

# ATTACHMENT 2

October 27, 2017

**VIA ELECTRONIC MAIL:** GDAVIS@cityofsalem.net

*Original to follow via hand delivery*



Glenn Davis  
Public Works Department  
City of Salem  
555 Liberty ST SE RM 325  
Salem, OR 97301

RE: Request to Establish Reimbursement District  
Our File No: 18495

Glenn:

Enclosed please find our submittal on behalf of Alice and Garrett Berndt (our "**Client**" and "**Applicant**") wherein we are requesting the approval of a Reimbursement District with respect to the Lone Oak Extension. In accordance with SRC 200.310, our submittal includes the following:

- 1) Applicant's Written Statement to Establish a Reimbursement District based on SRC 200.310;
- 2) Exhibits to Written Statement:
  - a. Exhibit A— Reimbursement District with Proposed Fee Allocation;
  - b. Exhibit B— Map Depicting Boundary of Proposed District and Tax Lots contained within;
  - c. Exhibit C— Table containing Property Information as required under SRC 200.310(1)(2) for District properties;
  - d. Exhibit D— Multi/Tech's Completion Analysis for the Proposed Improvement; and,
- 3) A Check in the amount of \$5,307.00.

Following your review please don't hesitate to contact Mark Shipman with any questions or concerns.

Thanks,

A handwritten signature in blue ink that reads "Hannah F. Stevenson".

HANNAH F. STEVENSON  
LEGAL ASSISTANT  
hstevenson@sglaw.com  
Voice Message #325

hst:hst  
Enclosures

cc: *Via Email Only*  
Lisa Anderson-Ogilvie  
Natasha Zimmerman  
Chris Green  
Peter Fernandez  
Client

Park Place, Suite 200  
250 Church Street SE  
Salem, Oregon 97301

Post Office Box 470  
Salem, Oregon 97308

tel 503.399.1070  
fax 503.371.2927

## APPLICATION TO ESTABLISH A REIMBURSEMENT DISTRICT

### Owner/Applicant:

Alice and Garrett Berndt  
6989 Bates Road S  
Salem, OR 97306

### Applicant's Representative:

Mark D. Shipman  
Saalfeld Griggs PC  
PO Box 470  
Salem, Oregon 97308  
(503) 399-1070



Applicant is requesting the approval of an application to establish a Reimbursement District to facilitate the construction of the Lone Oak Extension (the "**Application**"). This public improvement will run adjacent to Applicant's property designated by the Marion County Assessor as 08 -3W-22C Tax Lot 200 and 08-3W-22CB Tax Lot 105 (collectively, the "**Subject Property**"). Applications to establish a Reimbursement District are governed by Salem Revised Code Section 200.310 which reads as follows:

### **200.310. Application to Establish a Reimbursement District.**

**(a) A Developer may request the formation of a reimbursement district by submitting an application on forms provided by the Director, which shall contain:**

- (1) A map showing the boundaries of the proposed reimbursement district and each tax lot within the proposed district;**
- (2) The zoning designations for all property located within the proposed reimbursement district; the names and mailing addresses of each owner of property within the proposed district; the tax account number for the owner's property; the width of the frontage, if any and if necessary to determine the allocation of the reimbursement fee; the area of the property in square feet; and any other similar information deemed necessary by the Director for calculating the fair apportionment of the cost; the property or properties owned by the Developer; and**
- (3) A description of the location, type, size and actual or estimated cost of each public improvement constructed or to be constructed within the proposed reimbursement district.**
- (4) Such other information deemed necessary to evaluate the request by the Director of Public Works.**

**(b) The application shall be accompanied by an application fee, which shall be established by resolution of the City Council.**

**(c) The application may be submitted to the Director prior to the construction of the public improvement but no later than 180 days after acceptance of the public improvement by the City.**

Applicant contacted the City of Salem's (the "**City**") regarding the necessary application form and was informed that no forms currently exist. As such, Applicant is providing the necessary information through this written statement. Applicant has attached the map showing the boundaries of the proposed reimbursement district (the "**District**") with the proposed fee allocation, which is attached hereto and incorporated herein as **Exhibit "A"** as well as a map showing each tax lot within the District, which is attached hereto and incorporated herein as **Exhibit "B."** Applicant has also attached a table that depicts the information requested in Section 200.310(a)(2) as **Exhibit "C"** to this written statement.

