

ORDINANCE NO. 99-668-O

AN ORDINANCE RELATING TO PROCEDURES FOR LOCAL IMPROVEMENT DISTRICTS AND AMENDING ORDINANCE NO. 532.

THE CITY OF TALENT ORDAINS AS FOLLOWS:

Section 1. Section 15A of City of Talent Ordinance No. 532 is amended to read as follows:

Section 15.A. (a) When an assessment is due and collectable, the owner of the parcel of land subject to the assessment may apply for payment in 20 semi-annual installments, to include interest on the unpaid balance, in accordance with ORS 223.210-223.215 and city ordinances. The application shall provide that the owner agrees to pay an additional specified amount of 5% for administration costs. The application shall provide that the owner agrees to pay interest at the rate of 8% per annum on the unpaid balance until the bonds are sold, if ever that be, and thereafter the rate shall be the net effective interest rate on the bond issue rounded up to the next one-tenth of one percent. The application shall also provide that the owner agrees to pay a billing charge to be added to each installment. The billing charge shall be a pro-rated share of the actual cost of billing and keeping records of installment payment accounts. The amount of the billing charge shall be determined from time to time by the City Administrator.

(b) The City Administrator shall provide application forms for installment payments which shall include a waiver of all rights to contest the validity of the lien except for the correction of computational errors. The applicant shall pay an administration fee in cash at the time of application in the amount of three percent of the balance due or \$25, whichever is greater.

(c) An applicant for installment payments shall have the burden of demonstrating the applicant's authority to assent to the imposition of a lien on the parcel and that the interest of the applicant is adequate to secure payment of the lien.

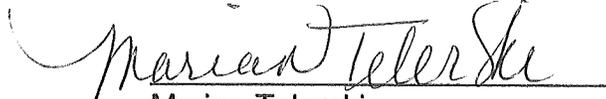
(d) An applicant for installment payments shall agree to pay a late penalty equal to \$25.00 in the event any payment is not received by within ten (10) days of the bi-annual due date.

(e) Upon acceptance of the application, the lien shall be entered in the lien docket. From that time the city shall have a first lien upon the described parcel for the amount of the assessment charge, together with interest on the unpaid balance at the rate established herein. The lien shall be enforceable in the manner provided in ORS Chapter 223.

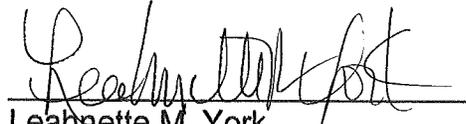
Adopted as read by title only the 2<sup>nd</sup> day of June, 1999, by the following vote:

AYES: 5    NAYS: 0    ABSENT: 1    ABSTAIN: 0

Signed by me, Marian Telerski, Mayor, in authentication of its adoption and passage the 3<sup>rd</sup> day of June, 1999

  
Marian Telerski  
Mayor

ATTEST:

  
Leannette M. York  
City Administrator/Recorder

APPLICATION TO PAY ASSESSMENTS IN INSTALLMENTS  
CONSTRUCTION OF IMPROVEMENTS  
IN THE CITY OF TALENT, OREGON

THE OWNERS OF THE PROPERTY SHOWN BELOW APPLY TO THE CITY OF TALENT TO PAY THE ASSESSMENT OF \$ \_\_\_\_\_ PLUS THE SUM OF \$ \_\_\_\_\_ WHICH SHALL BE ADDED TO THE ASSESSMENT FOR BOND ISSUANCE AND ADMINISTRATION COSTS AND WE APPLY FOR THE VOLUNTARY IMPOSITION OF A LIEN FOR THE TOTAL AMOUNT OF \$ \_\_\_\_\_ UPON THE FOLLOWING DESCRIBED LAND IN THE CITY OF TALENT, JACKSON COUNTY, OREGON:

JACKSON COUNTY TAX ACCOUNT NO. \_\_\_\_\_

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_  
(Number or PO Box) (Street)

\_\_\_\_\_  
(City) (State) (Zip Code)

Map # \_\_\_\_\_ Tax Lot # \_\_\_\_\_

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Site Address or Supp. Legal contained in Ordinance No. \_\_\_\_\_, attached.

WE ARE THE OWNERS OR CONTRACT PURCHASERS OF RECORD OF THE DESCRIBED LAND TO WHICH SAID ASSESSMENT IS APPLICABLE. WE WAIVE ALL IRREGULARITIES OR DEFECTS, JURISDICTIONAL OR OTHERWISE, IN THE PROCEEDINGS TO CAUSE THE LOCAL IMPROVEMENT FOR WHICH THE ASSESSMENT IS LEVIED AND IN THE APPORTIONMENT OF THE ACTUAL COST OF THE LOCAL IMPROVEMENT. WE PROMISE TO PAY THE ASSESSMENT PLUS 5% OF THE ASSESSMENT AS ADMINISTRATION COSTS IN 20 EQUAL SEMI-

ANNUAL INSTALLMENTS OF \$\_\_\_\_\_, INCLUDING INTEREST ON THE UNPAID BALANCE AT AN INTEREST RATE DETERMINED IN ACCORDANCE WITH TALENT ORDINANCE NO. \_\_\_\_\_ ATTACHED TO THIS APPLICATION. THE FIRST PAYMENT SHALL BE DUE ON \_\_\_\_\_, WITH SUBSEQUENT PAYMENTS DUE AT SIX-MONTH INTERVALS THEREAFTER UNTIL THE FULL AMOUNT IS PAID. WE ALSO AGREE TO PAY A BILLING CHAGE OF \$10.00 TO BE ADDED TO EACH INSTALLMENT. INTEREST SHALL BE AT 8% PER ANNUM UNTIL THE BONDS ARE SOLD AND THEREAFTER THE RATE SHALL BE THE NET EFFECTIVE INTEREST RATE ON THE BOND ISSUE ROUNDED UP TO THE NEXT ONE-TENTH OF ONE PERCENT. WE RECOGNIZE AND ACKNOWLEDGE THAT FAILURE TO MAKE PAYMENTS WHEN DUE MAY RESULT IN FORECLOSURE OF THE LIEN AS PROVIDED BY STATE AND LOCAL LAWS AS WELL AS ANY OTHER REMEDIES THAT MAY BE APPROPRIATE.

WE FURTHER RECOGNIZE THAT IN THE EVENT ANY PAYMENT IS NOT RECEIVED BY THE CITY WITHIN TEN (10) DAYS OF THE BI-ANNUAL DUE DATE, A LATE PENALTY OF NOT MORE THAN \$25.00 WILL BE CHARGED.

WE FURTHER RECOGNIZE THAT WE MAY PREPAY THE ENTIRE BALANCE DUE AT ANY TIME WITHOUT PENALTY.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

STATE OF OREGON     )  
                                  ) ss.  
County of \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires \_\_\_\_\_