

RESOLUTION NO. 788

A RESOLUTION REQUESTING THE REAPPORTIONMENT OF AN ASSESSMENT IN LID #5 INVOLVING TAX LOTS 100 AND 104.

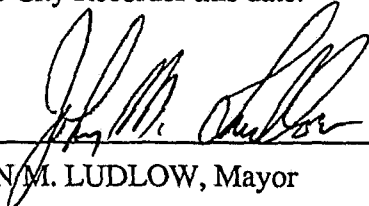
WHEREAS, the city staff has prepared a report on the above captioned subject which is attached hereto as Exhibit "A"; and

WHEREAS, the City Council has duly considered the subject and the recommendation(s) contained in the staff report; and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.


NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby adopt the staff report attached hereto as Exhibit "A", with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 17th day of October, 1990 and filed with the Wilsonville City Recorder this date.



JOHN M. LUDLOW, Mayor

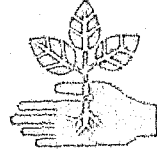
ATTEST:



VERA A. ROJAS, CMC, City Recorder

SUMMARY of Votes:

Mayor Ludlow	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Clarke	<u>ABSENT</u>
Councilor Dant	<u>ABSENT</u>



City of
WILSONVILLE
In OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

MEMORANDUM

FINANCE DEPT

EXHIBIT "A"

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RAY SHORTEN, FINANCE DIRECTOR

DATE: SEPTEMBER 13, 1990

**RE: REQUEST FOR REAPPORTIONMENT OF AN
ASSESSMENT IN LID #5 - TAX LOTS #100 &104**

I have received an application for an assessment reapportionment from Mr. Don Mala for two tax lots in LID #5. The tax lots involved are tax lot #100 consisting of 6.88 acres and tax lot #104 consisting of 1.4 acres. Both tax lots are located in Section 14D, Township 3 South, Range 1, West of the Willamette Meridian, in Clackamas County, Wilsonville Oregon.

The reapportionment request was filed in accordance with City Ordinance #350. The purpose of this reapportionment is to create two parcels of land from the two tax lots involved. The assessments on this property are not delinquent.

Parcel 1 is scheduled to be sold to Les Schwab Tire Centers of Portland, Inc. A request for a minor land partition is currently being processed through the City's Planning Dept. Both parcels will have frontage on an improved street. As with all reapportionment applications, approval is contingent upon all accrued principal and interest being brought current on Parcel 1.

The reapportionment of the assessment will be made on a pro-rata acreage basis. The relative values, area, and frontage on public streets are proportionate to the proposed reapportionment, so there

**Exhibit "A" for CBR-R-459-90
September 17, 1990**

should be no impairment to the security of the City or the holders of the Bancroft bonds.

Attached is a map showing the parcels involved and the acreage of each.

The principal balance remaining on the assessment equals \$96,279.04, with the total acreage being 7.976 acres. Assessment per acre calculates to \$12,071.09 (assessment/acreage).

Reapportionment:

Parcel 1	1.736 acres	
Assessment Parcel A		\$20,955.42
Parcel 2	6.240 acres	
Assessment Parcel B	_____	<u>\$75,323.62</u>
	7.976 acres	\$96,279.04

A notice of consideration of reapportionment by Council has been sent to all parties involved.

RECOMMENDATION:

I recommend that the above reapportionment be approved.

Exhibit "A" for CBR-R-459-90
September 17, 1990

ASSESSMENT REAPPORTIONMENT APPLICATION

APPLICATION TO REAPPORTION AN ASSESSMENT IN A LOCAL IMPROVEMENT
DISTRICT WITHIN THE CITY LIMITS OF WILSONVILLE, OREGON

City of Wilsonville Ordinance #350 Section #3.209 (copy attached)
outlines the requirements necessary to initiate a reapportionment of
an existing LID assessment.

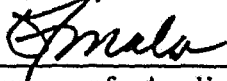
To assure that your application can be adequately processed, please
sign and return this form and include the following items to satisfy
your requirements for reapportionment.