The proposed public improvement will be approximately three thousand nine hundred fifty feet (3,950 ft.) and will connect the two (2) existing portions of Lone Oak Road SE (the "**Proposed Improvement**") to provide a continuous connection through the developing properties in the area. The two portions of the Proposed Improvement will extend approximately two thousand two hundred feet (2,200 ft.) from south of Muirfield Ave SE to north of Augusta Street SE (the "**North Extension**") and one thousand seven hundred fifty feet (1,750 ft.) south of Sahalee Ct. SE to Rees Hill Rd. SE (the "**South Extension**"). The road will be developed according to the Lone Oak Road's current designation as a "collector" and thus will be thirty four feet (34 ft.) wide with the requisite storm water facilities and storm water quantity facilities. The right-of-way for the Proposed Improvement for the North Extension was dedicated by the Creekside Phase 14, however, there has been no right-of-way dedication for the South Extension. Applicant has not included a cost estimate for obtaining an additional right-of-way along the North Extension but has included an estimate for the cost of obtaining an additional right-of-way along the South Extension. Water and Sanitary Sewer Mains will be located within the roadway improvement limits with approximately Two Hundred Fifty feet (250 ft.) of sixteen inch (16 in.) water main and one thousand two hundred fifty feet (1,250 ft.) of eight inch (8 in.) sanitary sewer main for the North Extension and an extension of the existing ten inch (10 in.) water main and eight inch (8 in.) sanitary sewer main for the South Extension.

The Salem Transportation System Plan (the "**Plan**") identifies the proposed extension as providing "an important north-south collector street connection area through [the] developing area." STSP p. 3-56. The Plan designates the proposed improvement as 187 in Table 3-7 on page 3-70 and estimates the cost of the project at Three Million Eight Hundred Thirty Four Thousand and No/100 Dollars (\$3,834,000.00). Applicant engaged Multi/Tech Engineering Services, Inc. ("**Multi/Tech**") to perform a Completion Analysis for the 2 portions of the extension. Multi/Tech found that the estimated cost would be Two Million Seven Hundred Sixty Nine Thousand Six Hundred Ten and No/100 (\$2,769,610.00) for the North Extension and One Million Four Hundred Ninety Five Thousand Six Hundred Six and No/100 Dollars (\$1,495,606.00) for the South Extension if the Proposed Improvement was privately constructed or Four Million Six Hundred Fifty Six Thousand Seven Hundred Seven and No/100 Dollars (\$4,656,707.00) and Two Million One Hundred One Thousand Eight Hundred Eighty Eight and 50/100 Dollars (\$2,101,888.50), respectively, if constructed by the City. This analysis indicates that the total cost of the Proposed Improvement would be either Four Million Two Hundred Sixty Five Thousand Two Hundred Sixteen and No/100 Dollars (\$4,265,216.00) if privately constructed or Six Million Seven Hundred Fifty Eight Thousand Five Hundred Ninety Five and 50/100 Dollars (\$6,758,595.50) if constructed by the City. The Completion Analysis for both portions of the Proposed Improvement is attached hereto as **Exhibit "D."**

Submission of this Application and the accompanying Application Fee of Five Thousand Three Hundred Seven and no/100 Dollars (\$5,307.00) is being submitted to the City of Salem prior to the construction of the above discussed improvement.

Applicant has demonstrated compliance with all of the applicable requirements of SRC 200.310. Therefore, Applicant respectfully requests that the City approve this Application as submitted.

