly over the entire LID area.

The Parkway Avenue reconstruction section is viewed to be of specific benefit to properties in the north half of sections 13 and 14. The LID share of these improvements is distributed uniformly over the area of benefitted properties.

Three options are considered for the improvement of Town Center Loop East and West to address the three alternate scopes requested by the City Council in a motion attached to Resolution No. CBR-124-85. The options are defined as follows:

- Option 1 - Full development of both Town Center Loop East and West, two 24-foot traveled ways plus landscaped median.

Option 2 - Full development of Town Center Loop East and partial development (one 24-foot traveled way) of Town Center Loop West.

Option 3 - Partial development of both Town Center Loop East and West.

Town Center Loop West is viewed to specifically benefit adjacent properties and its costs are distributed over the area of adjacent properties.

Town Center Loop East is viewed to specifically benefit adjacent properties. The benefit to property within 500 feet of the right-of-way (Level 1) is viewed to be greater than property more than 500 feet from the right-of-way (Level 2). On an area basis, the ratio of the benefit is judged to be 3:1.

Drainage

Drainage improvements are basically segregated into three main drainage areas.

Area 1 is tributary to or includes drainage improvements on Parkway Avenue. The cost of these improvements is distributed uniformly over the properties in Area 1.

Area 2 is tributary to or includes drainage improvements on the west end of Town Center Loop East and the northerly portion of Town Center Loop West. The cost of these improvements is distributed uniformly over the properties in Area 2.

Area 3 consists of most of the remaining area within the LID. The area is tributary to the main storm sewer on Town Center Loop East. The cost of these improvements is distributed to properties on the basis of estimated impervious areas. The commercial areas are assumed to be 85 percent impervious (i.e. causing runoff), while the high density residential area is assumed to be 65 percent impervious. For the purpose of assessments, the Board of Viewers has assumed that all properties in

Area 3, except Tax Lot 2700, are intended for commercial use. The impervious area outside the LID boundary is computed as an additional assessment item for Area 3 LID properties, which is recommended to be paid back.

A special drainage area at the south end of Town Center Loop West is computed to accrue to one-half of T.L. 101 and T.L. 201, 50 percent as a specific benefit and 50 percent as a payback item.

Water

Water improvements are viewed to benefit only properties in the south half of sections 13 and 14, basically those properties adjacent to Town Center Loop East and West.

The loop connection segments are viewed to be of general benefit and the cost of these segments is distributed uniformly over the entire benefitted area.

The loop connection segment on Town Center Loop East south of the LID boundary is recommended to be a payback item. The cost of this segment is also distributed uniformly over the entire benefitted area.

The remaining water improvements are viewed to specifically benefit the properties of concern. The specific benefit is viewed to accrue at two levels. The first level is estimated to be within 250 feet of the right-of-way. The second level is outside the first level. On an area basis, the ratio of the benefit is judged to be 2:1.

A portion of T.L. 404 is omitted from both levels because partial fire protection and water service is available from an existing water main.

Sewer

The collector sewer computed as an assessment item is viewed to specifically benefit the properties it is intended to serve, with the estimated cost distributed over the estimated service area. The connecting collector sewer on Town Center Loop East outside the LID boundary is recommended to be a payback item.

Other Utilities

The two sections of other utilities (power, telephone, gas, cable) outside of LID boundaries are viewed to be of general benefit to the entire LID. The cost of these improvements is distributed uniformly over the entire LID area and is recommended to be treated on a payback basis.

The Parkway section is viewed to benefit properties in the north half of sections 13 and 14. The cost of these improvements is distributed uniformly over the benefitted properties.

A distinction is also made between properties adjacent to Town Center Loop East and West, with the cost of improvements in each section distributed uniformly over the area in each section.

Miscellaneous

The Board of Viewers recommend that the submittal of early-on administrative costs for right-of-way dedication, etc. for the Mala properties be reviewed by the City Council for possible inclusion in LID No. 5 administrative costs.

ASSESSMENTS

Tables containing preliminary assessment computations follow as well as a summary of proposed assessments. The net construction cost estimates from the Engineer's Report are converted to total project cost estimates by adding 10 percent for contingencies and 20 percent for engineering, administration, and inspection costs.

STREET ASSESSMENT COMPUTATIONS

DRAINAGE ASSESSMENT COMPUTATIONS

PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	LEVEL 1 ACRES	LEVEL 2 ACRES	OPTION 1 SPECIFIC				OPTION 2 SPECIFIC				OPTION 3 SPECIFIC				AREA 1 ASSESSMENT	AREA 2 ACRES	AREA 2 ASSESSMENT	SPECIAL AREA	ASSESS- MENT	ASSESS- MENT W/PB	AREA 3 IMP.ACRES	ASSESS- MENT	ASSESS- MENT W/PB	DRAINAGE TOTAL					
						GENERAL	SPECIFIC LEVEL 1	SPECIFIC LEVEL 2	TOTAL	GENERAL	SPECIFIC LEVEL 1	SPECIFIC LEVEL 2	TOTAL	GENERAL	SPECIFIC LEVEL 1	SPECIFIC LEVEL 2	TOTAL															
Vlahos	400	10	9.20	6.05	3.15	3577	31508	5467	40552	3108	31508	5467	40083	3108	22434	3892	29435									1.92	8053	6.19	18082	7571	33705	
Crispe	401	3.39	2.52	2.52	.00	980	13124	0	14104	851	13124	0	13976	851	9345	0	10196									1.85	7759	.57	1664	697	10120	
Lindquist	404	7.02	6.63	5.65	.98	2578	29425	1701	33704	2240	29425	1701	33366	2240	20951	1211	24402										5.64	16469	6896	23365		
The Wilsonville Pr	406	13.86	13.38	10.72	2.66	5202	55830	4618	65650	4520	55830	4618	64968	4520	39751	3288	47560										11.37	33236	13917	47154		
The Wilsonville Pr	407	.92	.42	.42	.00	163	2187	0	2351	142	2187	0	2329	142	1557	0	1699										.36	1043	437	1480		
Crispe	408	4.32	3.45	3.45	.00	1341	17968	0	19309	1166	17968	0	19133	1166	12793	0	13959										2.93	8570	3589	12158		
The Wilsonville Pr	409	.59	.40	.40	.00	156	2083	0	2239	135	2083	0	2218	135	1483	0	1618										.34	994	416	1410		
Subtotal		40.1	36.00	29.21	6.79	13997	152125	11786	177908	12162	152125	11786	176073	12162	108315	8392	128869															
						\$/ACRE	389	5208	1736	4942	338	5208	1736	4891	338	3708	1236	3580														
Mala(Wilsonville Pk)	100	9.06	8.66	8.66		3367	65827		69194	2926	41547		44473	2926	41547		44473										8.66	36320			36320	
Mala(Plaza Royal) 101 & 102	5.17	5.71	5.71			2220	43404		45624	1929	27394		29323	1929	27394		29323										2.86	11974	2.86	11927	11927	35829
Mala(Pac. Plaza Ctr)	201	4.5	5.02	5.02		1953	38183		40136	1697	24099		25796	1697	24099		25796										2.51	10534	2.51	10493	10493	31519
Subtotal		18.73	19.39	19.39		7540	147414		154954	6552	93041		99593	6552	93041		99593										17.80	74639	5.37	22420	22420	
						\$/ACRE	389	7601	7990	338	4798		5135	338	4798		5135															
Subtotal		58.83	55.39	48.60		21537	299539		332861	18715	245166		275666	18715	201355		228462															
Ash & Associates	200	23.68	23.68	23.68		9207	41365		50571	8000	41365		49365	8000	41365		49365															20578
Ash & Associates	100	40.83	40.81	40.81		15867	71287		87155	13788	71287		85075	13788	71287		85075															35465
Oak View Condos	2433	2.27	2.27	2.27		883	3965		4848	767	3965		4732	767	3965		4732															1973
Ash Meadows	2583	8.06	8.06	8.06		3134	14079		17213	2723	14079		16802	2723	14079		16802															7004
Ash & Associates	2600	39	39.00	39.00		15163	68126		83289	13176	68126		81302	13176	68126		81302															33892
Ash & Associates	2700	23.86	23.62	23.62		9184	41260		50443	7980	41260		49240	7980	41260		49240															0
General Telephone	2701	1.82	1.82	1.82		708	3179		3887	615	3179		3794	615	3179		3794															1582
Kohl	2900	1	1.00	1.00		389	1747		2136	338	1747		2085	338	1747		2085															869
Kohl	3000	.8	.76	.76		295	1328		1623	257	1328		1584	257	1328		1584															660
Subtotal		141.32	141.02	141.02		54829	246336		301165	47644	246336		293980	47644	246336		293980															102023
						\$/ACRE	389	1747	2136	338	1747		2085	338	1747		2085															723
TOTAL		200.15	196.41	189.62		76366	545875	11786	634026	66359	491501	11786	569646	66359	447691	8392	522441															