1. A legal description of each parcel of land into which the
property is proposed to be divided.
2. The complete name and address of each of the owners and
other parties having an interest in such property.
3. Verification that an application to partition the property
involved has been initiated through the City of Wilsonville
Planning dept.
4. A survey map showing tax lot #'s, acreage of each parcel and
approximate location of tax lot being reapportioned.
5. Verification that each partitioned parcel of property will have a
value of two times the proposed reapportioned assessment of
the parcel.

All of the items above are provided with this application and I
hereby apply to reapportion Tax Lots 100 & 104 in accordance
with Ordinance #350.

Wilsonville Park, Ltd.

By



(Signature of Applicant)
Donald F. Mala, Property Manager

September 5, 1990

Date of Application



Pacific Horizons Real Estate, Inc.
Real Estate Securities & Brokerage

September 5, 1990

City of Wilsonville
PO Box 220
30000 SW Town Center Loop East
Wilsonville, OR 97070

ATTN: Ray Shorten, Finance Director

RE: Assessment Reapportionment Application

Dear Mr. Shorten:

A public hearing for the Les Schwab development of the property described herein and presently owned by Wilsonville Park (Oreg.) Ltd. (a State of Oregon registered limited partnership) is scheduled for September 10, 1990 before the Wilsonville Planning Commission. The surveyor, Jim Weddle & Associates, Inc., has submitted a request to the Wilsonville planning staff for a lot line adjustment of Tax Lots 100 and 104 (Clackamas County Assessor's map 3 1W 14D) to accommodate Les Schwab's proposed project. If the lot line adjustment is approved by the Planning Commission a partition of the property will not be necessary. Enclosed for your review and approval by the Wilsonville City Council are the documents required by City of Wilsonville Ordinance #350, Section 3.290. The enclosures identified below are reviewed in accordance with the numbering sequence of the Assessment Reapportionment Application form:

1. LEGAL DESCRIPTIONS:

- a. Parcel I: The parcel being purchased by Les Schwab Tire Centers of Portland, Inc.
- b. Parcel II: The Wilsonville Park, Ltd. partnership's remaining property.

2. OWNERSHIP INTEREST:

Parcel I: Wilsonville Park, Ltd. (Seller/Owner)
Donald F. Mala, Property Manager
PO Box 6
8755 SW Citizens Drive, Suite 201
Wilsonville, OR 97070

Les Schwab Tire Centers of Portland, Inc. (Purchaser)
Vern Atwood, Property Manager
PO Box 667
Prineville, OR 97754

Parcel II: Wilsonville Park, Ltd. (Owner)

3. PROPERTY PARTITION:

A lot line adjustment survey has been submitted for Wilsonville Planning Commission approval in stead of a partition of the property described herein.

4. SURVEY MAP:

In accordance with the enclosed surveyor's maps a reapportionment of Local Improvement District (LID 5) assessment is requested based on the survey information specified below:

	<u>ACREAGE</u>	<u>SQUARE FOOTAGE</u>	<u>PERCENTAGE</u>
Parcel I:	1.736	75,662	21.78%
Parcel II:	6.240	271,802	78.22%
Totals:	7.976	347,464	100%

Our records indicate that the remaining principal balance owed on the LID 5 assessment applicable to Tax Lots 100 and 104 (Clackamas County Assessor's map 3 1W 14D) is \$96,279.04. Enclosed is LID 5's most current Statement of Assessment Installment, identifying property location Sec 14D, 0100400, dated April 16, 1990. Interest owed on the LID 5 principal balance will be prorated by the escrow closing officer on the effective closing date of the Les Schwab purchase of Parcel I.

5. VERIFICATION OF VALUE:

Enclosed are copies of the the most current Clackamas County property tax statements noting current assessed values of Tax Lots 100 and 104. The current Clackamas County assessed value of Tax Lots 100 and 104 is more than seven time the remaining LID 5 assessment balance.