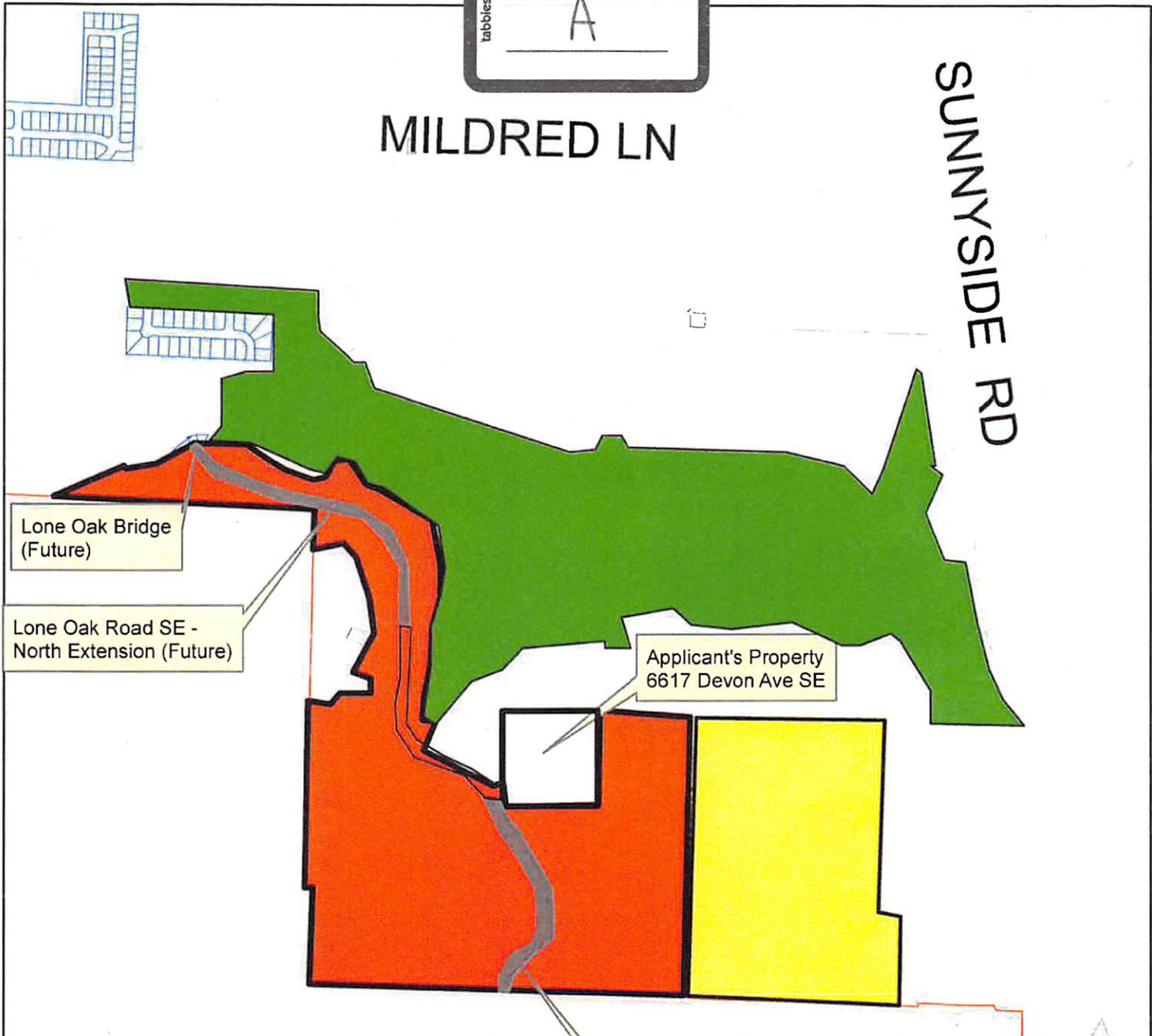
EXHIBIT

A

tabbles

MILDRED LN

SUNNYSIDE RD



Lone Oak Bridge (Future)

Lone Oak Road SE - North Extension (Future)

Applicant's Property 6617 Devon Ave SE

Lone Oak Road SE - South Extension (by Applicant)

