

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Directing the County Clerk to Issue A Writ of Execution Against Roy A. Roy A. Helgeson and Frances Eileen Helgeson)))))	AMENDED RESOLUTION NO. 106-2000
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WHEREAS, the Board of County Commissioners adopted Order No. 19-87 on April 4, 1987, a copy of which is attached hereto, labeled Exhibit "A" and incorporated herein by this reference, which created the "Bay View Ridge Road Improvement Project" to allow for the payment of costs for improvements to Bay View Ridge Road, said improvements to benefit the residents living along that road; and

WHEREAS, the County determined the costs of the improvements to be \$49,887.89, and the share of the costs for T4N, R1W, Sections 17 and 18, Tax Lot 2000, Tax Account No. 4117-032-02000, (Parts of) Tracts 5 and 6 of Bay View Acres, to be \$3,325.86; and

WHEREAS, Roy W. Helgeson and Francis Eileen Helgeson, as the owners of the above-described property, were duly notified that the amount of \$3,325.86 would be assessed against them and they elected to pay the assessment in installments over a ten year period ending in March of 1997, as authorized by the Order and pursuant to ORS 223.215; and

WHEREAS, the County Clerk has sent regular statements of assessment for each installment payment, showing amounts due, amounts delinquent, interest and penalties; and

WHEREAS, the Helgesons have made only a single payment of \$200.00 on March 21, 1989; and

WHEREAS, all remaining amounts are now delinquent, with interest and penalties continuing to accrue; and

WHEREAS, a schedule is attached hereto, labeled Exhibit "B", and incorporated herein by this reference, showing the amount due as of January 15, 2001, to be \$14,932.50, plus interest at the rate of 8 percent per annum on the unpaid balance; plus a penalty of 10 percent per annum on the unpaid principal, interest and penalty;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Pursuant to ORS 371.660, the County Clerk of Columbia County is hereby notified that:

**Roy W. Helgeson and
Frances Eileen Helgeson
57435 Bay View Ridge
St. Helens, Oregon 97053**

are delinquent in the above payments; and

2. Pursuant to ORS 371.660(2), the County Clerk is instructed to issue a writ of execution for the unpaid amounts plus continuing interest and penalties.

[Amended Resolution 106-2000 corrects a scrivener's error correcting the date of the last payment made by the Helgeson's to March 21, 1989 and attaches an amended Exhibit B].

DATED this 10th day of January, 2001.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Chair

By: 
Commissioner

By: 
Commissioner

Approved as to form

By: 
Office of County Counsel

S:\CLERK\HELGESON\AMENDED RESOL RE WRIT.wpd

4/10/87

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In Re: Confirming the Final)
Assessment Roll for the Bay)
View Ridge Road Improvement)
Project.)

NO. 19-87

O R D E R

WHEREAS, pursuant to Order No. 18-87 of the Board of County Commissioners of Columbia County (the "Board"), adopted on February 18th 1987, a public hearing on confirmation of the final assessment roll for the Bay View Ridge Road Improvement Project (the "Project") was held on March 4th, 1987 at 10:00 a.m.; and

WHEREAS, notice of the public hearing on confirmation of the final assessment roll was duly mailed to each owner of property within the Project area pursuant to the requirements of ORS 371.645; and

WHEREAS, the Board gave due consideration to the final assessment roll for the Project and all timely objections filed with respect thereto; and

WHEREAS, it is deemed necessary and advisable that, based on the evidence submitted, the final assessment roll for the Project be approved and confirmed;

NOW, THEREFORE, pursuant to ORS 371.645 it is hereby ORDERED as follows:

1. The Board, having made all revisions to the roll it deems necessary, hereby finds and determines that the final assessment roll for the Project is just and equitable, and that no assessment against property within the Project is greater than the special benefits to be derived from the improvements. Accordingly, the final assessment roll, in the total amount of \$ 49,887.89, is hereby approved and confirmed, and the assessments set forth therein are hereby levied against each lot, tract and parcel of property.

