

W.10.C.2.

AGENDA COVER MEMO

DATE: March 24, 2004

TO: Lane County Board of Commissioners

DEPT.: Public Works

PRESENTED BY: Frank Simas
Right of Way Manager

AGENDA ITEM TITLE: In the Matter of Certification of Final Assessments for Improvements to Marcola Road Between Mile Post 10.49 and Mile Post 11.75 to be at no Cost to the Adjacent Property Owners and Satisfaction of Pending Liens Against Adjacent Properties.

I. MOTION

THAT THE ORDER BE ADOPTED CERTIFYING ASSESSMENTS TO BE AT NO COST TO THE ADJACENT PROPERTY OWNERS AND SATISFYING LIEN VALUES AGAINST ADJACENT PROPERTIES FOR IMPROVEMENTS TO MARCOLA ROAD BETWEEN MILE POST 10.49 AND MILE POST 11.75 AS REPORTED BY THE COUNTY PUBLIC WORKS DIRECTOR.

II. ISSUE OR PROBLEM

To discuss whether to satisfy pending liens for estimated assessments for improvements to Marcola Road between Mile Post 10.49 and Mile Post 11.75.

III. DISCUSSION

A. Background

The construction of improvements to Marcola Road began in the Spring of 2003, and the assessable items have now been completed and inspected. In accordance with ORS 371.640, the project was approved as constructed solely for the purpose of levying final assessments by the County Engineer on February 17, 2004, and in accordance with Lane Manual Chapter 21.149(2), the Public Works Director accepted the project solely for the purpose of levying final assessments on February 19, 2004.

By Resolution and Order No. 00-11-29-5, the Board resolved to award a Community Development Grant under the Community Development Road Improvement Assistance Program for the construction of sidewalks along Marcola Road in an amount not to exceed \$125,000.00.

Per Order No. 02-12-11-3, the Board accepted the Director's Report for improvements of Marcola Road from Railroad Lane to Wendling Road, and ordered that the amount of the Community Development Grant be proportioned to the abutting owners to offset the costs associated with the Lane County Special Assessment Program.

Certain properties within the project area were made subject to a pending lien in an amount to be determined later by the Board by Order No. 03-1-21-17, as required by ORS 371.635.

B. Analysis

The total amount of the Final Assessments for Marcola Road, Railroad Lane to Wendling Road, was determined to be \$99,507.27, which includes 25% engineering and administrative costs, and is less than the amount of the Community Development Grant.

C. Alternatives/Options

1. Certify final assessments to be at no cost to adjacent owners and authorize the satisfaction of the liens as shown on Exhibit "A".
2. Do not certify final assessments to be at no cost to adjacent owners and direct staff otherwise.

D. Recommendations

It is recommended that the Board approve the Order.

IV. IMPLEMENTATION/FOLLOW-UP

Upon certification by the Board, property owners will be notified that their final assessments will be at no cost to them. As required by ORS 371.650, the County Clerk will record the Order and enter the satisfactions into the County Lien Docket.

V. ATTACHMENTS

Exhibit "A".

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

ORDER NO. (IN THE MATTER OF CERTIFICATION OF FINAL
(ASSESSMENTS FOR IMPROVEMENTS TO
(MARCOLA ROAD BETWEEN MILEPOST 10.49
(AND MILEPOST 11.75 AND SATISFACTION OF
(PENDING LIENS AGAINST ADJACENT
(PROPERTIES.

WHEREAS, construction of improvements to Marcola Road began in the Spring of 2003, and the assessable items have now been completed and inspected. In accordance with ORS 371.640, the project was approved as constructed solely for the purpose of levying final assessments by the County Engineer on February 17, 2004; and

WHEREAS, in accordance with Lane Manual Chapter 21.149(2), the Public Works Director accepted the project solely for the purpose of levying final assessments on February 19, 2004; and

WHEREAS, the Board, by Resolution and Order Number 00-11-29-5, resolved to award a Community Development Grant under the Community Development Road Improvement Assistance Program for the construction of sidewalks along Marcola Road in an amount not to exceed \$125,000.00; and

WHEREAS, by Order No. 02-12-11-3, the Board accepted the Director's Report for improvements of Marcola Road, Railroad Lane to Wendling Road, and ordered that the amount of the Community Development Grant be proportioned to the abutting owners to offset the costs associated with the Lane County Special Assessment Program; and