6617 DEVON AVENUE SE



100% Reimbursement District Boundary



"50%" Reimbursement District Boundary



"20%" Reimbursement District Boundary

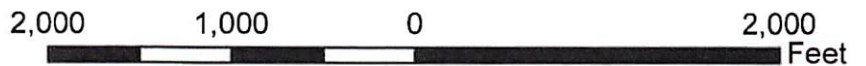
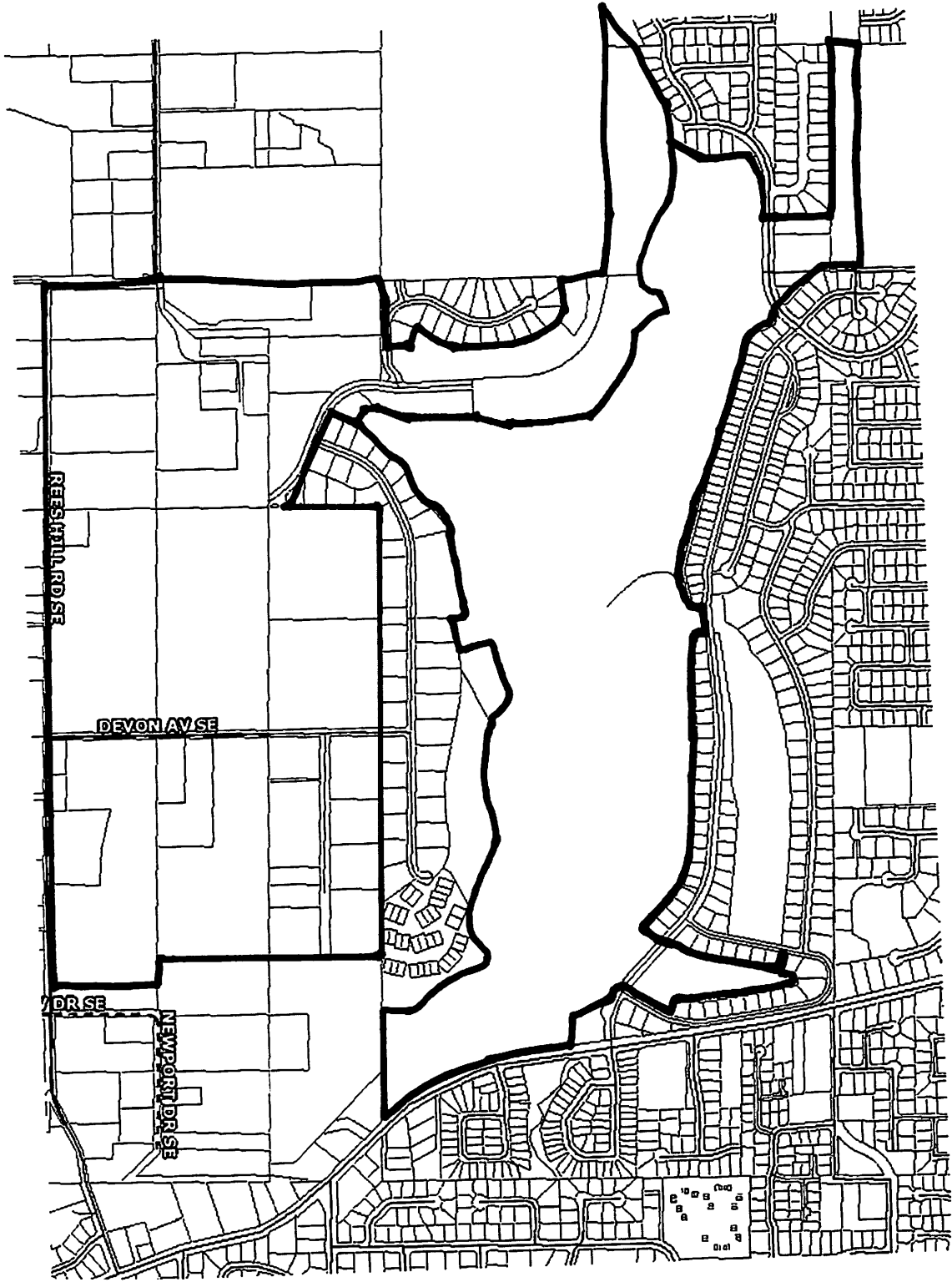
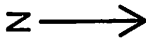


