

RESOLUTION NO. 4433

A RESOLUTION REVISING IN-LIEU-OF ASSESSMENT CHARGES FOR WATER AND SEWER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY FOR A UNIQUE SITUATION RESULTING FROM THE OREGON YOUTH AUTHORITY, STATE OF OREGON, LOCATION OF FACILITIES UNDER THEIR SUPERSITING AUTHORITY AND THEREBY SUPERSEDING GENERAL WATER AND SEWER ILA RESOLUTIONS, AND REPEALING RESOLUTION 3921 (A RESOLUTION REPEALING RESOLUTION NO. 3788 AND SETTING IN-LIEU-OF ASSESSMENT CHARGES FOR WATER AND SEWER CONNECTIONS OF UNASSESSED PROPERTIES IN THE CITY OF ALBANY FOR A UNIQUE SITUATION RESULTING FROM THE OREGON YOUTH AUTHORITY, STATE OF OREGON, LOCATION OF FACILITIES UNDER THEIR SUPERSITING AUTHORITY AND THEREBY SUPERSEDING RESOLUTIONS NOS. 3843 AND 3844 FOR THE PROPERTIES LISTED HEREIN).

WHEREAS, Chapter 11.14 of the Albany Municipal Code sets forth requirements for in-lieu-of assessments (ILA) for water connections of unassessed properties within the City of Albany; and

WHEREAS, Chapter 10.14 of the Albany Municipal Code sets forth requirements for in-lieu-of assessments (ILA) for sewer connections of unassessed properties within the City of Albany, excluding the North Albany Sanitary Sewer Basin; and

WHEREAS, general water and sewer ILA resolutions are adopted and periodically updated that establish the rates for water and sanitary sewer in-lieu-of assessments; and

WHEREAS, there exists the unique situation of the State of Oregon locating on a site with supersiting authority; and

WHEREAS, the existing general ILA assessment resolutions do not fully reflect the benefit assigned to the properties listed below; and

WHEREAS, in order to provide the timely construction of water and sewer service to the Oregon Youth Authority property, it became necessary for both the City and State of Oregon to advance funds representing the computed benefit to other properties; and

WHEREAS, in-lieu-of assessment charges are closely related to the cost of construction of the capital improvements for the water and sewer system; and

WHEREAS, in-lieu-of assessment charges shall be adjusted on the first day of July each calendar year in proportion to the change in the Seattle Construction Cost Index as published in the *Engineering News-Record* (ENR); and

WHEREAS, the Seattle ENR Index used in Resolution No. 3921 was 6640, and the April 2001 ENR Index to be applied for purposes of this Resolution is 7327 (Index Ratio = $7327/6640 = 1.1035$).

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution 3921 is hereby repealed as of the effective date of the revised charges; and

BE IT FURTHER RESOLVED that the following water and sewer in-lieu-of assessment rates are hereby established and adopted for the properties listed below and as shown on attachment "A" and "B":

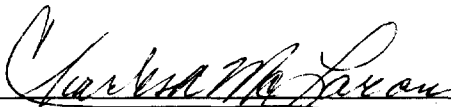
Tax Lot Number	Sewer ILA	Water ILA
11-3W-19A-100	\$18,066.11 \$19,935	none
11-3W-19A-200	\$16,512.03 \$18,220	\$13,799.03 \$15,227
11-3W-19A-500	\$21,951.29 \$24,222	\$18,344.58 \$20,243

BE IT FURTHER RESOLVED that the above referenced in-lieu-of assessment amounts shall be due and payable upon an application to receive service; and

BE IT FURTHER RESOLVED that any fees collected will be applied to City and the Oregon Youth Authority in accordance with the Capital Recovery Reimbursement Agreement for Oregon Youth Authority dated March 24th, 1998 (Recorders File #3116).

BE IT FURTHER RESOLVED that the effective date of these charges shall be July 1, 2001.

DATED THIS 13TH DAY OF JUNE 2001.



