

ORDINANCE NO. 5367

AN ORDINANCE LEVYING A CHARGE UNDER THE PROVISIONS OF CHAPTER 10.16 OF THE ALBANY MUNICIPAL CODE FOR AN IN-LIEU-OF ASSESSMENT FOR COLLECTOR SEWERS FOR SAID PROPERTY BEING DESCRIBED AS TAX LOT #1700, OF PARCEL 10S-04W-35AD; AND DECLARING AN EMERGENCY.

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

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

Albany Orthodox Christian Mission	Acct#: SSCCN06101*	\$4,043
2365 Robinhood NW	Acct#: SSCCN06102*	4,043
Albany, OR 97321	Acct#: SSCCN06103*	4,043
	Site: 2715 Gibson Hill Road NW	\$12,129
	Tax Acct#: 342090	
	Desc: 10-04W-35AD-01700	

Said charges are for the purpose of a property within the original North Albany Sanitary Sewer Assessment District to receive additional benefit from the existing sewer in the North Albany Sewer Basin as required under Chapter 10.16 of the Albany Municipal Code (AMC.) Said property has been partitioned by applications, PA-02-93 and PA-24-96. The charges made by this ordinance are In-Lieu-Of Assessments for Collector Sewer, properties inside the original sewer district that divide, creating additional parcels within 150 feet of an existing sanitary sewer, AMC 10.16.220, (Ordinance 5048.)

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

\$4,043 (Collector Rate - Properties Inside District) x 3 Parcels = \$12,129

Note: The Collector Sewer rate was established by Resolution 3444. The assessments will be levied to the parcel requesting partition application and proposed to be served by the existing sanitary sewer, project SS-90-07, as defined by AMC 10.16.230.


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

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the City of Albany, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by Council: June 10, 1998

Approved by Mayor: June 10, 1998

Effective Date: June 10, 1998



Mayor

ATTEST:



City Recorder

Name/Address	Description		
ALBANY ORTHODOX	PART PLAT 93-12	10-04W-35A0-01700	
CHRISTIAN MISSION	05/20/98 0342090	POTENTL CILA,NOTES,PA-24-96,PA-02-93	
2365 NW ROBINHOOD	4,043.00	08688	
ALBANY OR 97321	SSCCN06101*		
ALBANY ORTHODOX	PART PLAT 93-12	10-04W-35A0-01700	
CHRISTIAN MISSION	05/20/98 0342090	POTENTL CILA,NOTES,PA-24-96,PA-02-93	
2365 NW ROBINHOOD	4,043.00	08689	
ALBANY OR 97321	SSCCN06102*		
ALBANY ORTHODOX	PART PLAT 93-12	10-04W-35A0-01700	
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2365 NW ROBINHOOD	4,043.00	08690	
ALBANY OR 97321	SSCCN06103*		
Report total...	12,129.00		

TITION PLAT
CEL 1 OF PA
UATED WITHIN
SECTION 35, TOWNSHIP 10 SOUTH,
ANG 4 WEST, OF THE WILLAMETTE
ERIDIAN, CITY OF ALBANY, BENTON
OUNTY, OREGON.

ION PLAT 1993-12
ATED WITHIN THE NORTHEAST 1/4
SECTION 35, TOWNSHIP 10 SOUTH,
ANG 4 WEST, OF THE WILLAMETTE
ERIDIAN, CITY OF ALBANY, BENTON
OUNTY, OREGON.

OR: ALBANY ORTHODOX CHRISTIAN MISSION
ITE: APRIL 17, 1998

APPROVALS.
 THIS PLAT APPROVED THIS ___ DAY OF ___, 1998.
 DIRECTOR, ALBANY COMMUNITY DEVELOPMENT
 THIS PLAT APPROVED THIS ___ DAY OF ___, 1998.
 BENTON COUNTY SURVEYOR

HEREBY CERTIFY THAT ALL TAXES ON THE WITHIN DESCRIBED PROPERTY ARE PAID AS OF THE ___ DAY OF ___, 1998.
 DIRECTOR, BENTON COUNTY DEPARTMENT OF FINANCE, AUDITING, AND TAX COLLECTION

RECORDING:
 I HEREBY CERTIFY THAT THIS PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN BENTON COUNTY RECORD OF PARTITION PLATS AS PLAT No. _____ ON THIS DAY OF 1998, AT _____ O'CLOCK, _____ TARGET SHEET RECORDED IN DEED RECORDS BOOK _____ PAGE _____