Street Improvement Costs	Net Const. (W/Land-scaping) Project	Total Project	Reference Net Construction Cost from Engineer's Report	Drainage Improvement Costs	Net Const.	Total Project
General	Option 1	57853	76366	Parkway (Area 1)	77290	102023
General	Opt. 2&3	50272	66359	Town Center Loop West (Area 2)	56545	74639
Parkway		186618	246336	Town Center Loop West (Special Area) Option 1	16985	22420
Town Center Loop West	Option 1	111677	147414	Town Center Loop West (Special Area P/B) Option 1	16985	22420
Town Center Loop West	Opt. 2&3	70485	93041	Town Center Loop East (Area 3)	Total	134270
Town Center Loop East	Opt. 1&2	124175	163911	Town Center Loop East (Area 3) Specific		124926
Town Center Loop East	Option 3	88414	116706	Town Center Loop East (Area 3) Spec w/PB		52311

42.75 Impervious Area Inside LID (Acres)
 17.90 Impervious Area Outside LID (Acres)

WATER ASSESSMENT COMPUTATIONS

PROPERTY OWNER	TAX		NET		ASSESSMENTS (\$)			ACRES		SPECIFIC ASSESSMENT BRKDOWN	
	LOT	ACRES	ACRES	GENL	GENL/PB	SPECIFIC	TOTAL	LEVEL 1	LEVEL 2	LEVEL 1	LEVEL 2
Vlahos	400	10.00	9.20	4503	5217	24739	34459	3.96	5.24	14887	9852
Crispe	401	3.39	2.52	1233	1429	8949	11612	2.24	.28	8423	526
Lindquist	404	7.02	6.63	3245	3760	14684	21689	2.81	2.19	10566	4117
The Wilsonville Pr	406	13.86	13.38	6549	7589	36531	50668	6.05	7.33	22749	13781
The Wilsonville Pr	407	.92	.42	206	238	1579	2023	.42	.00	1579	0
Crispe	408	4.32	3.45	1689	1957	12033	15678	3.08	.24	11582	451
The Wilsonville Pr	409	.59	.40	196	227	1504	1927	.40	.00	1504	0
Subtotal		40.10	36.00	17620	20417	100019	138056	18.96	15.28	71291	28728
Mala(Wilsonville Pk)	100	9.06	8.66	4239	4912	28409	37559	6.45	2.21	24254	4155
Mala(Plaza Royal) 101 & 102		5.17	5.71	2795	3238	20474	26508	5.18	.53	19478	996
Mala(Pac. Plaza Ctr)	201	4.50	5.02	2459	2849	13524	18832	2.17	2.85	8160	5364
Subtotal		18.73	19.39	9492	10999	62407	82898	13.80	5.59	51891	10516
Total		58.83	55.39	27113	31416	162426	220955	32.76	20.87	123182	39244

\$/acre 3760 1880

Water Facilities Costs	Net	Total	
	Const.	Project	
General	20540	27113	Loop Connections
General w/ Payback	23800	31416	Loop Connections Outside LID
Specific	123050	162426	Distribution Main
Total	167390	220955	

SEWER ASSESSMENT COMPUTATIONS

PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	SEWER ASSESSMENTS (\$)			TOTAL
				ACRES	SPECIFIC	SPEC/PB	
Vlahos	400	10.00	9.20				
Crispe	401	3.39	2.52				
Lindquist	404	7.02	6.63	6.63	17745	4064	21810
The Wilsonville Pr	406	13.86	13.38	6.74	18039	4132	22171
The Wilsonville Pr	407	.92	.42	.42	1124	257	1382
Crispe	408	4.32	3.45	3.45	9234	2115	11349
The Wilsonville Pr	409	.59	.40	.40	1071	-245	1316
Subtotal		40.10	36.00	17.64	47213	10814	58027
					2676	613	3290 \$/acre

Sewer Facilities Costs	Net Const.	Total Project
Town Center Loop East		
Specific	35768	47213
Specific w/ Payback	8193	10814
Total	43960	58027

OTHER UTILITY ASSESSMENT COMPUTATIONS

PROPERTY OWNER	TAX LDT	ACRES	NET ACRES	SPECIFIC		TOTAL
				GENL/PB	SPECIFIC (\$/ACRE)	
Vlahos	400	10.00	9.20	5476	36530	42005
Crispe	401	3.39	2.52	1500	10007	11507
Lindquist	404	7.02	6.63	3947	26328	30274
The Wilsonville Pr	406	13.86	13.38	7965	53132	61097
The Wilsonville Pr	407	.92	.42	250	1668	1918
Crispe	408	4.32	3.45	2054	13700	15754
The Wilsonville Pr	409	.59	.40	238	1588	1827
Subtotal		40.10	36.00	21429	142952	3971 164381
Mala(Wilsonville Pk)	100	9.06	8.66	5155	22977	28132
Mala(Plaza Royal) 101 & 102		5.17	5.71	3399	15150	18549
Mala(Pac. Plaza Ctr)	201	4.50	5.02	2990	13328	16318
Subtotal		18.73	19.39	11544	51455	2653 62999
Subtotal		58.83	55.39	32973	194407	227380
Ash & Associates	200	23.68	23.68	14096	16394	30489
Ash & Associates	100	40.83	40.81	24293	28252	52545
Oak View Condos	2433	2.27	2.27	1351	1572	2923
Ash Meadows	2583	8.06	8.06	4798	5580	10378
Ash & Associates	2600	39.00	39.00	23215	26999	50215
Ash & Associates	2700	23.86	23.62	14060	16352	30412
General Telephone	2701	1.82	1.82	1083	1260	2343
Kohl	2900	1.00	1.00	595	692	1288
Kohl	3000	.80	.76	452	526	979
Subtotal		141.32	141.02	83944	97627	692 181572
TOTAL		200.15	196.41	116918		408952

Other Utilities Costs	Net Line Ext. Total	
	Const.	Charge Project
General w/ Payback	62280	34708 116918
Specific Parkway	73960	0 97627
Specific Town Ctr. Loop W.	27780	14785 51455
Specific Town Ctr. Loop E.	77610	40507 142952
Total	241630	90000 408952