If you have any questions regarding the enclosures or need additional information, please contact my office at your earliest convenience (Phone 682-3771).

Sincerely,

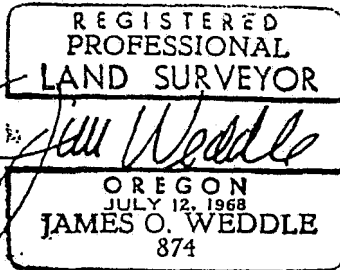


Donald F. Mala
Property Manager

DFM:dfm

Enclosures: Specified Above.

PARCEL I



JULY 20, 1990
FILE NO 90-1780B

PROPERTY DESCRIPTION
(PORTION OF TAX LOT 100 & 104)
LES SCHWAB TIRE CENTERS, INC.

CLACKAMAS CO. ASSESSOR'S MAP NO. 3 1W 14D

A parcel of land situated in the Southeast one-quarter Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, County of Clackamas and State of Oregon, being part of those certain parcels of land described in Clackamas County Recorder's Fee Numbers 78-18237 and 82-31330, more particularly described as follows:

Beginning at a point in the east right-of-way line of Interstate 5, said point bears South 89°53'55" West 1120.39 feet and South 00°03'30" East 293.36 feet from a brass cap monument marking the East 1/4 corner of Section 14, aforesaid; thence continuing along said east right-of-way line South 00°03'30" East 486.42 feet to a point therein, said point being the northwest corner of Town Center Loop West, a dedicated public street, described in Clackamas County Recorder's Fee No. 83-17888; thence along the northerly line of said street North 89°56'30" East 20.00 feet; thence along the northwesterly line of said Town Center Loop West, 72 feet wide, along the arc of a non-tangent 486.00 foot radius curve right 443.80 feet through a central angle of 52°19'15" (chord bears North 36°30'44" East 428.54 feet) to a point therein; thence leaving said street parallel to the east line of Interstate 5, North 00°03'30" West 142.61 feet; thence South 89°52'00" West 275.33 feet to the point of beginning.

CONTAINING THEREIN an area of 75,662.1 square feet. (1.737 acres, more or less).

33.00' (R)

53°55'E (C)
VACATED

1120.39' (C)
STREET

1120.54' (R)

EAST-WEST & SEC. 14
(Record) Not verified this

1/4 CORNER
BRASS CAP IN
MONUMENT BOX
FOUND.
(SEE PS 2136)

RECORD OF SURVEY

SITUATED IN
S.E. 1/4 SECTION 14, T3S, R1W, W.M.,
CITY OF WILSONVILLE, COUNTY OF CLACKAMAS and
STATE OF OREGON

CLACKAMAS CO. ASSESSOR'S MAP 3 IW 14D

SEE PS NOS. :

21,639;
15,512;
19,104;
22,087.

SCALE: 1" = 60'
JULY 21, 1990

TAX LOT 100
(FEE NO. 78-18237)

260.36' (M)

(IRS)

(IRS)

38' RECIPROCAL
ACCESS EASEMENT

REGISTERED
LAND SURVEYOR
Jim Whittle
JULY 21, 1990

N89°52'00"E 275.33' (CBM)

256.33' (CBM)

AREA
75,662.1 S.F.
1.737 AC.
PARCEL I

N89°52'00"E (RBM) 365.81' (RBC)

275.33' (C)

(IRF) (HELD)

P.O.B. TAX LOT 104
(FEE NO. 82-31330)

SEWER MANHOLE
(NO EASEMENT
LOCATED)

CB=N63°46'11"W
d=2'11'39"
R=486'
L=18.61'
C=18.61'

217.10' (C)

298.55' (RBM)
N64°52'00"E (M)

P.C. 29+00.34'
(RECORD)

486.42' (RBM)

SCD 2°30'E BASIS OF BEARINGS

A = 52°19'15"
R = 486'
L = 443.80'
C = 428.54'
CB = N36°30'44"E

6' Utility &
sidewalk
easement.
Fee No.
386-41396

6' (RBM)

