

**BEFORE THE CITY COUNCIL
OF THE CITY OF SALEM, OREGON**

In the Matter of the Formation of)	Application No. DD/2-05
the Mill Creek Corporate Center)	
Development District)	Second Amendment to the Mill Creek Development
)	District Order

WHEREAS, on November 14, 2005, the City Council of the City of Salem, an Oregon municipal corporation (City) approved Order No. DD/2-05 forming of the Mill Creek Industrial Park Development District (Order), which as accepted by the State of Oregon (State), recorded in Reel 2672, Page 243, of the Marion County Deed Records, following the State's application for the formation of the Mill Creek Industrial Park Development District (District); and

WHEREAS, the State owns real property within the District boundaries formerly identified as the "Mill Creek Industrial Park," and since renamed the "Mill Creek Corporate Center" (Property); and

WHEREAS, on March 14, 2005 the Parties and the Urban Renewal Agency of the City of Salem ("Agency") entered into an Intergovernmental Agreement setting forth the Parties' and the Agency's rights and obligations relating to the development of Property; and

WHEREAS, the Parties and the Agency executed amendments to the Intergovernmental Agreement, most recently in September 2012 (IGA); and

WHEREAS, the Order was amended in June 2015 to allow for phased payment of an Infrastructure Fee as a condition precedent to obtaining any building permits, or connecting to any City of Salem Infrastructure, within the District boundaries and to update reference to the property from "Industrial Park" to "Corporate Center; and

WHEREAS, the parties desire to amend Section 3 of the Order to allow for Fee under terms and conditions as approved by City; and

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON
HEREBY AMENDED ORDER NO. DD/2-05 AS FOLLOWS:**

Section 1. Section 3 of the Order is amended as follows:

Section 3: Amount of Infrastructure Fee. The estimated total amount of infrastructure fees to be collected on behalf of the Developer within the Mill Creek Corporate Center District is \$18,695,222. The initial Infrastructure Fee to be charged within the Mill Creek Corporate Center District per EIDU shall be \$2.76 per gross square foot. The Infrastructure Fee shall be no less than systems development charges for equivalent development outside the Mill Creek Corporate Center District. ~~"The infrastructure fee shall increase or decrease at the same rate as systems development charges in the City of~~

~~Salem, including but not limited to, increases for annual adjustments.”~~ The Mill Creek Implementation Committee will review the infrastructure fee and cost of remaining infrastructure improvements annually to ensure fee generation is adequately covering infrastructure costs.

Section 2. Except as set forth herein all terms and provisions of the Order shall remain unchanged.

DATED this _____ day of _____ 2016.

Except as set forth herein all terms and provisions of the Order shall remain unchanged.

DATED this _____ day of _____ 2016.

ATTEST: Amber Mathiesen, City Recorder
City of Salem

ACCEPTED BY THE STATE OF OREGON

BY: _____

State of OREGON)
) ss.
County of MARION)

This instrument was acknowledged before me on _____, 2016
by _____, as _____ of the Oregon Department of
Administrative Services, an administrative subdivision of the State of Oregon.

NOTARY PUBLIC for the State of Oregon
My Commission Expires: _____