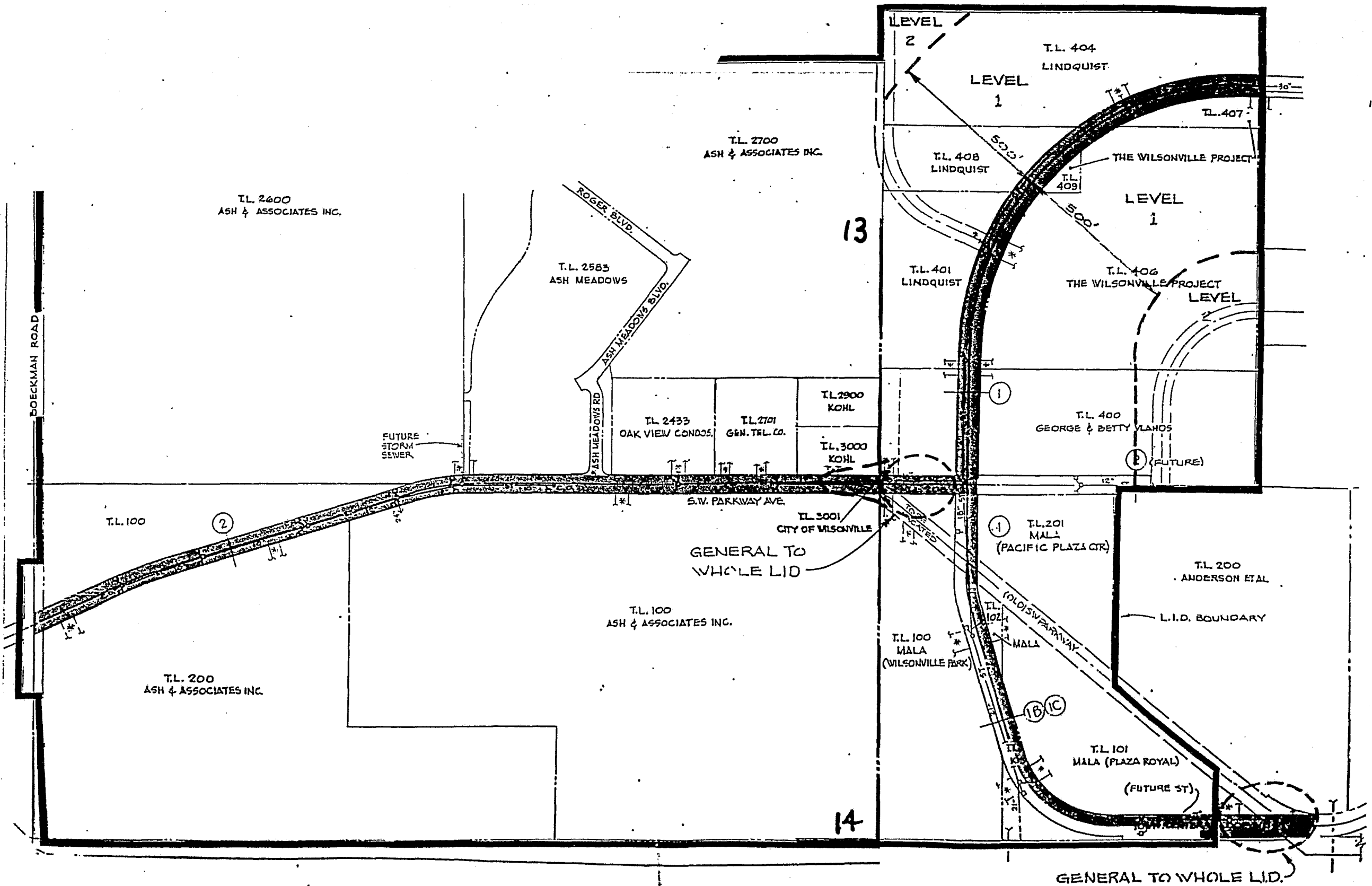
(Net Const. includes additional 4790 for cable)
 (Net Const. includes additional 7100 for cable)
 (Net Const. includes additional 5230 for cable)
 (Net Const. includes additional 4900 for cable)

EXHIBIT "A"