Mayor

ATTEST:



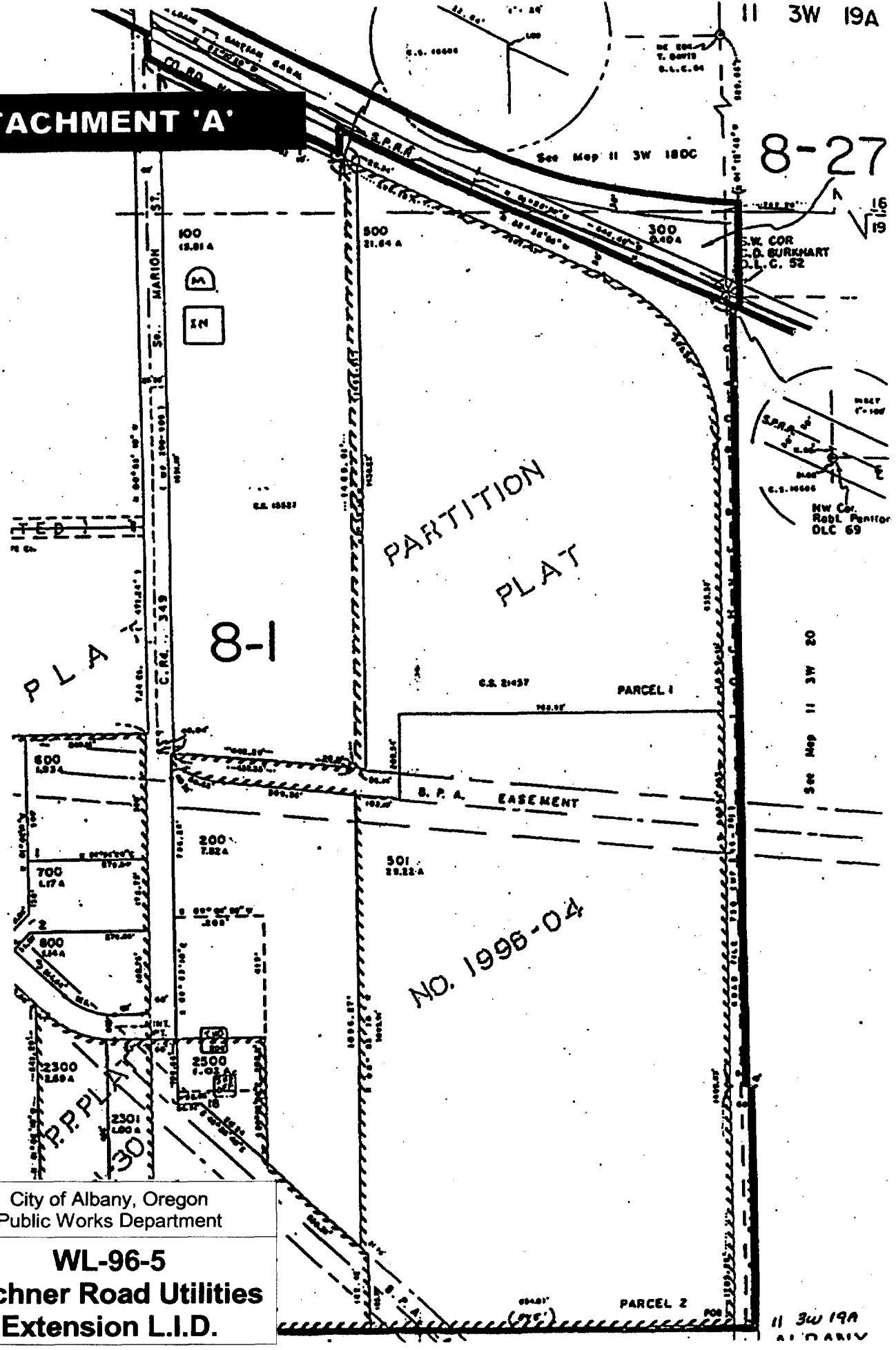
City Recorder

ATTACHMENT 'A'

11 3W 19A

8-27

16
19




City of Albany, Oregon
Public Works Department

WL-96-5
Lochner Road Utilities
Extension L.I.D.

11 3W 19A
ALBANY

ATTACHMENT 'B'

-  Benefited Area
- 501** Tax Lot Numbers
- 1.13** Approximate Lot Area (Acres)

11S-3W-19A

Marion St.

Lochner Rd.

100
0.93 Ac.

500
1.13 Ac.

BPA Easement

200
0.85 Ac.

501
8.61Ac.

41st Ave.

City of Albany, Oregon
Public Works Department

WL-96-5
Lochner Road Utilities
Extension L.I.D.



100 0 100 200 300 400 500 Feet