6' (RBM)

6' (RBM)

6' (RBM)

6' (RBM)

6' (RBM)

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6' (RBM)

6' (RBM)

6' (RBM)

6' (RBM)

6' (RBM)

TOWN CENTER LOOP WEST

579°38'54"E (Rad)
R = 486'

P.C. 21+00.112
(RECORD)

De Haas Aluminum
cap

(SEE PS 21639)
(LID NO. 5)

LEGEND:

- Indicates 5/8" x 30" IRS w/red plastic cap stamped "WEDDLE PLS 874".
- ⊕ Indicates 5/8" IRF w/yellow plastic cap stamped "Pacific Surveys No. 1010".
- Indicates 5/8" IRF w/yellow plastic cap stamped "DeHaas & Assoc., Inc.", or as noted on map
- ⊙ Indicates brass disc found stamped "O.S.H.D. B.G. 520+00".
- ⊕ Indicates brass cap in monument box stamped "City of Wilsonville DeHaas Inc. 1986". 1/4 corner 13/14: DLC No. 44."
- ⊕ Indicates brass screw set in lead plug w/washer stamped "874".
- ⊕ Indicates monument found as noted on map

(IRS) = IRON ROD SET; (IRF) = IRON ROD FOUND;
(BSS) = BRASS SCREW SET; (P.O.B.) = POINT OF BEGINNING;
(M) = MEASURED; (C) = CALCULATED; (R) = RECORD; R = RADIUS
(H) = HELD (FOR LOCATION):

WIDE
EASEMENT
Fee Nos.
31330

plastic cap
on side
(IRF)
(HELD)
(RBM)
(RBM)

P.C.
68.88' (M)
R.W.

PARCEL II



Jim Weddle
& Associates, Inc.

AUGUST 27, 1990
SF90-1780C

PROPERTY DESCRIPTION
(PORTION OF TAX LOT 100 & 104)
WILSONVILLE PARK LTD.

CLACKAMAS CO. ASSESSOR'S MAP NO. 3 1W 14D

A parcel of land situated in the Southeast one-quarter Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, County of Clackamas and State of Oregon, being a part of those certain parcels of land described in Clackamas County Recorder's Fee No. 78-18237 and 82-31330, and a part of vacated Boberg Road No. 1571, Clackamas County Recorder's Fee No. 81-14598, all being more particularly described as follows:

Beginning at a point which bears South 89°53'55" West 236.00 feet from a brass cap monument marking the East 1/4 corner of Section 14, aforesaid; thence continuing South 89°53'55" West 884.39 feet to a point in the east right-of-way line of Interstate 5; thence along said east line South 00°03'30" East 293.36 feet to a point therein; thence North 89°52'00" East 275.33 feet; thence parallel to the east line of said Interstate 5, South 00°03'30" East 142.61 feet to a point in the northerly line of Town Center Loop West, a dedicated public street 72 feet wide; thence easterly along said line along the arc of a non-tangent 486.00 foot radius curve right 18.61 feet through a central angle of 02°11'39" (chord bears North 63°46'11" East 18.61 feet); thence tangent to said curve along said northerly line North 64°52'00" East 298.55 feet to the beginning of a tangent 486.00 foot radius curve right; thence along the arc of said curve 211.78 feet through a central angle of 24°58'03" (chord bears North 77°21'01" East 210.11 feet); thence along said northerly line North 89°50'03" East 116.30 feet to a point therein; thence leaving said street North 00°24'21" East 255.52 feet to the point of beginning.

CONTAINING THEREIN an area of 271,802 square feet. (6.240 acres, more or less).

5/8" I.R. w/CAP HELD

N 89° 52' 57" E 1120.54

N 89° 50' 48" E 137.90 1036.66 (1036.50)

146.64

T.L. 100
(SEE PS 15512 & PS. 19104)

5/8" I.R.