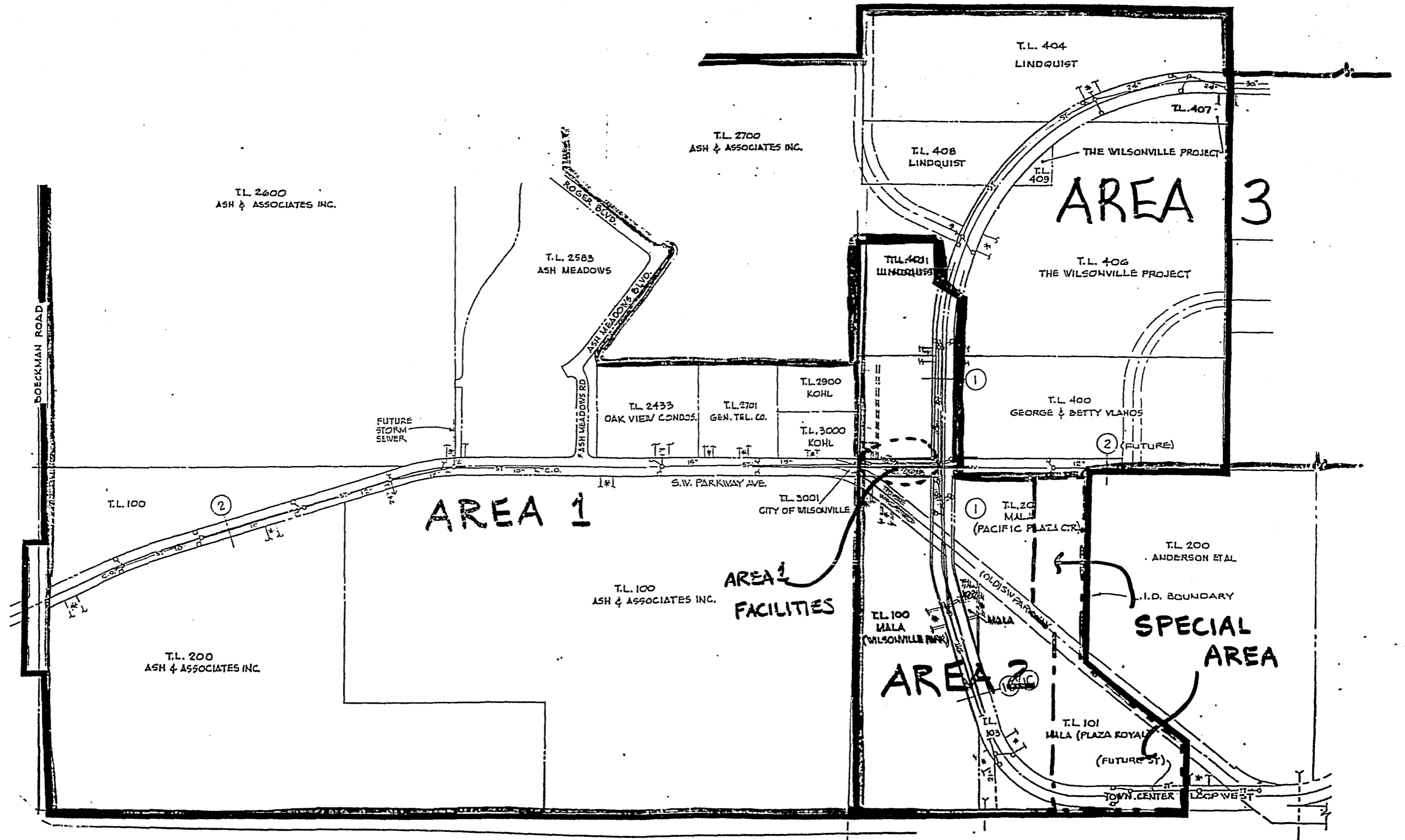
WILSLIDS ASSESSMENT FORMULAS & COMPUTATIONS

SUMMARY OF

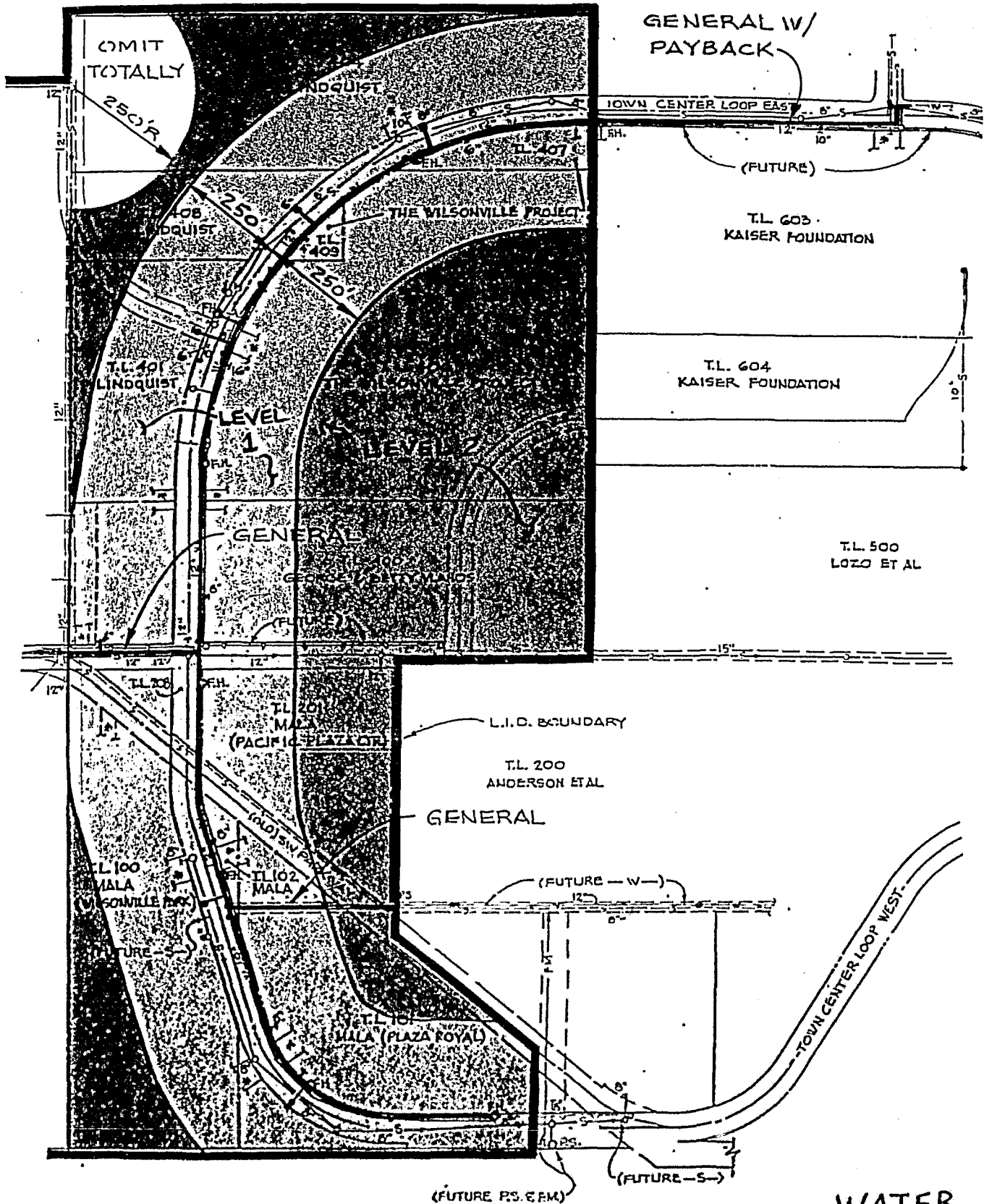
PROPERTY OWNER	TAX LOT	ACRES	NET ACRES	ASSESSMENTS:	STREETS			DRAINAGE	WATER	SEWER	OTHER UTILITIES	OPTION 1	OPTION 2	OPTION 3	OPTION 1	OPTION 1
					OPTION 1	OPTION 2	OPTION 3					TOTAL	TOTAL	TOTAL	PB TOTAL	NET
Vlahos	400	10	9.20		40552	40083	29435	33705	34459	0	42005	150721	150252	139604	18264	132457
Crispe	401	3.39	2.52		14104	13976	10196	10120	11612	0	11507	47343	47215	43435	3626	43717
Lindquist	404	7.02	6.63		33704	33366	24402	23365	21689	21810	30274	130842	130504	121540	18667	112175
The Wilsonville Pr	406	13.86	13.38		65650	64968	47560	47154	50668	22171	61097	246740	246058	228650	32882	213858
The Wilsonville Pr	407	.92	.42		2351	2329	1699	1480	2023	1382	1918	9154	9132	8502	1183	7971
Crispe	408	4.32	3.45		19309	19133	13959	12158	15678	11349	15754	74248	74072	68898	9714	64533
The Wilsonville Pr	409	.59	.40		2239	2218	1618	1410	1927	1316	1827	8718	8697	8097	1126	7592
Subtotal		40.1	36.00		177908	176073	128869	129393	138056	58027	164381	667766	665930	618726	85463	582303
Mala(Wilsonville Pk)	100	9.06	8.66		69194	44473	44473	36320	37559		28132	171205	146484	146484	10067	161138
Mala(Plaza Royal) 101 & 102		5.17	5.71		45624	29323	29323	35829	26508		18549	126510	110209	110209	18564	107945
Mala(Pac. Plaza Ctr)	201	4.5	5.02		40136	25796	25796	31519	18832		16318	106804	92464	92464	16332	90472
Subtotal		18.73	19.39		154954	99593	99593	103668	82898		62999	404519	349157	349157	44963	359556
Subtotal		58.83	55.39		332861	275666	228462	233061	220955	58027	227380	1072285	1015087	967883	130426	941859
Ash & Associates	200	23.68	23.68		50571	49365	49365	20578			30489	101638	100432	100432	14096	87543
Ash & Associates	100	40.83	40.81		87155	85075	85075	35465			52545	175165	173085	173085	24293	150872
Oak View Condos	2433	2.27	2.27		4848	4732	4732	1973			2923	9744	9628	9628	1351	8393
Ash Meadows	2583	8.06	8.06		17213	16802	16802	7004			10378	34595	34184	34184	4798	29797
Ash & Associates	2600	39	39.00		83289	81302	81302	33892			50215	167396	165409	165409	23215	144180
Ash & Associates	2700	23.86	23.62		50443	49240	49240	63655			30412	144510	143307	143307	32848	111662
General Telephone	2701	1.82	1.82		3887	3794	3794	1582			2343	7812	7719	7719	1083	6729
Kohl	2900	1	1.00		2136	2085	2085	869			1288	4293	4242	4242	595	3697
Kohl	3000	.8	.76		1623	1584	1584	660			979	3262	3223	3223	452	2809
Subtotal		141.32	141.02		301165	293980	293980	165678			181572	648415	641229	641229	102732	545682
TOTAL		200.15	196.41		634026	569646	522441	398739	220955	58027	408952	1720700	1656316	1609112	233159	1487541