2. The Board hereby certifies the attached Exhibit A, which lists the description of the ownership within the Project area and states the amount of assessment against each individual parcel of land. The County Clerk is hereby directed to endorse thereon the date of the filing thereof and record and index it in

the lien docket that was used to record Order No. 112-86 of the County. The assessments and interest are a lien upon the land against which the same are assessed from the date of filing Order No. 112-86 with the County Clerk. No transfer, sale or division of any such parcel, or change in the legal description thereof, shall in any way divest the lien from the original parcel and the whole thereof. The lien has priority over all other liens and encumbrances whatsoever, except tax liens. Upon payment of an assessment in full, the Board shall satisfy the same by a notation in the lien docket, and the parcel of land charged with such assessment shall be thereby discharged from the lien.

3. Upon receipt of the final assessment roll for the Project, the County Clerk is hereby directed to send notice to each property owner within the Project area, stating that said roll is in her hands for collection and that such assessments or any portion thereof may be paid at any time within thirty (30) days from the date of this Order without penalty, interest or costs.

4. If within 10 days after notice of the assessment is mailed, a property owner files with the County Clerk an application to pay the assessments in installments pursuant to ORS 223.215, the amount of any assessment, or any portion thereof, against property in the Project not paid within the thirty (30) day period from the date of the certification of the assessment roll may be payable in twenty (20) equal semi-annual installments. The assessments payable in installments shall be payable together with interest on the diminishing principal balance thereof at a rate to be determined by the Board and an amount sufficient to pay a proportionate part of the cost of administering the bond assessment program and issuing the bonds. Each owner of property within the project area shall have the right to apply for installment payments of the assessment as provided in ORS 223.215. Interest on assessments payable in installments shall commence on the thirtieth (30th) day following certification of such assessment roll. The first installment shall become due and payable six (6) months from the date of assessment in the lien docket, and subsequent payments shall be paid at the expiration of each semi-annual period thereafter. Semi-annual installments, including interest and any penalty, shall be paid in full when due, and no partial payment shall be accepted by the County Clerk.

5. Any installment not paid when due shall thereupon become delinquent. All delinquent installments shall be subject to a penalty equal to ten percent (10%) per annum or the amount provided by law, whichever is less, of the amount of the installment, including interest, from the date of the delinquency until paid.

6. The lien of any assessment may be discharged at any time after the thirty (30) day prepayment period herein provided

for by payment of the entire principal amount of the assessment remaining unpaid together with interest thereon to the due date of the next installment.

7. It is hereby ordered that the County Clerk endorse upon this Order the date of the filing hereof and record and index said Order in the lien docket in the office of the County Clerk.

DATED this 4th day of March, 1987.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

Michael J. Dupres
Chairman

Mar W. Dillard
Commissioner

John R. Peterson
Commissioner

NOTICE

NOTICE IS HEREBY GIVEN that the assessment roll for the construction of improvements of the Bay View Ridge Road Improvement Project along Bay View Ridge Road in Columbia County, Oregon, is in my hands for collection. Your individual assessment listed below must be paid by April 3rd, 1987, without penalty, interest or costs. The unpaid balance, if any, may be paid in 20 equal semi-annual installments, with interest on the unpaid balance at the interest rate, in an amount to be determined by the Board of County Commissioners, together with an amount sufficient to pay a proportionate part of the cost of administering the assessment program and issuing the bonds, if you file by March 16th, 1987 an application pursuant to ORS 223.215. That application should state the following:

1. Your name.
2. Property description.
3. That you "waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to cause said improvements to be constructed or made for which the assessment is levied and in the apportionment of the cost thereof."
4. That you agree to pay the assessments over a period not to exceed 10 years and according to such terms as the Board of County Commissioners shall provide.
5. That you agree to pay interest at such rate as the Board of County Commissioners may provide on all unpaid assessments, together with an amount, determined by the Board of County Commissioners, sufficient to pay a proportionate part of the cost of administering the bond assessment program and issuing the bonds.