5/8" I.R. HELD AS PC. OF RD

WILSONVILLE PARK, LTD.
PARCEL II

N 0° 03' 01" E 256.56

N 0° 03' 01" E 256.56

R: 486.00
Δ: 3° 34' 39"
L: 30.37

R: 486.00
Δ: 21° 23' 14"
L: 181.41

116.30

36

L: 196.09
R: 450'
Δ: 24° 58' 03"

S 89° 49'

5/8" ALU

5/8" I.R. w/ PACIFIC SURVEY CAP #1010

N 64° 51' 22" E
298.55
LOOP WEST

5/8" I.R. w/ DEHAAS ALUM CAP S 0.10, W 0.09

TL 201

1325.69
386.38 (386.42 #19104)

R: 486.00 Δ: 54° 32' 17" L: 462.61
R: 450' Δ: 64° 55' 21" L: 509.90
TOWN CENTER

VACATED MARKET RD.

S 89° 55' 00" E
9.98
20.00

5/8" I.R.

Oregon Property taxes for fiscal year July 1, 1989 to June 30, 1990
CLACKAMAS
REAL

Code Area		Account Number			
003023		811777			
Property Description (Tax Lot Number)					
Map Number			Parcel		Special Interest
Township	Range	Section	1/4	1/16	
3S	1W	14	D		00100
Acres		Class	Sub-Class	Pull Number	
6.88		0	701	78-18237	

Taxpayer **WILLAMETTE SAVINGS & LOAN**
 Other **#LN3975 100450004501655630**
 Than
 Owner

WILSONVILLE PARK OR LTD
PO BOX 6
WILSONVILLE OR 97070

#SN 0067719
PROPERTY LOCATION:
29055 SW PARKWAY AVE
WILSONVILLE OR

811777 Interest Included **11-15-89**

Delinquent Taxes

Tax Year	Amount

Foreclosure proceedings will be started after July 15 on real property accounts with an unpaid balance for any tax year marked with an asterisk (*)

PLEASE
 MAKE **CLACKAMAS COUNTY TAX COLLECTOR**
 PAYMENT **168 WARNER-MILNE ROAD**
 TO: **OREGON CITY OR 97045**

Tax	Disc./Int.	Total
Check	Cash	Change

Assessed Value	Last Year	This Year
LAND	470.250	525.400
BUILDINGS	118.060	87.670
EXEMPTION		
Net Assessed Value	588.310	613.070
Tax Rate Each \$1000	25.2075	26.2861
Property Taxes	14,829.82	16,115.22
Current Taxes Levied By	Tax Rate	Tax Amount
CLACK COUNTY	.7129	437.06
SHERIFF LEVY	1.2013	736.48
LIBRARY LEVY	.2878	176.44
CITY	2.1543	1,320.74
FIRE DIST #64	2.5215	1,545.86
CLK ELEM ESD	.7105	435.59
CLK HIGH ESD	.3626	222.30
CLACKAMAS CC	1.3123	804.53
SCHOOL DIST	16.4004	10,054.59
VECTOR CNTROL	.0015	.92
PORT OF PTLD	.2957	181.28
METRO SD #2	.3253	199.43
Property Tax Totals	26.2861	16,115.22

811777

Total Taxes and Assessments				16,115.22
FULL - 3%	Discount Allowed *	Pay By	Pay One of These Amounts	
	483.46	NOV 15	15,631.76	
	2/3 - 2%	214.87	10,528.61	
1/3 - None		5,371.74		

WE URGE PAYMENT BY MAIL.
CANCELLED CHECK AND LOWER
PORTION OF STATEMENT IS
YOUR RECEIPT. THANK YOU.