STREETS

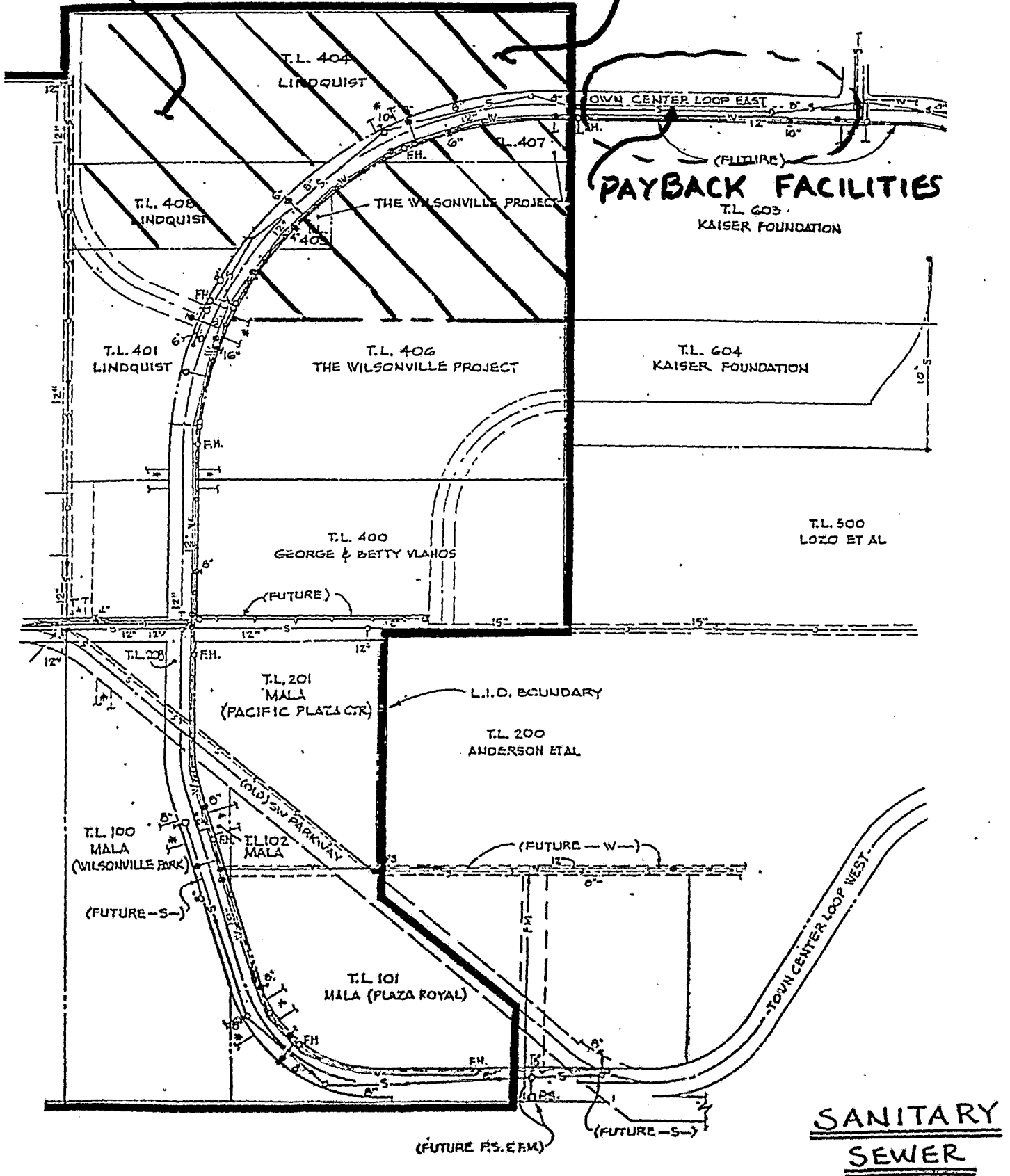


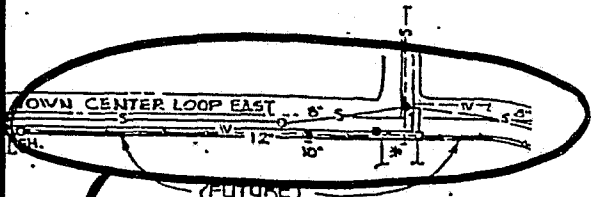
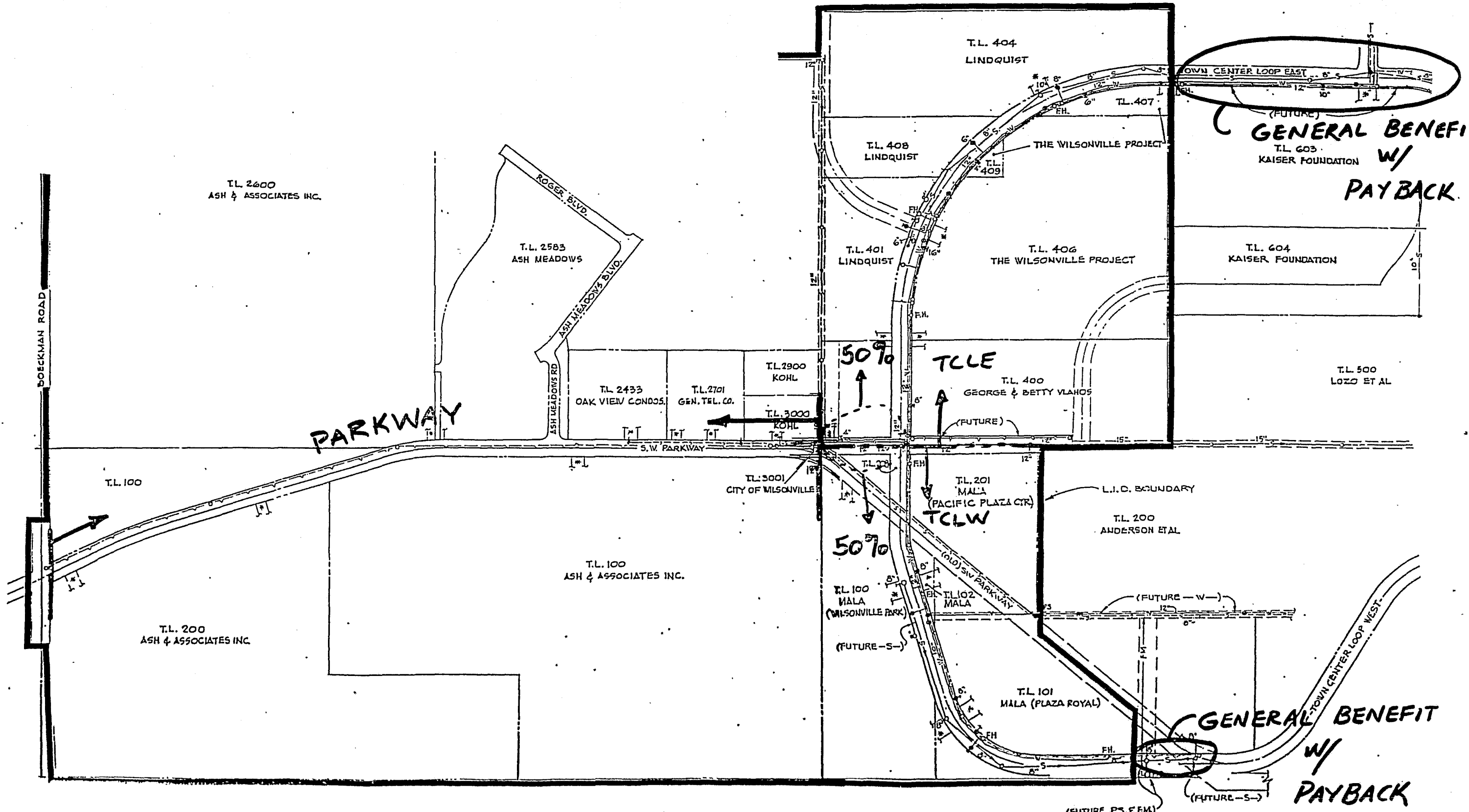
DRAINAGE



WATER

SEWER SERVICE AREA





**GENERAL BENEFIT
T.L. 603
KAISER FOUNDATION
w/
PAYBACK.**

T.L. 604
KAISER FOUNDATION

T.L. 500
LOZO ET AL

T.L. 400
GEORGE & BETTY VLAHOS

L.I.D. BOUNDARY
T.L. 200
ANDERSON ET AL

T.L. 101
MALA (PLAZA ROYAL)

**GENERAL BENEFIT
w/
PAYBACK**

OTHER
UTILITIES

PARKWAY

50% ↑

50% ↓

TCLLE

TCLW

(FUTURE P.S.E.M.)

