## AN ORDINANCE CREATING AN ECONOMIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH ORS 223.112 THROUGH 223.132.

WHEREAS, the City Council of the City of Albany previously adopted Resolution No. 3775 on April 23, 1997, in which it was announced that the City intended to create a voluntary Economic Improvement District in the downtown area as of July 1, 1997; and

WHEREAS, a public hearing in the matter of establishing such a district was held before the Albany City Council on April 23, 1997 and May 28, 1997; and

WHEREAS, ORS 223.112-223.132 permits the creation of Economic Improvement Districts; NOW, THEREFORE,

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

Section 1: Project Description. This Economic Improvement District is hereby created to provide funding for economic development in the Albany downtown district. The funds generated shall be used to assist the City in the planning or management of development or improvement activities; landscaping or other maintenance of public areas; promotion of commercial activities or events; activities in support of business recruitment and development; and for improvements in parking systems or parking enforcement.

Section 2: Preliminary Estimate of Cost. It is proposed that the preliminary estimate of the probable cost of the Economic improvements referred to above, will be as follows for each of the years that this district is in place:

$$
\begin{array}{ll}
1997-1998 & \$ 40,000 \\
1998-1999 & \$ 40,000 \\
1999-2000 & \$ 40,000
\end{array}
$$

Section 3: Proposed Formula for Apportioning Costs. Assessments will be based on the square footage of the parcel. The fee will remain the same if the property value increases. The Primary Area EID rate will be $\$ .036$ per square foot. The Secondary Area EID rate will be $\$ .021$ per square foot. Fees will be capped at $\$ 500.00$ per parcel.

Section 4: Boundary of Economic Improvement District. The Primary Area, boundary shall be defined as an area beginning at a point in the northwesterly corner of the intersection of Water Avenue and Washington Street; thence southerly approximately 1,130 feet along the centerline of Washington Street; thence easterly approximately 1,336 feet along the centerline of 4th Avenue; thence northerly approximately 584 feet along the centerline of Lyon Street; thence easterly approximately 668 feet along the centerline of 2nd Avenue; thence northerly approximately 673 feet along the centerline of Montgomery Street; thence westerly along the Willamette River to the northwesterly most edge of Broadalbin Street; thence southerly approximately 10 feet; thence westerly approximately 275 feet; thence southerly approximately 83 feet; thence westerly along the northern most edge of Water Avenue to the point of beginning.

The Secondary boundary of the Economic Improvement District shall be defined as an area beginning at a point
at the most northwesterly corner of the Tax Lot No. 11-4W-1DD-300; thence southerly along the most westerly property line a distance of approximately 542 feet to the intersection of the north line of 1 st Avenue; thence southerly along the centerline of Calapooia Street approximately 1,475 feet; thence easterly along the centerline of 6th Avenue to the centerline of Broadalbin Street; thence southerly to the centerline of 8th Avenue; thence easterly to the centerline of Ellsworth Street; thence southerly to the centerline of 9th Avenue; thence easterly to the eastern most line of Lyon Street; thence northerly approximately 679.7 feet; thence easterly approximately 178.4 feet; thence northerly approximately 143.67 feet to centerline of 6 th Avenue; thence easterly approximately 107.0 feet to the centerline of Baker Street; thence northerly to the center line of 4th Avenue; thence easterly to the centerline of Railroad Street; thence northerly on the centerline of Railroad Street through the vacated right-ofway of the Hackleman Addition Blocks 101 and 106; thence northwesterly approximately 100 feet to a ten foot walkway; thence northerly approximately 125 feet to the northwesterly corner of Block 107 of Hackleman's Addition; thence westerly along the Willamette River to the northwesterly most edge of Broadalbin Street; thence southerly approximately 10 feet; thence westerly approximately 275 feet; thence southerly approximately 83 feet; thence westerly along the northern most edge of Water Street to the point of beginning. A map showing the approximate location of the Economic Improvement District is attached hereto as Exhibit "A" and by this reference incorporated herein. Should any discrepancy exist between the map and the written description set forth above, the description shall control.

Section 5: Term. This assessment will be levied for a term of three (3) years beginning July 1, 1997, and ending June 30, 2000.