Oregon Property
taxes for fiscal year
July 1, 1989 to
June 30, 1990

CLACKAMAS

REAL

Property Taxes

Code Area 003023		Account Number 811802			
Property Description (Tax Lot Number)					
Map Number			Parcel		
Township	Range	Section	1/4	1/16	
3S	1W	14	D	00104	
Acres		Class	Sub-Class	Pull Number	
1.15		0	200	86-44213	

Assessed Value	Last Year	This Year
LAND	42,000	125,230
BUILDINGS		
EXEMPTION		
Net Assessed Value	92,000	125,230
Tax Rate Each \$1000	25.2075	26.2861
Property Taxes	2,319.09	3,291.82
Current Taxes Levied By	Tax Rate	Tax Amount

Taxpayer	CLACK COUNTY	.7129	89.28
Other	SHERIFF LEVY	1.2013	150.44
Than	LIBRARY LEVY	.2878	36.04
Owner	CITY	2.1543	269.78
	FIRE DIST #64	2.5215	315.77
	CLK ELEM ESD	.7105	88.98
	CLK HIGH ESD	.3626	45.41
	CLACKAMAS CC	1.3123	164.34
	SCHOOL DIST	16.4004	2,053.82
	VECTOR CNTRL	.0015	.19
	PORT OF PTLD	.2957	37.03
	METRO SD #2	.3253	40.74

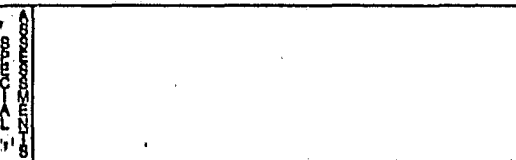
WILSONVILLE PARK LTD
%WILSONVILLE PARK LTD
PO BOX 6
WILSONVILLE OR 97070

#SN 1167994

Property Tax Totals 26.2861 3,291.82

811802 Interest Included 11-15-89

Delinquent Taxes	Tax Year	Amount
Foreclosure proceedings will be started after July 15 on real property accounts with an unpaid balance for any tax year marked with an asterisk (*)		



PLEASE
MAKE CLACKAMAS COUNTY TAX COLLECTOR
PAYMENT 168 WARNER-MILNE ROAD
TO: OREGON CITY OR 97045

Tax	Disc./Int.	Total
Check	Cash	Change

Total Taxes and Assessments			3,291.82
Discount Allowed *	Pay By	Pay One of These Amounts	
FULL - 3%	98.75	NOV 15	3,193.07
2/3 - 2%	43.89		2,150.66
1/3 - None			1,097.28

1547

WE URGE PAYMENT BY MAIL.
CANCELLED CHECK AND LOWER
PORTION OF STATEMENT IS
YOUR RECEIPT. THANK YOU.

ASSESSMENT FILES INQUIRY

Name : EMALA, DON (WLS.PARK)] # Of Owners [1]
 Address-1 : P.O. BOX 6]
 City : WILSONVILLE] St : OR] Zip : [97070][0000]

Asses # : [8-A] Map/Tax Lt: [SEC-14D] [100-4]
 02. Lien Date : [40186] 05. Proj Type : [ST-UT]
 03. Lien Amt : [126811.84] 06. Inst Amt : [5088.80]
 04. Ban Amt : [126811.84] 07. IntMercnt: [6.91500]
 08. Legal Desc: [SEC.14D-TAX LOT #100-104] 09. County No : []

PRINCPAL		INTEREST		PENALTY	
10. Cur: [	0.00]	15. Cur: [	0.00]	20. Cur: [	0.00]
11. 180: [	0.00]	16. 180: [	0.00]	21. 180: [	0.00]
12. 360: [	0.00]	17. 360: [	0.00]	22. 360: [	0.00]
13. 540: [	0.00]	18. 540: [	0.00]	23. 540: [	0.00]
14. 720: [	0.00]	19. 720: [	0.00]	24. 720: [	0.00]
Totl: [	0.00]	Totl: [	0.00]	Totl: [	0.00]
25. PBal: [96279.04]		B-Due: [	0.00]	27. I-Dte: [050190]	
29. Leg Remark: [				28. Due : [50190]	

CORRECT RECORD (Y/N) (-)