(FUTURE-S-)

(FUTURE-W-)

(FUTURE-S-)

T.L. 2600
ASH & ASSOCIATES INC.

T.L. 2583
ASH MEADOWS

T.L. 2433
OAK VIEW CONDOS.

T.L. 2701
GEN. TEL. CO.

T.L. 2900
KOHL

T.L. 3000
KOHL

T.L. 3001
CITY OF WILSONVILLE

T.L. 201
MALA
(PACIFIC PLAZA CTR)

T.L. 100
MALA
(WILSONVILLE PARK)

T.L. 200
ASH & ASSOCIATES INC.

T.L. 100
ASH & ASSOCIATES INC.

BOECKMAN ROAD

ROGER BLVD.

ASH MEADOWS BLVD.

S.W. PARKWAY

GOLDSIV PARKWAY

TOWN CENTER LOOP WEST

"EXHIBIT B"

TRANSCRIPT OF REMONSTRANCE TO PREASSESSMENT NO 3 - STUART H. LINDQUIST,
TAX LOT 404, SECTION 13

Mayor Meyer called for opponents:

Stu Lindquist: 472 SE Powell in Portland. I think that the Board of Viewers did a good job with one exception, I don't think that they took into account the economic value of some of the property. Some of that property in there has a higher use than others. The assessments are based on the fact that all the land is equal. I think that the Board of Equalization ought to look at that situation and make an adjustment or change the zone, one of the two, so that the property is the same and the use is the same. Otherwise it is not fair to be paying the same per acre assessment.

Mike Kohlhoff: Who's property is that?

Stu Lindquist: The property in the corridor on the east loop is zoned for residential and the property on the east side along side of the Courtside Estates subdivision is also designated on the Comp Plan as residential. So you have two segments there of residential property the use is not as high as the commercial property that is in the rest of the center. So that the create an assessment that they went on even though they adjusted some of that land for the proximity to the services, which I appreciate that, and I think they tried to do a good thing. They didn't adjust the land for its economic value as to the way it is zoned. I think that has to be looked at. I mean that is a fact. That ground.....we're looking at a 15 to 18 thousand dollar assessment on that ground for land that is zoned for apartments in there for residential. The value of that property is bearily \$20,000 an acre on today's market. The commercial ground is of higher value. I think that if you slam a \$20,000 assessment or an \$18,000 assessment against ground that is worth with market value of improvements is worth \$20,000 an acre, well that isn't fair.

Mayor Meyer: Is there residential land within closer proximity to the center than this 3 to 1 ratio in the 3 rather than the 1 ratio?

Stu Lindquist: On the assessment you mean?

Mayor Meyer: Yes.

Stu Lindquist: It is on the higher.

Mayor Meyer: Some of the residential is.....

Stu Lindquist: Yes

Mayor Meyer: All of it?

Stu Lindquist: All of it.

Mike Kohlhoff: Most of his would be, yes. All of Lindquist's lots are.

Stu Lindquist: I think that is one flaw in this whole thing. And I would like to see it go forward. I really would, but I'm at this time on the fact I would have to remonstrate. I just can't.....it just can't get assessed the same as the rest of the property without a zone change. Now if the Council is...was...you know a would look at some situation like that then that's a different situation.

Mike Kohlhoff: What...what's residential in your tax lots 404, 408?

Stue Lindquist: All of the south line here. There is about 7 acres on the east side that...

Mike Kohlhoff: How's the land on the west side of that?

Stue Lindquist: The west side is all commercial. The quarter of the City Center is designated...under the plan...was designated residential.

Mike Kohlhoff: Now,

Stu Lindquist: And the property along Courtside.

Mike Kohlhoff: Do you have some zoned commercially that could be built on that planned unit development that could be established commercial by our zoning code?

Stu Lindquist: I don't think so. Not the way it is set up.

Mike Kohlhoff: Is that right?

Stu Lindquist: It is designated under the comprehensive plan. The assessment is for a real high use commercial property and that is not fair.

Ben Altman: What you have in the Town Center is a land use designation of the master plan or development plan. There was a specific plan amendment made in about 1978 or 79 that Mr. Lindquist presented to the City that adopted... a specific development plan line of pattern that allocated residential and commercial for that...at that time it included lots 401, 406, 408, 404, 407, and 409 that were included in that amendment. The eastern portion of that was residential with the interior portion of that being commercial. And created the density that Stu is referring to now.

Stu Lindquist: But the core is designated residential also.

Ben Altman: That was already in the comprehensive plan. There was an amendment to the northeast corner of the plan at that time...in '79 I believe.....that affected those specific tax lots that I mentioned. And it set the density in pattern in that area. The interior portion shown on the map, which is the yellow circle in the middle has been there since the original zoning was done for the Town Center which was the 12 to 20 area.

Larry Blanchard: I think to clarify at least on the behalf of the Board of Viewers....when they look at the piece of property they were looking at what the impact would be regardless of residential or commercial. And it was determined that the impact of the 12 to 20 or th 7 to 12 would be comparable to the commercial development. And that is one of the things that they looked at. They looked at the area..or coverage area for primarily 12-to 20 as you are looking at high density...possibility that could be multifamily.

Ben Altman: It is 7 to 12 on the northeast boundary and 12 to 20 in the center.

Larry Blanchard: In looking at lot coverages and intensification of use, in many instances, especially the 12 to 20 are the high end of the 12 for the 7 to 12 would put it in the 60% range. Predominately at that point, it was predominately commercial. So, I think that was one of the intents was to clarify to at least what type of use they really did not know, all they could do put down what was intended at that point and go from there. They don't have anything that is developed to make that determination. They don't know what will be built if there will be a zone change or request or modified to accept commercial or how it will be handled.

Stu Lindquist: I think that is fine. If the plan can be modified so that east side could be given a commercial zone and you got the same development capabilities instead of earmarking 7 acres of residential and lots residential then that is fine. But if we are going to earmark part of it for residential and part of it for commercial. If they plan another assessment against me on the residential part I might as well just give the land to the City, there is no way you can sell it and pay the assessment.

Councilman Edwards: How about if we zone that for gold mines.

Stu Lindquist: It is a problem. I don't know what you do. You are looking at cold hard buyers here. I mean you are talking about an assessment \$15,000 to \$18,000. Somebody has got to pay for that. And I'm willing to pay for my share of the assessment, but I've got to make an economical dollar and I can't do it on land here that is zoned for residential.

Mayor Meyer: What was the Board of Viewers reaction to your presentation when they could be.....

Stu Lindquist: Larry just expressed it. What they looked at was the impact of the booming on the land. Another words you got drainage, looking at a "x" number of roof drains going into it, "x" number of sewer drains going into it, that is what they looked at. I wish the Council would certainly look at that, because it is a situation.....It looks like, you know, the plans could be amended and the whole town center could be worked as plan unit development with residential here and commercial here then thats one thing, but if there is going to be commercial and residential in different areas then the assessments oughta be taken into account tonight, is my estimation.

Councilman Edwards: Do we have reinvent the wheel everytime to....What do other people do in this kind of situation?

Larry Blanchard: Predominately, we have used the square footage assessments, but as the Board of Viewers reviewed the assessments they...as Stu pointed out there were some situations that needed to be addressed as far as some improvements that have been made, improvements that hadn't been made, accessibility, for instance as to streets and water, some properties would have a better advantage to develop their properties as looking at properties that were deeper into the Town Center where they would have to extend roads or extend water lines, etc. So these things were taken into consideration.

Councilman Edwards: So what you are talking about is the physical use of the ground they didn't pay any attention whether the thing could generate \$2 a square foot or \$20 a square foot. That made no difference to them.