BENTON COUNTY CLERK

I, DUANE McCLELLAND, HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PARTITION PLAT.
 Duane McClelland 4/17/98
 DUANE McCLELLAND DATE

NOTARY PUBLIC OF STATE OF OREGON
 1900 St. N. E., SALEM, OR. 97303
 (503)391-2884

ABIQUA ENGINEERING, INC.
 1900 St. N. E., SALEM, OR. 97303
 (503)391-2884

NARRATIVE.
DESC: 10-4W-5AD

PURPOSE OF SURVEY.
 THE PURPOSE OF THIS SURVEY IS TO PARTITION PARCEL 1 OF PARTITION PLAT 1993-12 AS PER THE CITY OF ALBANY COMMUNITY DEVELOPMENT DEPARTMENT NOTICE OF DECISION (DATED MAY 1, 1997) TO ST. ANNE ORTHODOX CHURCH.

BASIS OF BEARING.
 THE BASIS OF BEARINGS FOR THIS PARTITION IS FROM BENTON COUNTY SURVEY NO. 3279 AND IS THE EAST SECTION LINE OF SECTION 35, T. 10 S. R. 4 W. W. M., DEFINED BY THE 1" IRON PIPE POINT "A" AND THE EAST 1/4 CORNER POINT "B".

BOUNDARY DETERMINATION.
 THE EXISTING MONUMENTS OF PARCEL 1 PP 1993-12 WERE USED TO ESTABLISH THE BOUNDARY OF THE PARTITION WITH THE EXCEPTION OF THE SOUTHEAST CORNER. WE FOUND THE SOUTHEAST CORNER, A 5/8" IR TO BE N 89° 27' 36" E 0.05 FEET OFF LINE.

SURVEYORS CERTIFICATE.
 I, DUANE McCLELLAND, BEING FIRST DULY SWORN, HEREBY DEPOSE AND SAY THAT I AM A DULY REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, AND THAT SURVEYED THE PARTITION PLAT SHOWN HEREON AND HAVE MARKED WITH PROPER MONUMENTS THE PARCELS SHOWN HEREON. THE EXTERIOR BOUNDARY OF SAID PARTITION PLAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED LS 503, SAID IRON ROD BEING ON THE WEST RIGHT-OF-WAY LINE OF N.W. WHITMORE DRIVE AND THE NORTHEAST CORNER OF PARCEL 1 OF PARTITION PLAT 1993-12; THENCE SOUTH 89°27'39" WEST 287.87 FEET ALONG THE NORTH LINE OF PARCEL 1 TO THE NORTHWEST CORNER OF PARCEL 1; THENCE SOUTH 00°24'14" EAST 284.32 FEET ALONG THE WEST LINE OF PARCEL 1 TO THE SOUTHWEST CORNER OF PARCEL 1; THENCE NORTH 89°28'51" EAST 145.04 FEET ALONG THE SOUTH LINE OF PARCEL 1 TO A POINT ON THE SOUTH LINE OF PARCEL 1; THENCE NORTH 89°27'36" EAST 142.23 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 AND THE WEST RIGHT-OF-WAY LINE OF N.W. WHITMORE DRIVE; THENCE NORTH 00°17'00" WEST 284.79 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF N.W. WHITMORE DRIVE TO THE POINT OF BEGINNING.

DECLARATION.
 KNOW ALL MEN BY THESE PRESENTS, THAT ALBANY ORTHODOX CHRISTIAN MISSION THE OWNER OF THE LAND SHOWN HEREON, DESCRIBED IN THE SURVEYORS CERTIFICATE AND HAVE CAUSED THE SAME TO BE PARTITIONED INTO PARCELS, I HEREBY CREATE A 10.00 AND 7.00 FOOT PUBLIC UTILITY EASEMENT AS SHOWN ON THIS PLAT.

ACKNOWLEDGMENT.
 STATE OF OREGON }
 COUNTY OF MARION }

KNOW ALL PEOPLE BY THESE PRESENTS, THAT ON THIS ___ DAY OF ___, 1998 BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED
 WHO BEING FIRST DULY SWORN DID SAY THAT HE IS ARE THE IDENTICAL PERSONS NAMED IN THE FOREGOING INSTRUMENT, AND THAT HE EXECUTED SAID INSTRUMENT FREELY AND VOLUNTARILY.

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