Section 6: Notice of Public Hearing. On March 12, 1997, the City Council of the City of Albany adopted Resolution No. 3761. This Resolution provided for notices to be mailed or delivered personally to affected property owners and announced the intention of the Council to undertake this Economic Improvement District and to assess benefitted properties for the cost. The notice set the first public hearing for Wednesday, April 23, 1997, at 7:15 p.m., in the City Hall Council Chambers, 333 Broadalbin S.W., Albany, Oregon. On April 23, 1997, the City Council of the City of Albany adopted Resolution No. 3775. This Resolution set a second public hearing for May 28, 1997, at 7:15 p.m., in the City Hall Council Chambers, 333 Broadalbin SW, Albany, Oregon. The notice also set forth a description of the proposed project, a preliminary estimate of its costs, a description of the formula for apportioning the proposed cost to specially benefitted properties, the proposed term of the District, and further advise the recipients of their right to remonstrate against the creation of the Economic Improvement District by writing to the City on or before May 28, 1997. The notice also informed the recipients that the City Council would consider their failure to respond to that notice as an approval of the proposed assessment and a specific request for Economic Improvement District services. Thereafter, a hearing was held at the time, date, and place referred to above and remonstrances were received. Said remonstrances did not exceed the thirty-three percent ( $33 \%$ ) level which would bar creation of the Improvement District pursuant to ORS 223.118(a).

Section 7: Voluntary Nature of Assessment. Exclusion of Property. Pursuant to ORS 223.118, the Economic Improvement project described above shall be undertaken but assessments shall not be levied on any lot or parcel of property in those instances where the owner of that property submitted written objections at the aforesaid public hearing. Such properties are hereby excluded from assessment and the individual property and assessment data hereinafter set forth shall recognize such exclusion. The formula for assessment referred to in Section 3 shall be used to determine the particular assessment on each property to be assessed and as a consequence, the actual amount levied will be reduced accordingly from the preliminary estimate referred to in Section 2 above.

Section 8: Limitations. The City shall not be authorized to:
(a) Include within the Economic Improvement District, any area of the City that is not zoned for commercial or industrial use.
(b) Levy assessments on residential real property or any portion of a structure used for residential purposes.

Section 9: Individual Property and Assessment Data. Individual Property and assessment data is set forth in the sheets attached hereto as Exhibit " B " and by this reference incorporated herein.

Section 10: Notice of Proposed Assessment. Notice of the proposed assessment referred to above shall be mailed or personally delivered to the owner of each lot to be assessed, which notice shall state the amount of the assessment proposed on the property of the owner receiving the Notice.

Section 11: Docketing of Liens. 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.

Passed by the Council: May 28, 1997


Effective Date: __ July 1, 1997


ATTEST:


F:LDATAIWPDATAIFINANCELEID.ORD



| SLCONDARY CONTINUED DOLLAR VALUE | FOOTPRINT | TAX LOT\# | OWNER |
| :---: | :---: | :---: | :---: |
| \$145.00 | 6,904.47 | 11S-03W-12AA-100 | KROPP, MARTHA |
| \$434.97 | 20,712.76 | 11S-03W-12AA-200 |  |
| \$76.94 | 3,663.60 | 11S-03W-07BB-4500 | MULLICAN |
| \$143.83 | 6,849.24 | 11S-03W-07-BB-4400 |  |
| \$500.00 | 29,668.61 | 11S-03W-07BB-5100 |  |
| \$70.22 | 3,344.00 | 11S-03W-07-BB-5400 |  |
| \$45.00 | 2,142.98 | 11S-03W-07-BB-5500 |  |
| \$84.12 | 4,005.72 | 11S-03W-07-BB-5600 |  |
| \$196.99 | 9,380.30 | 11S-03W-07BB-11200 |  |
| \$82.09 | 3,908.84 | 11S-03W-07BB-3400 | REID, ROGER/FORREST |
| \$61.56 | 2,931.61 | 11S-03W-07BB-3500 |  |
| \$143.68 | 6,842.04 | 11S03W-07BB-3600 |  |
| \$66.91 | 3,186.20 | 11S-03W-07BB-4600 |  |
| \$143.84 | 6,849.51 | 11S-03W-07BB-4700 | REID, ROGER/FORREST |
| \$71.93 | 3,425.00 | 11S-03W-07BB-4800 |  |
| \$71.93 | 3,425.07 | 11S-03W-07BB-4900 |  |
| \$184.98 | 8,808.59 | 11S-03W-07BB-6000 |  |
| \$131.93 | 6,282.24 | 11S-03W-07BB-6300 |  |
| \$226.76 | 10,798.00 | 11S-03W-7BA-1000 | 500 Lyon St. Corp./Loy Marshall |
| \$6,995.58 | 356,311.92 |  |  |
|  | REMONSTRANCE \% |  |  |
| \$6,995.58 | 25.37\% | \$45,424.31 | $=31441.23+13983.08$ |
| ~ \$4,528.14 | 11,856.82/45,424.31 | TOTAL |  |
| \$11,523.72 | TOTAL | AVAILABLE |  |
|  | REMONSTRANCES |  |  |




