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AN ORDINANCE PROVIDING FOR THE PAVING OF NORTHEAST FIFTH AVENUE BETWEEN IVY STREET AND JUNIPER STREET, IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, AND IN PURSUANCE OF A PETITION FILED WITH THE CITY COUNCIL BY THE OWNERS OF TWO-THIRDS (2/3) OF THE PROPERTY TO BENEFIT SPECIALLY FROM SAID IMPROVEMENTS: AND PROVIDING THAT THE COSTS THEREOF BE PRO-RATED AMONG ALL OF THE PROPERTY OWNERS TO BE BENEFITED SPECIALLY THEREBY, AND PROVIDING FOR ASSESSMENT OF SAID COSTS AGAINST SAID PROPERTIES.

WHEREAS, Northeast Fifth Avenue, in the City of Canby, Clackamas County, Oregon, especially between Ivy Street and Juniper Street, is an unpaved street, and as a result thereof a great deal of dust and dirt is caused and created from and by the traffic on said street; and holes and ruts have developed in said street, and to the inconvenience and annoyance of the citizens of the City of Canby, and particularly the property owners residing along said Northeast Fifth Avenue, and that it is necessary that said Northeast Fifth Avenue be paved between said Ivy and Juniper Streets to remedy said conditions; and

WHEREAS, a Petition has been duly filed with the Council of said City of Canby, which said Petition was signed by at least two-thirds of the owners of the properties to be specially benefited from any improvements made to said street, and which said Petition requested the said Council to authorize the paving of said Street as aforementioned, now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION 1: That the Superintendent of Public Works be, and he is hereby authorized, ordered and directed to arrange for the paving of said

Northeast FIFTH AVENUE between IVY and JUNIPER Streets, in the City of Canby, Clackamas County, Oregon, and the same shall be done by either Contract or City Construction method, and as may subsequently be approved by the City Council. Upon the approval by the Council of the method of construction, the Superintendent, is further directed hereby to see that said paving is done and as soon as circumstances and conditions will permit.

SECTION 2: That the costs for the said paving of said Northeast Fifth Avenue between Ivy and Juniper Streets, shall be paid by the property owners along said Northeast Fifth Avenue and between Ivy and Juniper Streets, and the same being the property owners specially benefited by said improvements, and an assessment shall be made against said properties, costs to be pro-rated on front footage basis, and a lien is hereby declared to exist against said properties and upon said assessment, and the same shall continue until such assessment is paid.

SECTION 3: All other ordinances and parts of ordinances in conflict herewith be, and the same are hereby repealed.

Passed on its first reading at the regular meeting of the Council held on September 7th, 1954, ordered posted as provided by City Charter, and to come up for final action at the regular meeting of the Council to be held October 4th, 1954.

ATTEST:

A.B. Evans
City Recorder

R.B. Eversole
Mayor

Passed on final reading this 6th day of October, 1954, by the following vote:

Yeas 5

Nays 0

Submitted to the Mayor this 6th day of October, 1954.

Approved by the Mayor this 6th day of October, 1954.

R. B. Eversole
Mayor

ATTEST:

A.B. Evans
City Recorder