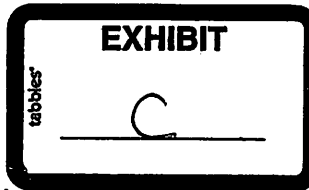
EXHIBIT A

EXHIBIT  
B



Approximate  
Boundary of  
District





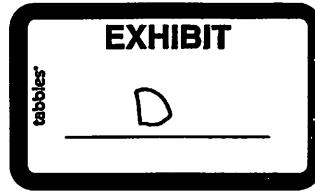
**Reimbursement District Properties**

<b>Tax Map/Lot Number</b>	<b>Owner</b>	<b>Address</b>	<b>Tax Account</b>	<b>Width of Frontage</b>	<b>Acreage</b>	<b>Zoning</b>
08 3W 16DD 300	Robert & Maria Noyes	430 Turtle Bay Ct SE Salem, OR 97306	R93563	NA	4.97	Residential Acreage
08 3W 21AA 300	Lawrence E. Tokarski RLT	201 Ferry St SE #400 Salem, OR 97301	R32581	Approx. 1,000 ft.	9.73	Residential Acreage
08 3W 22 108	Lawrence E. Tokarski RLT	201 Ferry St SE #400 Salem, OR 97301	R32661	Approx. 1,011 ft.	8.92	Residential Acreage
109	Creekside HOA, LLC	2105 SE 9TH St Portland, OR 97214	R32662	NA	1.73	Residential Acreage
110	Creekside Golf Course, LLC	6250 Clubhouse DR SE Salem, OR 97306	R32663	NA	0.79	Residential Acreage
111	Creekside Golf Course, LLC	6250 Clubhouse DR SE Salem, OR 97306	R32664	NA	136.73	Residential Acreage
113	Golf Course Estates HOA	2105 SE 9TH AV Portland, OR 97214	R32666	NA	0.23	Residential Acreage
118	Creekside Golf Course, LLC	6250 Clubhouse DR SE Salem, OR 97306	R328333	NA	6.63	Residential Acreage
08 3W 22AA 3900	Creekside Golf Course, LLC	6250 Clubhouse DR SE Salem, OR 97306	R32659	NA	4.90	Residential Acreage
08 3W 22BC 2200	Lucinda & Terry Kelly	6450 LONE OAK RD SE SALEM, OR 97306	R343302	NA	1.96	Residential Acreage
2300	Creekside Owners Assoc.	2105 SW 9 <sup>th</sup> St Portland, OR 97214	R343303	NA	Open Space	Single Family Residential
2500	Augusta Real Estate LLC	PO Box 967 Salem, OR 97309	R351448	NA	6.37	Residential Acreage
2600	Lawrence E. Tokarski RLT	201 Ferry St SE #400 Salem, OR 97301	R351449	NA	0.97	Residential Acreage
08 3W 22C 100	John & Nancy Gattuccio	6581 Devon Ave SE Salem, OR 97306	R93744	NA	9.71	Residential Acreage
200	Applicant	6989 Bates Rd S Salem, OR 97306	R93745	NA	10.01	Residential Acreage
300	Susan Ballard & Edward Kirasich	470 S Acoma Blvd #1006 Lake Havasu City, AZ 86404	R93743	Approx. 690 ft.	19.89	Residential Acreage
400	Swarthout Trusts	19828 Kenzie Ave Bend, OR 97702	R93741	Approx. 430 ft.	17.48	Residential Acreage
401	Swarthout Trusts	19828 Kenzie Ave Bend, OR 97702	R93742	Approx. 240 ft.	1.00	Residential Acreage
500	Natalya N. Ganchenko	653 Rees Hill Rd SE Salem, OR 97306	R93746	Approx. 245 ft.	4.73	Residential Acreage
600	Donald C. Skorniak	PO Box 753157 Las Vegas, NV 89136	R93747	NA	4.70	Residential Acreage
601	Donald C. Skorniak	PO Box 753157 Las Vegas, NV 89136	R93748	NA	4.70	Residential

						Acreage
700	Freeburg Trusts	6742 Trillium Ln SE Salem, OR 97306	R93749	NA	4.15	Residential Acreage
<b>08 3W 22CB</b> 100	York Living Trust	6504 Lone Oak Rd SE Salem, OR 97306	R43027	NA	2.93	Urban Transition
105	Applicant	6989 Bates Rd S Salem, OR 97306	R342925	Approx. 61 feet	0.02	Urban Transition
200	York Living Trust	6504 Lone Oak Rd SE Salem, OR 97306	R43020	NA	4.66	Urban Transition
300	Lois Rosen & Kevin Davidson	6751 Trillium Ln SE Salem, OR 97306	R43018	NA	4.46	Urban Transition
400	Lois Rosen & Kevin Davidson	6751 Trillium Ln SE Salem, OR 97306	R43017	NA	4.39	Urban Transition
500	Alejandra Reyes & Kelley Strawn	6685 Trillium Ln SE Salem, OR 97306	R43019	NA	0.53	Urban Transition
600	Alejandra Reyes & Kelley Strawn	6685 Trillium Ln SE Salem, OR 97306	R43025	NA	1.03	Urban Transition
700	Steve & Jamie Poppleton	6661 Trillium Ln SE Salem, OR 97306	R43022	NA	1.03	Urban Transition
800	York Living Trust	6504 Lone Oak Rd SE Salem, OR 97306	R43023	NA	0.82	Urban Transition
900	York Living Trust	6504 Lone Oak Rd SE Salem, OR 97306	R43024	Approx. 160 feet	7.47	Urban Transition
1000	McKenzie & Jeffrey Trautman	6652 Trillium Ln SE Salem, OR 97306	R43026	NA	5.37	Urban Transition
1700	York Living Trust	6504 Lone Oak Rd SE Salem, OR 97306	R343301	NA	0.59	Urban Transition
<b>08 3W 22DB</b> 100	Rene L. Tornberg	929 Elkins Way SE Salem, OR 97306	R93726	NA	2.74	Urban Transition
200	Marilyn & William Bensink	899 Elkins Way SE Salem, OR 97306	R93727	NA	1.83	Urban Transition
300	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93724	NA	1.82	Urban Transition
400	Sonya & Michael Collum	6508 Devon Ave SE Salem, OR 97306	R93723	NA	2.53	Urban Transition
500	Schie Trusts	6608 Devon Ave SE Salem, OR 97306	R93728	NA	1.69	Urban Transition
600	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93725	NA	0.10	Urban Transition
700	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93729	NA	3.53	Urban Transition
800	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93731	NA	0.69	Urban Transition
900	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93730	NA	0.92	Urban Transition
1000	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93732	NA	2.05	Urban Transition
1100	Elkins Trusts	928 Elkins Way SE Salem, OR 97306	R93733	NA	14.93	Urban Transition