| Iaxrate | RGRdDir ietsexs | Taxlot | 1 Owner | Add2 | Add3 | Situs1 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| \$248.73 | 11 S 03W6 | 11700 | WASHINGTON MUTUAL | C/ | 50 |  |
| \$497.56 | 11 S 03W6 C C | 11800 | BRESHEARS, CLAUDE | BRESHEARS, PHYLLIS | 825 RIDDERS LN NW | 230 LYON ST S |
| \$497.57 | 11 S 03W6 C C | 11900 | WASHINGTON MUTUAL | C/O KOLL CORPORATE | E1191 2ND AVE, SUITE 950 | 231 ELLSWORTH ST s |
| \$243.18 | 11 S 03W6CD |  | EDWARDS BROS CONSTR CO | 133 LYON ST N | ALBANY OR 97321-2702 | 133 LYON ST N |
| \$339.96 | 11 S 03W6 CD |  | EDWARDS BROS CONSTR CO | 133 LYON STN | ALBANY OR 97321-2702 | 133 LYON ST N |
| \$447.26 | 11 S 03W6 CD |  | EDWARDS BROS CONSTR CO | 133 LYON STN | ALBANY OR 97321-2702 | 140 BAKER ST NE |
| \$483.94 | 11 S 03W6CD |  | POWERS, RAY A | POWERS, KATHRYN D | 17955 EDMUNDSON RD |  |
| \$389.70 | 11 S 03W6 C D |  | WENTWORTH, JACKSON G, TR | WENTWORTH, LEONA A, TR | DUNMIRE, FREDRICK AGT | 139 1ST AVE E |
| \$358.29 | 11 S 03W6 CD |  | THOMPSON, ELIZABETH J | 2888 NW BEULA VISTA TER | PORTLAND OR 97210-0000 | 104 1ST AVE E |
| \$405.70 | 11 S 03W6 CD |  | DUCKETT, MICHAEL K | 140 1ST AVE E | ALBANY OR 97321-0000 | 140 1ST AVE E |
| \$500.00 | 11 S 03W6 CD | 1200 | DOWNTOWN ALBANY ASSO | -C/O ERIC BUNN | 815 NW 9TH ST |  |
| \$241.18 | 11 S 03W6 CD | 1900 P | P K OREGON LIMITED PARTNE | RPO BOX 932 | ALBANY OR 97321-0000 |  |
| \$248.80 | 11 S 03W6 C D | 2000 | COVALT ENTERPRISES, INC | 110 3RD AVE SE | ALBANY OR 97321-0000 | 110 3RD AVE SE |
| \$248.80 | 11 S 03W6 C D | 2100 | COVALT ENTERPRISES, INC | 110 3RD AVE SE | ALBANY OR 97321-0000 | 315 LYON ST S |
| \$500.00 | 11 S 03W6 C D | 2200 | DOWNTOWN ALBANY ASSO | -C/O ERIC BUNN | 815 NW 9TH ST | 304 3RD AVE SE |
| \$124.39 | 11 S 03W6 CD | 2700 | WIEBE, RONALD W | WIEBE, RONALD W, TR | 333 LYON ST S | 121 4TH AVE SE |
| \$373.18 | 11 S 03W6 CD | 2900 | WIEBE, RONALD W | WIEBE, RONALD W, TR | 333 LYON ST S | 333 LYON ST S |
| \$110.28 | 11 S 03W6 CD | 4900 | BURROUGHS, JULIAN H | PO BOX 12865 | SALEM OR 97309-0000 | 212 1ST AVE E |