Your property description is:

STATE OF OREGON
COLUMBIA COUNTY
RECORDED

1987 MAR 25 PM 12:35

The total amount of your Comm 19 558 100 assessment is \$ 3,325.86

BY _____ DEP.

EXHIBIT "A"

NO.	OWNER/ADDRESS	TAX LOT	DESCRIPTION (Col. Co. Deeds Book/Page)	
1.	Earl & Jeanne Seawright 33456 Bonneville Drive Scappoose, Or. 97056	4117-032- 00400	207/347 263/240	\$3,325.86
2.	Dennis Rofinot & Barbara Allarin P. O. Box 626 St. Helens, Or. 97051	4117-032- 00500	253/644 263/490	\$3,325.86
	Elizabeth K. Johnson P. O. Box R Scappoose, Or. 97056	4117-032- 00600	247/802 263/485	\$3,325.86 <i>MS</i>
4.	James R. & Dorothy Carpenter 57519 Columbia River Hwy Warren, Or. 97053	4117-032- 00700	230/686 263/491	\$3,325.86
5.	Earl & Jeanne Seawright 33456 Bonneville Drive Scappoose, Or. 97056	4117-032- 01200	207/347 263/240	\$3,325.86
	Mildred Johnson(Kundiger) 57481 Bay View Ridge Warren, Or. 97053	4117-032 01300	207/891 263/488	\$3,325.86 <i>MS</i>
	Fredrick & Frances Agassiz 57488 Bay View Ridge Warren, Or. 97053	4117-032- 01400	220/637 263/489	\$3,325.86 <i>MS</i>
	Virgil D. & Ritoda M. Clark 57452 Bay View Ridge Warren, Or. 97053	4117-032- 01800	215/259 263/492	\$3,325.86 <i>MS</i>
9.	Arne R. & Debra L. Thompson 57463 Bay View Ridge Warren, Or. 97053	4117-032- 01900	247/756 265/142	\$3,325.86
10.	Roy W. & France E. Helgeson 57435 Bay View Ridge Warren, Or. 97053	4117-032- 02000	207/672 263/493	\$3,325.86
11.	Earl & Jeanne Seawright 33456 Bonneville Drive Scappoose, Or. 97056	4117-032- 02100 & 02200	207/347 188/085 263/239	\$3,325.86

PAID
IN FULL (3)
MS

PAID
IN FULL (6)
MS

PAID
IN FULL (7)
MS

PAID
IN FULL (8)
MS

Book 19 page 561-B

30 PAGE 654

NO.	OWNER/ADDRESS	TAX LOT	DESCRIPTION (Col. Co. Deeds Book/Page)	VOL	
12.	Roger & Claudette Hawkins 57426 Bay View Ridge Warren, Or. 97053	4117-032- 02300	212/512 263/487		\$3,325.86
13.	Walter D. & Patricia L. Neaderhiser 57409 Bay View Ridge Warren, Or. 97053	4117-032 02400	246/833		\$3,325.86
14.	Charles R. & Truel Ballard (Janie Horner) 1 Crown Zellerbach 1 Bush Street San Francisco, Ca. 94104	4117-032- 02500	238/760		\$3,325.86
15.	Earl & Jeanne Seawright 33456 Donneville Drive Scappoose, Or. 97056	4117-032 03000	207/347 263/240		\$3,325.86

PAID
IN FULL
MD

1859

STATE OF OREGON
COLUMBIA COUNTY
RECORDED OR FILED
1987 APR 10 PM 3:53
misc
BOOK 30 PAGE 654
RETA. C. KERRICO, CLERK
BY E. Mason DEP.
Docket

