

9-02.06 [Additional Provisions]

9-02.06-10 [Agreement for Improvements]

Before Planning Commission approval of a subdivision plat or partition map, the land divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of property or execute and file with the City Administrator an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for reimbursement of the City for the cost of inspection by the City which shall not exceed ten percent (10%) of the cost of the improvements to be installed.

9-02.06-20 [Bond]

- A. The land divider shall file with the agreement, to assure his full and faithful performance thereof, one (1) of the following:
 1. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney;
 2. A personal bond co-signed by at least one (1) additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement;
 3. Cash.
- B. Such assurance of full and faithful performance shall be for a sum approved by the City Council as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of City inspection.
- C. If the land divider fails to carry out provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds cost and expense incurred by the City, it shall release the remainder. If the amount of the bond or cash deposit is less than the cost and expense incurred by the City, the land divider shall be liable to the City for the difference.

9-02.06-30 [Land for Public Purposes]

- A. If the City has an interest in acquiring a portion of a proposed subdivision for a public purpose, or if the City has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the Planning Commission may require that those portions of the subdivision be reserved for public acquisition, for a period not to exceed one (1) year, at a cost not to exceed the value of the land prior to subdivision.
- B. In addition to the requirements of 9-01.06-30.A. of this section, the subdivider shall pay into a City Parks and Recreation Fund a sum of money equal to six

percent (6%) of the true market value of the land in the subdivision. The sums so contributed shall be used to aid in securing, developing, and maintaining areas for park and recreation purposes to serve the city. If the nature of the subdivision is such that over thirty-four percent (34%) of the tract to be subdivided is being dedicated to the public for streets, the requirements of this section shall be reduced so that the total obligation of the subdivider does not exceed forty percent (40%).