| \$276.86 | 11 S 03W6 CD | 5000 | HAMEL, WARREN \& ELIZABETH |  | SALEM OR 97309-0000 | 2221 AVE E |
| \$304.15 | 11 S 03W6 CD | 5100 | MERRITT TRUAX, INC | POBOX 2099 | SALEM OR 97308-0000 | 236 1STAVE W |
| \$246.47 | 11 S 03W6 CD |  | PERLENFEIN, STEVEN R | PERLENFEIN, JOANIE M | 631 NW KOUNS DR | 237 2ND AVE SE |
| \$165.13 | 11 S 03W6 CD |  | PERLENFEIN, STEVEN R | PERLENFEIN, JOANIE M | 631 NW KOUNS DR | 237 2ND AVE SE |
| \$161.76 | 11 S 03W6 CD |  | PERLENFEIN, STEVEN R | PERLENFEIN, JOANIE M | 631 NW KOUNS DR | 215 2ND AVE SE |
| \$411.98 | 11 S 03W6 CD | 5500 | TRIPP, RODNEY W, TR | TRIPP, MARTHA G, TR | PO BOX 747 | 201 2ND AVE SE |
| \$479.00 | 11 S 03W6 CD |  | TAKE A TICKET | 130 MONTGOMERY ST NE | ALBANY OR 97321-2723 | 145 BAKER ST NE |
| \$500.00 | 11 S 03W6 C D | 5800 | TAKE A TICKET INC | 130 MONTGOMERY ST NE | ALBANY OR 97321-0000 | 130 MONTGOMERY S |
| \$242.76 | 11 S 03W6 CD | 5900 | WENTWORTH, JACKSON G, TR | WENTWORTH, LEONA A, TR | DUNMIRE, FREDRICK AG | 237 1ST AVE W |
| \$500.00 | 11 S 03W6 C D | 6000 | WENTWORTH, JACKSON G, TR | WENTWORTH, LEONA A, TR | DUNMIRE, FREDRICK AG | 201 1ST AVE E |
| \$500.00 | 11 S 03W7 B B |  | KEY BANK OF OREGON | C/O ACCOUNTING DEPT | 1211 SW 5TH AVE | 128 3RD AVE |
| \$248.85 | 11 S 03W7 B B |  | KEY BANK OF OREGON | C/O ACCOUNTING DEPT | 1211 SW 5TH AVE SUITE |  |
| \$248.90 | 11 S 03W7 B B |  | WHITE, GLEN W | WHITE, FRANCES L | 1803 PARK TERRACE NW | 330 L |
| \$248.90 | 11 S 03W7 B B |  | LINN BENTON BANK | PO BOX 809 | ALBANY OR 97321-0000 | 330 |
| \$497.80 | 11 S 03W7 B B |  | LINN BENTON BANK | PO BOX 809 | ALBANY OR 97321-0000 | 333 ELLSWORTH ST s |
| \$249.07 | 11 S 03W7 B B | 1000 F | FREEDOM FEDERAL SAVINGS \& | C/O ACCOUNTING DEPT | 425 PIKE ST | 333 ELLSWORTH ST |
| \$124.54 | 11 S 03W7 B B | 1100 F | FREEDOM FEDERAL SAVINGS \& | C/O ACCOUNTING DEPT | 425 PIKE ST | 300 ELLSWORTH ST S |
| \$124.54 | 11 S 03W7 B B | 1200 F | FREEDOM FEDERAL SAVINGS \& | C/O ACCOUNTING DEPT | 425 PIKE ST |  |
| \$135.08 | 11 S 03W7 B B | 2600 K | KUEBRICH, KAREN J | YUTZIE, BILLY R AGT | C/O BILLS FLOWER TREE | 305 WASHINGTON ST |