Larry Blanchard: They looked at the commercial...a...property as being all of one. The facilities that were there generated "x" amount of CFS, "x" amount of.....right down the line.

Stu Lindquist: That's fine. They had a tough job. They really did. That was the only thing that they overlooked and it ought to be looked at.

Councilman Edwards: It seems like a pretty germain thing in your behalf.

Stu Lindquist: Yes, it is. Thank you.

Mayor Meyer: Thank you, sir.

Terry Tolls: Box 577, Portland 97207. Stu's wording of a fact that they overlooked the item, I don't know if that is too accurate. It is not reflected in the final number of the fact that there is a difference between the zoning in the comp plan. I think that is the proper wording isn't Ben. It's zoned commercial now, but the comp plan shows part residential and part commercial in that area?

Ben Altman: The zoning designation for the entire Town Center area is Planned Development Commercial. But because it is a planned development it carries with it a master plan of a land use pattern just like Charbonneau or Ash Meadows or Fox Chase. That master plan, as I mentioned, was ammended in part by Mr. Lindquist in '79 designates specific uses to certain areas of the plan. The current comprehensive plan designation is simply a mere image of what a master plan does. That designation originally was the Town Center which was presented by the property owners back in the early '70s to the City. There was a minor amendment on the northeast portion of that that added some area to the Town Center designated area that was previously outside of the boundary. But it is all zoned commercial. The use within it is regulated by the master plan.

Terry Tolls: When the Board of Viewers discussed this with us then, the difficulty of trying to come up with a determination on that over everything else was obvious to them as it was to us, and Larry I believe I'm correct in stating they responded my questions specifically as saying "you do recognize it is a problem, as part of our recommendation to Council we will be saying that we are treating this as it is all commercial because it will be too difficult to do if we recognize a lesser use for the property other than all commercial". I think that was going to make it on the written part. It may or may not have. I don't know. So I would state in responce to Stu's concern I don't think any of us are objecting if in fact we are in fact being treated as future commercial that we don't have to go through that process for portions of it. We're recognizing that you can't treat every possibility front end. But he is right for residential you could not justify putting the assessment on there. I don't believe you could.

Councilman Edwards: So they said it was too tough to break out his residential, so you guys are saying it should be commercial.

Terry Tolls: They were saying.....I think I worded it that way, but I don't believe I said that. I was trying to say that our group as a concensus agreed that as long as the Council understood that is was our understanding that it

was being treated as commercial we had no problem with the assessment as being proposed. That is what I stated.

Mike Kohlhoff: Yes, but that is not an accurate statement.

Terry Tolls: The statement is very accurate. As long as the Council understood that that was....

Mike Kohlhoff: The assumption of the Board of Viewers is not necessarily accurate. Because we've got a master plan somewhere we have a lotting plat pattern that makes this residential and it is not commercial use.

Terry Tolls: Even within that master plan there, there are variations as to whether you look at this map here or you look at this etcetera and where the lines are drawn. Nothing seems to be quite clear or finite. I could be wrong on that, but I don't believe so. Unless Wilsonville is substantially more sophisticated on where they draw the line than most municipalities.

Mike Kohlhoff: Well, you have to....as you just recently whitnessed with Ash Meadows....you are going to have a change in your master plan that is quite a process that you have a change of use which this is.... and you're going to have to show you know rational for that.

Terry Tolls: That is why I'm sitting here. I agree with you.

Mike Kohlhoff: So, right now the intended use is residential.

Ben Altman: I would caution the Council on that it's one of those chicken and egg things....whether you make an assessment based on a intended use and open the door for a plan amendment on the basis of your assessment versus having land use designation dominant as it is suppose to be in the comprehensive plan.

Councilman Edwards: Our choice is to go back and amend what they did to reflect part of being residential so we would take part of the assessment off the residential and redistribute on the other.

Mayor Meyer: In that case why weren't they notified by staff of?...you tell the Board of Viewers thay maybe what we ought to consider is doing just what they say...this area being residential and this area being commercial so therefore we should make an adjustment rather than accept these figures is that what you are saying?

Terry Tolls: No, what I am saying I'm hoping that you will accept the fact that we intend for the area to become commercial and that is the way we approve it. No, I'm telling you where I'm coming from, not what you have to do.

Councilman Edwards: Ben has pointed out that our Town Center area is at least the size of downtown Portland and it is little unlikely that we are going to get a lot of commercial right away. Even the zoning of that stuff commercial, I don't know what good it will do for a while.

Terry Tolls: We are all set to make the comparison to the City of Tualatin and where you don't have ten story buildings, you know. There are comparable sizes there too. I'm sure you have seen what Mel Kroker has presented on that. So I don't know.....it is highly realistic to compare to something the size of Tualatin and highly unrealistic to compare to something the size of Portland

when you talk density. I don't think those size relationships.....

Ben Altman: Mr. Mayor, I just wanted to make sure that what I was saying was I agree with Mr. Tolls that the Town Center does have a master plan, but in that master plan there is an inherent flexibility to take specific application, you know, as far as the distant from the road and what is going to be commercial and residential. The most detailed plan we have, is in fact, the amendment that Mr. Lindquist made in '79, which created a specific volume pattern and specific densities allocated to that. And that was in the northeast corner of those tax lots that I read off earlier. The central portion of the plan relies on the Kroker Master Plan as far as the land use pattern and it allows for residential in the interior, but did not require it. So there is question as I said the plan reflects what the master plan shows, there is flexibility in there. What I wanted to make sure is that the record was clear that any assessment determination you make has to be in consideration of the entire Town Center that it could go that there is inherent flexibility in that. But I don't want....what I would caution against is having an assessment made and having a plan amendment come before you with the findings that you assess it this way so you will have amend the plan this way. That's not really the case. The question is the potential in that area could go either way.

Mayor Meyer: An then my question to you is you are telling the Board of Equalization, which happens to also be the City Council, this, was the Board of Viewers also made aware of this present zone.

Larry Blanchard: Let me speak on being involved in the Board of Viewers meeting. I think that what they were looking at was that, you know, in order to develop a formula for the residential versus the commercial would be almost impossible. At least in their eyes, their minds, based on what was proposed. They had certain areas that didn't have residential and certain areas that did have commercial and in identifying how they each benefit would be almost impossible for them. Based on what each parcel of property would contribute to either streets or storm drainage, or water or sewer.

Mayor Meyer: Do feel then that they found a common demoninator in their assessment?

Larry Blanchard: That is what I think this whole thing is all about. They found something that they could do....instead of saying that this little star of residential is going to be "x" amount and this little star of residential is "x" amount and the rest of it is this amount. They said how is this area to be served? And what is it's instensification of this area based on what we have before us? And they said, you know, basically for the purpose of assessment the Board of Viewers assumed that all properties in area 3 tax lot 2700 are intended for commercial use. Based on those facts, and what the Board of Viewers, at least in their identification, they cannot control whether that is commercial use or not. That has to go before the City Council and Planning Commission. But that purposes for assessment they used that theory and I think it was logical for them to do so. Based on what will be used in that area.

Councilman Gardiner: I'm not sure that I understand. The theory is that if you reduce it to a residential assessment instead of the commercial assessment at a later time Mr. Lindquist could come back and use the property for commercial use?

Larry Blanchard: That is highly possible. I can't speak on behalf of what the property owners are going to do. As a Board of Viewers we could only base it with the information we had before us. And I don't think that Mr. Tolls or Mr. Lindquist, at least I say Mr. Tolls, is disagreeing with the assessment formula. From my knowledge they were agreeing with the assessment.

Mayor Meyer: For the record, I don't think that the Board of Equalization or the City Council...ah...should be understood, if they approve this balance of assessment,...ah...to support the change in the future, I think this also a question of which you are addressing isn't it. If I voted for this assessment roll as amended by the memo, that does not say that I condone nor will support a future change to a specific commercial zoning just because there was a common denominator for assessments used. I won't do that and I don't think this Council should do that.

