

RESOLUTION NO. 1331

A RESOLUTION ESTABLISHING THE SW CRESTVIEW LANE REIMBURSEMENT DISTRICT

WHEREAS, Ronald Krebs and Julianna Krebs, husband and wife, (“Krebs”) have constructed at their cost, approximately 300 feet of water line from SW Park Drive west on SW Crestview Lane (the “New Water Line”) within the City of Prineville (“City”) to serve Krebs’ property described on Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, Angela Luelling and Anthony Luelling (“Luellings”), Zach Mickle (“Mickle”), and Heidi Lea (“Lea”) each own property in the vicinity of the New Water Line and each of their properties could be connected to the New Water Line. The legal description of each of their properties is shown on Exhibit B attached hereto and by this reference made a part hereof; and

WHEREAS, pursuant to Chapter 39 of the Code of Prineville, a person who constructs public improvements capable of providing services to property other than the property owned by the person constructing the public improvements may request the City establish a reimbursement district which would allow payment of a portion of the costs of constructing the public improvement to be reimbursed when other designated properties connect to such public improvement; and

WHEREAS, Krebs have applied to the City for a reimbursement district to include the Luelling, Mickle, and Lea properties; and

WHEREAS, pursuant to the Code of Prineville, the City engineer reviewed the application for reimbursement district, evaluated whether a reimbursement district should be established or not, and prepared a written report to the Prineville City Council, including a recommendation that SW Crestview Lane Reimbursement District be established; and

WHEREAS, a public hearing was held on November 28, 2017, to allow persons who are or may be monetarily affected by the formation of the reimbursement district an opportunity to comment on the formation of the proposed reimbursement district; and

WHEREAS, there were comments received from Luellings and Lea at the November 28, 2017, public hearing on the formation of the proposed reimbursement district; and

WHEREAS, the City Council approved the establishment of the SW Crestview Lane Reimbursement District and instructed City staff to prepare a Resolution embodying their decision;

NOW, THEREFORE, the City of Prineville resolves as follows:

1. The SW Crestview Lane reimbursement district is hereby established.
2. The SW Crestview Lane reimbursement district shall include the Krebs, Luelling, Mickle, and Lea properties described on Exhibits A and B to this Resolution.

3. The City engineer's report dated September 26, 2017, and attached to this Resolution as Exhibit C, including an aerial map of the approximate location of the New Water Line and the four properties within the SW Crestview Lane reimbursement district is approved.

4. A reimbursement fee of \$5,000.00 shall be paid to the City when any of the properties described on Exhibit B connect to the New Water Line. Payment of such fee is a precondition of receiving City permits to connect to or utilize the New Water Line.

5. Pursuant to Section 39.07(B) of the Code of Prineville, the City Manager is authorized to enter into an agreement with Krebs pertaining to the reimbursement district improvements.

6. The City waives the right to collect an administrative fee to supervise the reimbursement district and agreement with the Krebs.

7. The obligation to pay the reimbursement fee ends ten years from the date of this Resolution unless prior to December 12, 2027, the time period to pay the reimbursement fee is extended by Prineville City Council Resolution.

Dated: December _____, 2017

Betty J. Roppe, Mayor

ATTEST:

Lisa Morgan, City Recorder

EXHIBIT A

Krebs

The West half of Lot Eighteen (18) of Bowen's Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon.

Tax Lot No.: 151606C003200

EXHIBIT B

Luelling

The West 148 feet of Lot 19, BOWEN'S SUBDIVISION, City of Prineville, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon.

Account No(s): 11835

Map/Tax Lot No(s): 151606C003300

Mickle

Parcel 2 of Partition Plat No. 2007-09, Recorded April 4, 2007 in Partitions MF No. 2007-220110, Records of Crook County, Oregon. Located in SW $\frac{1}{4}$ of Section 6, Township 15 South, Range 16 East of the Willamette Meridian, Crook County, Oregon.

Map No: 151606C004100

Lea

Lot Twenty-three (23) of Bowens Subdivision, according to the official plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon.

Tax Account No: REF 11845 Map No: 151606C004200