

ORDINANCE NO. 1828

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON ESTABLISHING
THE DREFSHILL STREET LOCAL IMPROVEMENT DISTRICT FOR
SANITARY SEWER IMPROVEMENTS.**

WHEREAS, the City Council initiated proceedings for the creation of a local improvement district by the adoption of Resolution No. 3-1998; and

WHEREAS, the City Engineer submitted a report to the City Council, based on a Preliminary Engineering Report, recommending the district be formed. There are twelve (12) potential benefited properties within the local improvement district; and

WHEREAS, by Resolution No. 6-1998 the City Council stated its intention to form the district, to make the improvements, and to hold a public hearing to receive remonstrances; and

WHEREAS, the City mailed individual notices by first class mail to all property owners within the local improvement district at least ten days prior to the public hearing; and

WHEREAS, the public hearing was held on March 3, 1998, at which time the City Council considered written remonstrances to and oral testimony on the improvements; and

WHEREAS, there are 12 potential benefited properties, and there were a total of one remonstrances representing 8% [fraction] of the land area. The Charter provides that action on a local improvement district shall, in most cases, be suspended for six months if the owners of two-thirds (2/3) of the property to be assessed remonstrate; now, therefore;

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1: The Drefshill Street Local Improvement District for sanitary sewer improvements is hereby created. The map of the district boundaries is attached hereto as Exhibit A and incorporated herein by this reference. The list of properties to be benefited is attached hereto as Exhibit B and incorporated herein by this reference.

Section 2: The improvements shall be made in accordance with the City's plans and specifications as shown in the report entitled "Drefshill Street Sanitary Sewer Local Improvement District Project" as found in Exhibit "B" of Resolution 6-1998. The final plans and specifications for the project shall be set forth in a final engineering report.

Section 3: The "Drefshill Street Sanitary Sewer Local Improvement District Project" report contains appropriate findings showing the improvements are consistent with the comprehensive plan, which is hereby adopted.

Section 4: The total estimated cost for the proposed improvements is \$49,159, and the benefited properties shall be assessed according to a formula to be adopted by a separate future ordinance, following a public hearing

Read the first time at the regular meeting of the City Council, City of Milwaukie, Oregon, on the 3rd day of March, 1998.

Read the second time and passed by the City Council, City of Milwaukie, Oregon, at the regular meeting on the 3rd day of March, 1998.

Donald W. Gray
Mayor

ATTEST:

Pat DuVal
City Recorder

J. M. L.
CITY ATTORNEY