

ORDINANCE No. 387

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AN ORDINANCE DECLARING AN ASSESSMENT FOR SIDEWALK AND CURB IMPROVEMENTS MADE ON SOUTH HOLLY STREET, SOUTH DOUGLAS STREET AND SOUTHWEST SIXTH AVENUE IN THE CITY OF CANBY, OREGON, AND PURSUANT TO A PETITION OF THE PROPERTY OWNERS BENEFITED THEREBY, AND ORDINANCE No. 385:

WHEREAS property owners on South Holly Street, South Douglas Street and Southwest Sixth Avenue in the City of Canby, Oregon, did prior hereto petition the Common Council of said City in writing for the construction of sidewalks and curbs along designated portions of their respective properties, and the said Council did thereupon adopt Ordinance No. 385 directing the City Engineer to make said improvements, and providing that costs should be assessed against the properties benefited, and further providing that upon assessment of said costs, a lien should exist against said properties for the payment of the same, and

WHEREAS, the said Council did approve a method for construction, and said improvements were thereupon made and at a total cost to the City of Canby of \$1,886.95, now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

SECTION 1: That the costs of sidewalk and curb improvements made on South Holly Street, South Douglas Street, and Southwest Sixth Avenue, in the City of Canby, be, and the same are hereby assessed against the following described properties in said City of Canby, Clackamas County, Oregon, and in the amounts as indicated.

- 1. LOT 17, BRADTL-WEYGANDT addition to Canby \$ 200.00
- 2. LOT 18, BRADTL-WEYGANDT Addition to Canby 200.00
- 3. LOT 19, BRADTL-WEYGANDT Addition to Canby 200.00

4. Beginning at the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 4 Township 4. S. R. 1 E. of W. M.; said corner being South 19.95 chains from the quarter section corner on the North boundary of Section 4; thence North 26° 45' West 601.36 feet to the Northwest boundary of Southwest Sixth Avenue; thence North 63° 30' East along the said boundary 314.50 feet to the most Easterly corner of the Ed Toothman Tract, and the true point of beginning; thence North 26° 42' 45" West along the Northeasterly line of the said Toothman Tract 285.00 feet, more or less to the Northwesterly line of the A. P. Erickson Tract; thence North 63° 14' East along the said Northwesterly line 134.00 feet, more or less to the Southwesterly line of a proposed Street; thence South 26° East along the Southwesterly line of proposed Holly Street 285.00 feet, more or less to the Northwesterly boundary of Southwest Sixth Avenue; thence South 63° 30' West along the Northwesterly line of Southwest Sixth Avenue 134.00 feet, more or less, to the true point of beginning. (Said property being owned by JOHN VIGUS et ux). Assessed in amount of \$ 1,061.95

5. Beginning at the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 4 Township 4. S. R. 1 E. of W. M.; said corner being South 19.95 chains from the quarter section corner on the North boundary of said Section 4; thence North 26° 45' West 601.36 feet to the Northwesterly boundary of Southwest Sixth

Avenue; thence North 63° 30' East along said Northwesterly boundary of Southwest Sixth Avenue 239.50 feet, more or less, to the point of intersection of the Northwesterly line of Southwest Sixth Avenue with the Northeasterly line of that tract of land conveyed to A. L. Welden and wife, by deed recorded September 16th, 1943, in Book 313, Page 382, Deed Records, which point of intersection is the true point of beginning; thence North 26° 42' 48" West along the Northeasterly line of the Weldon Tract 130 feet, more or less, to the most Northerly corner of said Welden Tract; thence South 63° 14' West 75 feet along the Northwesterly boundary of said Welden Tract; thence South 26° 42' 45" East parallel with the Northeasterly line of said Welden Tract 130 feet, more or less, to the Northwesterly line of Southwest Sixth Avenue; thence North 63° 30' East along said Roadway 75 feet to the true place of beginning. (Said property being owned by E. A. Nordin et ux). Assessed in amount of \$ 225.00

SECTION 2: That liens are hereby declared to exist against each of said described properties and in the amounts for each respective parcel as aforementioned; and that the same shall continue so long as any portion of said costs, as hereby assessed, together with accrued interest thereon, remain unpaid.

SECTION 3: That notice of these assessments be published as of the date of the final adoption of this Ordinance by a notice in writing mailed by the City Recorder of said City of Canby, to each of the record title holders of said properties described herein, and as shown on the latest tax rolls of Clackamas County, Oregon.

SECTION 4: All other Ordinances and parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5: That it being deemed by the Council of the City of Canby, Oregon, that an emergency exists, this Ordinance shall go into effect immediately upon its final passage.

Passed on its first reading at a special meeting of the Council held on January 19th, 1955, ordered posted as provided by City Charter, and to come up for final action at the regular meeting of the Council to be held February 7th, 1955, at the hour of 8:00 o'clock p. m., Standard Oregon Time, in the Canby City Hall.

R B Eversole
Mayor

ATTEST:

Mabel E Decker
Acting City Recorder

Passed on final reading this 7th day of February, 1955, by the following

votes: YEAS 5
NAYS 0

Submitted to the Mayor this 7th day of February, 1955

Approved by the Mayor this 7th day of February, 1955

R B Eversole
Mayor

ATTEST:

Mabel E Decker
City Recorder