WHEREAS, certain adjacent properties were ordered to be subject to a lien by Board Order No. 03-1-21-17; and

WHEREAS, the total amount of the final assessments for Marcola Road from Railroad Lane to Wendling Road, was determined to be \$99,507.27, which includes 25% engineering and administrative costs, and which is less than the amount of the Community Development Grant; **NOW THEREFORE**

BE IT ORDERED that the Board finds the assessments for improvements to Marcola Road, Railroad Lane to Wendling Road, are hereby determined to be at no cost to the abutting owners, each of which is shown on the attached Exhibit A;

BE IT FURTHER ORDERED, in accordance with ORS 371.650(1), that this order shall be recorded and filed with the County Clerk along with the notice of pending liens recorded against the abutting owners as shown on the attached Exhibit A, and that said pending liens shall thereby be satisfied.

Dated this _____ day of _____, 2004.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 4-1-04 Lane county

Clerk of the Board

EXHIBIT A

NAME	LIEN RECORDING NO.
Chandrinos, Peter J.	2003-012226
Jones, Robert W. & Janice C.	2003-012227
Barrowcliff, James L. & C. M.	2003-012228
Barrowcliff, James & Carolyn	2003-012229
Mason, Michael W. & Sonia C.	2003-012230
Marcola Water District	2003-012231
Cole, Jeff	2003-012232
Jones, Robert W. Jr. & Janice C.	2003-012233
Swafford, Edward J. & Clara D.	2003-012234
Hickman, Glenn M. & Betty L.	2003-012235
Collins, John J.	2003-012236
Jallo, Arlen D. & Cheryl L.	2003-012237
Rich, Larry & Marie E.	2003-012238
Cote, Larry M. & Vicki K.	2003-012239
Kirchner, Jerry H.	2003-012240
Rice, Inez Juanita Te	2003-012241
Traxtle, Stacy D. & Shellie M.	2003-012242
Colyer, Steven E.	2003-012243
Cupp, Tracy V.	2003-012244
Pyatt Enterprises Inc.	2003-012245
Pyatt, John & Thelma R.	2003-012246
Masada Development Inc.	2003-012247
Estate of Walters, Tom & Irene C/O Betty Jo Wren	2003-012248

NAME	LIEN RECORDING NO.
Hill, Teresa M.	2003-012249
Wilkins, Harold Dean	2003-012250
Hudson, Darrell F. & Brenda J.	2003-012251
Mackenzie, Sheila Susan	2003-012252
Estate of Wilt, Ruth E. C/O Dennis E. Wilt	2003-012253
Qwest Corporation	2003-012254
Marcola Water District	2003-012255
Marcola Water District	2003-012256
Mason, Wayne L. & Goldie M.	2003-012257
Wilkinson, Donald W. & Debbie L.	2003-012258
Barrowcliff, James L. & C. M.	2003-012259
Marcola Water District	2003-012260
Marcola Community Church	2003-012261
Marcola Community Church	2003-012262
Mason, Michael W. & Sonia C.	2003-012263
Mattox, Steven L. & Karla Kay	2003-012264
Neilsen, Alton L. & Marjorie	2003-012265
Neilsen, Delano O.	2003-012266
Beshara, Peter D.	2003-012267
Stiltner, Norman J. & Peggy L.	2003-012268
Olson, Robert N., Olson, Candace C. C/O N.R. Olson Investments	2003-012269
Olson, Robert N., Olson, Candace C. C/O N.R. Olson Investments	2003-012270
Olson, Robert N., Olson, Candace C. C/O N. R. Olson Investments	2003-012271

NAME	LIEN RECORDING NO.
Olson, Robert N., Olson, Candace C. C/O N. R. Olson Investments	2003-012272
Hardy, James	2003-012273
Laemmle, Bradley C. & Kaimy K.	2003-012274
Spicer, Virtue M.	2003-012275
Johnson, Toni K.	2003-012276
Conseco Finance Servicing Corp.	2003-012277
Vaughn, Martin D. & Terri L.	2003-012278
Guyton, Rolland E.	2003-012279
Hileman, Viola Grace	2003-012280
James, Barbara J.	2003-012281
Frazier, Linda	2003-012282
Frazier, Linda	2003-012283
Appleby, Viva	2003-012284