Indexed Assessment

HELGESON PAYMENT TABLE

EXHIBIT B

A	B	C	D	E	F	G	H	I	J	K	L
Payment	Payment	Principal	Interest	Subtotal	Penalty	Total	Payment	Accrued	Accrued	Accrued	Accrued
Number	Date	Due	Due	Due	Due	Due	Received	Principal	Interest	Penalty	Total
1	9/15/87	166.29	133.03	299.32	0	299.32	0	166.29	133.03	0	299.32
2	3/15/88	166.29	133.03	299.32	14.97	314.29	0	332.58	266.06	14.97	613.61
3	9/15/88	166.29	133.03	299.32	30.68	330.00	0	498.87	399.09	45.65	943.61
4	3/15/89	166.29	133.03	299.32	37.18	336.50	200.00	665.16	332.12	82.83	1080.11
5	9/15/89	166.29	133.03	299.32	54.00	353.32	0	831.45	465.15	136.83	1433.43
6	3/15/90	166.29	133.03	299.32	71.67	370.99	0	997.74	598.18	208.50	1804.42
7	9/15/90	166.29	133.03	299.32	90.22	389.54	0	1164.03	731.21	298.72	2193.96
8	3/15/91	166.29	133.03	299.32	109.70	409.02	0	1330.32	864.24	408.42	2602.98
9	9/15/91	166.29	133.03	299.32	130.15	429.47	0	1496.61	997.27	538.57	3032.45
10	3/15/92	166.29	133.03	299.32	151.62	450.94	0	1662.90	1130.30	690.19	3483.39
11	9/15/92	166.29	133.03	299.32	174.17	473.49	0	1829.19	1263.33	864.36	3956.88
12	3/15/93	166.29	133.03	299.32	197.84	497.16	0	1995.48	1396.36	1062.21	4454.05
13	9/15/93	166.29	133.03	299.32	222.70	522.02	0	2161.77	1529.39	1284.91	4976.07
14	3/15/94	166.29	133.03	299.32	248.80	548.12	0	2328.06	1662.42	1533.71	5524.19
15	9/15/94	166.29	133.03	299.32	276.21	575.53	0	2494.35	1795.45	1809.92	6099.72
16	3/15/95	166.29	133.03	299.32	304.99	604.31	0	2660.64	1928.48	2114.91	6704.03
17	9/15/95	166.29	133.03	299.32	335.20	634.52	0	2826.93	2061.51	2450.11	7338.55
18	3/15/96	166.29	133.03	299.32	366.93	666.25	0	2993.22	2194.54	2817.04	8004.80

A	B	C	D	E	F	G	H	I	J	K	L
Payment	Payment	Principal	Interest	Subtotal	Penalty	Total	Payment	Accrued	Accrued	Accrued	Accrued
Number	Date	Due	Due	Due	Due	Due	Received	Principal	Interest	Penalty	Total
19	9/15/96	166.29	133.03	299.32	400.24	699.56	0	3159.51	2327.57	3217.28	8704.36
20	3/15/97	166.29	133.03	299.32	435.22	734.54	0	3325.86 ¹	2460.60	3652.50	9438.96
	9/15/97	0	0	0	471.95	471.95	0	3325.86	2593.63	4124.45	10043.94
	3/15/98	0	0	0	502.20	502.20	0	3325.86	2726.66	4626.65	10679.17
	9/15/98	0	0	0	533.96	533.96	0	3325.86	2859.69	5160.61	11346.16
	3/15/99	0	0	0	567.31	567.31	0	3325.86	2992.72	5727.92	12046.50
	9/15/99	0	0	0	602.33	602.33	0	3325.86	3125.75	6330.25	12781.86
	3/15/00	0	0	0	639.09	639.09	0	3325.86	3258.78	6969.34	13553.98
	9/15/00	0	0	0	677.70	677.70	0	3325.86	3391.81	7647.04	14364.71
	1/15/01	0	0	0	479.06 ²	479.06	0	3325.86	3480.54 ³	8126.10	14932.50

Initial Amount = \$3325.86

Annual Rate = 0.08

¹ Note: \$0.06 added to Payment #20 (Column I) to equal initial amount

² Note: Penalty calculated at 1/20 of 14364.71 x .667 (4 of 6 months)

³ Note: Interest calculated at 133.03 x .667 (4 of 6 months) + 3391.81