1200	Brewer Trusts	6710 Devon Ave SE Salem, OR 97306	R93735	NA	3.40	Urban Transition
1300	Erasmio & Rise Cuellar	6710 Devon Ave SE Salem, OR 97306	R93734	NA	1.43	Urban Transition
<b>08 3W 22DC</b> 200	CAD Properties, LLC	928 Elkins Way SE Salem, OR 97306	R93737	NA	2.98	Urban Transition
201	Marilyn & Robert Williams	928 Elkins Way SE Salem, OR 97306	R93738	NA	16.60	Urban Transition
300	Richard & Lynell Gehr	819 Rees Hill Rd SE Salem, OR 97306	R93740	NA	0.46	Urban Transition
400	CAD Properties, LLC	928 Elkins Way SE Salem, OR 97306	R93739	NA	0.43	Urban Transition



## Lone Oak North - Linking Improvement

Completion Analysis - End of Existing Lone Oak, North and West to Existing Street

Nov-17

The projected costs to complete the improvements of Lone Oak from  
The south side of Phase 10 to the existing street section in Phase 12.

	Privately Constructed	City Constructed
The following are the projected costs for the completion.		
Culvert Crossing	\$ 950,000.00	\$ 1,400,000.00
16 Inch Water Main	\$ 65,750.00	\$ 98,625.00
Sanitary Sewer	\$ 154,425.00	\$ 231,638.00
Storm Drainage	\$ 82,135.00	\$ 123,202.00
Storm Water Quality Facilities	\$ 85,000.00	\$ 127,500.00
Storm Detention Facilities	\$ 75,000.00	\$ 112,500.00
Street Improvements	\$ 345,550.00	\$ 518,325.00
Street Lights	\$ 35,750.00	\$ 53,625.00
Sidewalks	\$ 85,750.00	\$ 128,625.00
Engineering etc.	\$ 225,750.00	\$ 750,000.00
Contengency	\$ 664,500.00	\$ 1,112,667.00
<b>Total Cost</b>	<b>\$ 2,769,610.00</b>	<b>\$ 4,656,707.00</b>
Approximatly 22% is TSDC Elligable	\$ 609,314.20	\$ 1,024,475.54
<b>Net Costs</b>	<b>\$ 2,160,295.80</b>	<b>\$ 3,632,231.46</b>

# Lone Oak South - Linking Improvement

Completion Analysis - End of Existing Lone Oak, South to Rees Hill Road

Nov-17

The projected costs to complete the improvements of Lone Oak from  
The south end of the existing improvement to Rees Hill Road

	Privately Constructed	City Constructed
The following are the projected costs for the completion.		
Culvert Crossing	\$ 20,000.00	\$ 27,000.00
10 Inch Water Main	\$ 135,650.00	\$ 183,127.50
Sanitary Sewer	\$ 85,750.00	\$ 115,762.50
Storm Drainage	\$ 99,575.00	\$ 134,426.25
Storm Water Quality Facilities	\$ 95,750.00	\$ 129,262.50
Storm Detention Facilities	\$ 42,775.00	\$ 57,746.25
Street Improvements	\$ 306,250.00	\$ 413,437.50
Street Lights	\$ 21,250.00	\$ 28,687.50
Sidewalks	\$ 24,750.00	\$ 33,412.50
Engineering etc.	\$ 166,630.00	\$ 301,750.00
Contengency	\$ 145,700.00	\$ 325,750.00
Right of way	\$ 351,526.00	\$ 351,526.00
<b>Total Cost</b>	<b>\$ 1,495,606.00</b>	<b>\$ 2,101,888.50</b>
Approximatly 22% is TSDC Elligable	\$ 329,033.32	\$ 462,415.47
<b>Net Costs</b>	<b>\$ 1,166,572.68</b>	<b>\$ 1,639,473.03</b>