

**CITY OF SCAPPOOSE
IMPROVEMENT AGREEMENT
for DUTCH CANYON ESTATES subdivision**

This agreement is entered into by and between the City of Scappoose, a municipal corporation (CITY) and **Spectrum Development, LLC** (DEVELOPER).

RECITALS

- a. DEVELOPER is developing property described as **Columbia County Assessor Map No. 3213-030-03500, 3213-030-03600, 3213-030-03700, & 3213-030-03800** located **west of Old Portland Road and north of Callahan Road**, City of Scappoose.
- b. DEVELOPER is required by the City of Scappoose Community Development Code to construct certain public improvements.
- c. These public improvements must be constructed in accordance with the requirements of CITY.
- d. CITY intends to provide oversight inspections for these public improvements, and DEVELOPER shall pay the cost of these services. CITY Resolution No. 07-10 established a fee schedule for said oversight inspections.
- e. CITY desires that DEVELOPER pay a Fee for oversight inspection Services at the time the notice to proceed is issued.
- f. CITY desires that DEVELOPER provide a guarantee in the amount of 110% of the Engineers estimate of public works construction costs. The estimate for this project is **\$1,032,526.29**.

Therefore, the Parties agree as follows:

- 1. If DEVELOPER is constructing public improvements as required by the City of Scappoose Community Development Code, which will be transferred to CITY upon completion, CITY shall provide oversight inspections as provided in this Agreement.
- 2. CITY's oversight inspection shall be to insure generally acceptable construction of Public Improvements. The cost of such services shall be included in the Fees listed below. All construction shall be completed in accordance with CITY specifications.
- 3. DEVELOPER shall provide plans to the City Engineer for review and approval. Such plans shall be for any improvements made in the Public Right-of-

Way and shall be prepared and signed by an engineer registered in the State of Oregon. Plans shall meet the requirements of the City of Scappoose Public Works Design Standards.

4. The oversight Inspection Fee shall be as identified in CITY Resolution No. 07-10. For this project, the Inspection and Review Fees for the public improvements shall be **\$52,376.31**.

5. DEVELOPER'S guarantee for the public improvements shall be in the amount of **\$1,135,778.92**.

Dated: 11/7/07

DEVELOPER

By K. H. Hanken

STATE OF OREGON
Washington COUNTY

On this 7 day of November, 2007, before me, a Notary Public in and for the State of Oregon, personally appeared Walt Dakey, known to me to be the DEVELOPER who executed the within instrument, and acknowledged to me that he/she executed the same for the purposes therein stated.



Brittani Motta
Notary Public for Oregon
My Commission expires: October 23, 2009

CITY OF SCAPPOOSE

Jon G. Hanken
Jon G. Hanken
City Manager