Councilman Gardiner: You have said it better than I.

Councilman Edwards: Then that does boils it down to the fact then....then Mr. Tolls and Mr. Lindquist are saying the assessment is not proper.

Terry Tolls: Mr. Tolls did not say that. Mr. Tolls said we wanted to call to the attention of the Council that intentionally we have come to an agreement with the Board of Viewers, as I understand it to be called, that we did treat it all as commercial in the assessment formula recognizing that this is not a comp plan hearing, but these are also people, and I hope you understand that we are trying to settle loud and clear and it is our intent to approve it as such and we hope you recognize that. We know that you are not bound to these things. It is not a comp plan hearing and you haven't been through the things.....we know that. We thought that was a reasonable way to handle a difficult situation us coming before you saying it sure is our intent to go that direction so that you would not be seeing us again. I tell you now, when it comes time to paying for it and saying, okay, its higher than it would be otherwise, but that is what our intent is.

Councilman Edwards: What kind of position would that put us in legally, Mike?

Mike Kohlhoff: I don't think you are guaranteeing any use. The only problem that I am trying to think through in my own mind right now, and we have looked at this and there is a couple of cases, you have to look at the benefit to the property itself and and that is what we are talking about, and apparently that is what the Board of Viewers did was look at what the benefit was for the property and the drainage and this sort of thing. And you can't guess what the future us is. The school district may or may not build a school building and there may be residential homes there. The future use, which may nor may not be apartment. It is so difficult to get a change of use through a master plan change then in fact he is locked in. We just had a master plan change. I'm not sure that Mr. Lindquist is locked into apartments, although, if in the master planning, I mean it's, pretty well thought that maybe you would want to have, you know, a lot of apartments close to your commercial area to make the commercial area go.

Terry Tolls: Mike, you have a big lake there too. And I don't think that's,....

Mike Kohlhoff: No, no, you have to different master plans your talking about.

Terry Tolls: I understand. You are talking right and left hand side of the road. I guess that all I'm saying is we are recognizing that the bestest does have plexiglu and we recognize as such. You at least understand and that is what we are trying to say.

Mayor Meyer: I think what you are saying, and what I'm trying to understand is that you very definetly have the right to the process, but this is not what it is for. That's my thought.

Mike Kohlhoff: If Stu Lindquist decides that he wants to build apartments and he believes that he has been unfairly assessed he said that he is remonstrating. And then he goes on and remonstrates. Then we will have to deal his remonstratation and tying up the process if it happens.

Mayor Meyer: But also in the future would like to amend that. This is not the place to do it. I can understand that you are giving us the opportunity to know that there is a possibility of doing that, but I don't think that we are going to make that decision here. We aren't and we should not be.

Terry Tolls: I didn't expect that. Certainly not. Two more items. One has to do with the construction deposit agreement. I have not talked to Jerry Crispe this afternoon to know is he has checked with you Larry regarding that. As written I hope you can make some modifications to that prior to final ...ah... payment of bill. It makes it a lot of fun.

Larry Blanchard: I think in order to do that, I know that Jerry has talked to me and I have not had a chance to talk to Mike yet, but in order to do that we are going to have to meet to discuss that.

Terry Tolls: Okay. I assumed as much. It highly affects us.

Larry Blanchard: As you are aware that we can't bid the project until that....

Terry Tolls: Until that is done. Of course, but that can a subject to.

Mike Kohlhoff: Well, you have a resolution here that is adopting this and declaring intentions to proceed.

Terry Tolls: You mean that you will proceed when that particular item is resolved? I assume we can modify that. We can't accept exactly as written or....I can only say that my own partners have said that they would not. Only own 9% of my particular parcel so I don't hold a lot of wieght.

Councilman Edwards: I think that is outside of the Board of Equalization.

Terry Tolls: One more item and I do believe there is one and it is an issue that I heard this evening, and I guess I'm not sure I understand. It has to do with the petition issue, which....am I to assume that there is a possibility that we not only have to pick up extra water line and miscellaneous utilities for offside charges or whatever it is called....that there is a possibility at a later date the Council would meet again and decide we had to pick up percentages of everybody elses roads or vacations. How does the vacation issue effect out LID as far as personal assessments at this time or does it?

Mike Kohlhoff: Well, one if there are additional cost to an LID where you have gone through a preassessment situation, you can come back in and add those costs.

For instance, if you have got cost overruns in your construction, there is that ability to come back and have them reassessed.

Terry Tolls: I guess I am more concerned with the willingness of the Council or someone else to use up contingencies when contingencies you hope don't get spent.

Mike Kohlhoff: I don't think that the Council has determined where the funds are going to come from for payments for the vacation. I don't believe you have have you?

Councilman Edwards: We have not addressed that issue yet.

Mike Kohlhoff: You said you were going forward in two separate situations and what we have on the docket is one saying that we have gotten an appraisal going one way, which we have not reached any agreement on, and yet, and there also some items going the other way. So I don't know what the total dollar figures are and I don't know what the Council is going to do with it.

Larry Blanchard: I hope that we all understand that this is a preassessment. If it were a final assessment it would be based on final numbers that we had. Because actual construction costs, etc. The preassessment is based on an estimated cost which we hope are enough to cover the total construction. When we bid the project we anticipate that. We have done, I think, two projects so far that were done under preassessment and one of them so far came in okay. Again, that is the method that is used.

Mayor Meyer: Would anyone else like to address the Board.

Jerry Crispe: I'm Jerry Crispe, 17685 SW 65th in Lake Oswego. I have some commercial property to the northeast...in the northeast sector. And I must say, I guess, would be in contrast to Stu. What Stu doesn't want to say, Jerry Crispe has to. That commercial property and assessment values that are determined are in coordination. We had a variety of very intense meetings with the an excellent Board of Viewers. These are really good people. If you could rouse them up to other projects you'll be darn lucky. I think that it takes a lot of complex things, they talked to all of the people, Stu involved, myself involved on a number of them. They understood the value consideration on the residential as well as commercial. And they played with all that they could in dealing in depth of properties and how they would be served and what utilities really went through this property and that property and so on. And I think that they did have that consideration on their mind when they made their final assessment by that formula. And to the men except for Stu, I'll let him speak for himself, everyone thought the formula was really fair. And about the best job that could be done. If you would start playing around with that then there is going to be more challenges on the otherside to say alright by what judgement do you change to what they already tried to present to you. So I ask that you go with a pretty competent Board and go with what and approve with what you have in front of you.

Mayor Meyer: Is there anyone else that would care to testify. Okay if there is not the public hearing is closed.

Dan Potter: Explained now the Board of Equalization must make a recommendation to the City Council for the Council's action tonight.

Councilman Gardiner: I move that the Board of Equalization recommend to the City Council that they adopt the assessments presented by the Board of Viewers as amended by later memo from Larry Blanchard.

Councilman Edwards: I seconded it. All voted in favor (5-0).

Mayor Meyer: I would like to call a recess of the Board of Equalization and reconvene the City Council meeting. I would like to call a ten minutes recess of the City Council meeting.

Mayor Meyer: I call the City Council meeting to order, please. The Board of Equalization has met and they recommend to the City Council that Resolution CB-R-156-85 be approved. And with that.....

Councilman Gardiner: I so move.

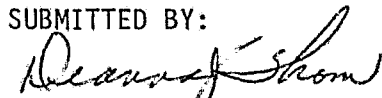
Councilman Edwards: I seconded it.

Mayor Meyer: It has been moved and seconded that Resolution CB-R-156-85 be adopted. All voted in favor (5-0).

Mike Kohlhoff: Is there an Exhibit "B" attached to this?

Larry Blanchard: If there is a remonstrance against this there will have to be one attached to this.

SUBMITTED BY:



Deanna J. Thom
City Recorder