

RESOLUTION No. 15/16-3
City of Dayton, Oregon

TITLE: *A Resolution Assessing a Lien for Costs of Sidewalk Improvements at 400 Ferry Street, Tax Lot #R4317DD-00100, Dayton, Oregon.*

WHEREAS, John Rock and Avon Rock (hereinafter called "Owners") are the owners of real property at 400 Ferry Street (Tax Lot #R4317DD-00100) and otherwise known as:

Parcel 1: Lot 253 in the Original Town of Dayton, in the City of Dayton, County of Yamhill and State of Oregon.

Parcel 2: A portion of Lot 254 in the Original Town of Dayton, in the City of Dayton, County of Yamhill and State of Oregon, described as follows:

Beginning at the most Northerly corner of Lot 254; thence Southwesterly along the South margin of Ferry Street 10 feet to a point; thence at right angles and Southeasterly parallel with Fourth Street, 120 feet to a point on the North margin of an alley; thence at right angles and Northeasterly along the North margin of alley and parallel with Ferry Street; 10 feet to the most Southerly corner of Lot 255, Original Town of Dayton; thence at right angles and Northwesterly parallel with Fourth Street 120 feet to point of beginning.

; and

WHEREAS, on July 21, 2014, the Dayton City Council approved a Sidewalk Reimbursement Agreement with Owners for sidewalk improvements adjacent to 400 Ferry Street along Ferry Street and Fourth Street; and

WHEREAS, Owners executed said Sidewalk Reimbursement Agreement on September 19, 2014; and

WHEREAS, the total cost for the sidewalk improvements adjacent to 400 Ferry Street was \$23,705, half of which is \$11,852.50; and

WHEREAS, the Sidewalk Reimbursement Agreement dictates that Owners will owe half the cost of said sidewalk improvements adjacent to 400 Ferry Street, and that Owners will pay the City \$600 quarterly beginning in January of 2015 until the Owners' half of the improvements are paid in full; and

WHEREAS, Owners have not made any payments on said sidewalk improvements adjacent to 400 Ferry Street, and Owners have not responded to any invoices the City has sent to Owners.

The City of Dayton resolves as follows:

1) **THAT** the following cost is hereby entered into the City Lien Docket as a lien against the property identified as Tax Lot #R4317DD-00100 (and otherwise identified as shown above):

a) Sidewalk Improvements Adjacent to 400 Ferry Street \$11,852.50

Total Lien \$11,852.50

2) **THAT** a Claim of Lien as shown in Exhibit A hereto shall also be filed with the Yamhill County Clerk; and

3) **THAT** pursuant to Section 5.13.5(c), this lien shall accrue interest at the rate of 12% per annum from the date of adoption of this resolution until paid.

4) **THAT** this resolution shall become effective immediately upon adoption.

ADOPTED this 3rd day of August 2015.

In Favor: Bixler, Collins, Frank, Marquez, Wytoski

Opposed: None

Absent: Price, Taylor

Abstained: None



Elizabeth Wytoski, Mayor

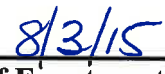


Date Signed

ATTEST:



Rochelle Roaden
City Recorder



Date of Enactment

Attachments: Exhibit A Notice of Municipal Lien on Real Property