

ORDINANCE NO. 422

AN ORDINANCE CORRECTING AND AMENDING SEWER ASSESSMENTS LEVIED BY ORDINANCE NO. 417; ASCERTAINING AND DECLARING A REBATE FOR OVER-ASSESSMENTS; AND DIRECTING THE ENTRY OF CREDITS IN LIEN DOCKETS FOR CANBY SEWER DISTRICT NUMBER 4; AND DECLARING AN EMERGENCY.

WHEREAS the Common Council for the City of Canby, Oregon did, on the 15th day of September, 1958, pass on Final Reading and adopt Ordinance No. 417 thereby levying assessments on certain parcels of real property in Canby Sewer District No. 4, as more particularly described in said Ordinance, and for the reasons and purposes as therein shown; and

WHEREAS the City Recorder for said City did review and examine the calculations of the assessments as levied by said Ordinance, and has determined that certain typographical errors and errors in assessment calculations were made which should be corrected; and said Recorder has heretofore recommended to the Common Council for the City of Canby that an amendment to said assessment ordinance should be made for the purpose of correcting said errors and as provided by Section 13 of Ordinance No. 393, adopted by said Council on the 3rd day of January, 1956; and

WHEREAS the sanitary sewer improvements have been completed in the said Canby Sewer District No. 4, and it has been found that the sum heretofore assessed upon the property within the boundaries of said District was more than sufficient to pay the cost for said Sewer improvements, now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: Ordinance No. 417 and the Assessment Roll, as approved and adopted and set forth therein, is amended, and corrected, in the following particulars and as follows:

<u>NAME OF OWNER</u>	<u>PROPERTY DESCRIPTION</u>	<u>AREA ASSESSED</u>	<u>TOTAL ASSESSMENT</u>
Edmund & Virginia Davies (now Fred D. & Sylvia J. Voos)	Laterals A,B,C,D.& E. Lot 14 & S. $\frac{1}{2}$ of Lot 13 OLIVER ADDITION NO.1	11,522 sq.ft.	\$428.64

✓

<u>NAME OF OWNER</u>	<u>PROPERTY DESCRIPTION</u>	<u>AREA ASSESSED</u>	<u>TOTAL ASSESSMENT</u>
Fred & Laura Stefani, and John & Ruth Stefani	Knights Bridge Road West of Grant Street, Laterals F & G Tax Lot 111-7 (Thornton Tracts) P.Lee DLC, T3S, R1E, W.M.	10,867 sq.ft.	\$404.25
Myrtle Smith Cummings	Part of N. Ivy, N. Juniper, & N. 5th Streets, Laterals 4 H Tax Lot 149, P.Lee DLC T3S, R1E, W.M.	5,000 sq.ft.	\$246.00
Leona B. Jacobs	Lateral 4 J Lot 10, ROTH'S ADDITION TO CANBY	5,000 sq.ft.	\$246.00

Section 2: The City Recorder shall immediately following the final passage of this Ordinance, make the necessary corrections in the original assessment roll, and in accordance with the amendments thereof as herein provided; and the City Recorder shall also correct to conform with the foregoing provisions of this Ordinance, the Docket of City Liens which pertains to said assessments, and thereafter notify each of the property owners concerned of the corrected assessment and as provided by Section 13 of Ordinance No. 393.

Section 3:

(a) It is hereby ascertained and declared by the Common Council for the City of Canby that the total assessments levied upon those parcels of property in Canby Sewer District No. 4 exceeded the cost of constructing the sewer improvements in said district and the over-assessments, not counting the charges for sewer connections, totaled \$4,865.52, or a 22.48% over-assessment.

(b) The City Recorder shall, immediately upon the final passage of this Ordinance, enter upon the Docket of City Liens for the Canby Sewer District No. 4, and upon the appropriate assessed owner's account, a credit equal to 22.48% of that part of each assessment which was computed on the basis of square footage, or in other words, each owner's total assessment shall be first reduced by the sewer connection charge of \$60.00 if such connection

charge were in fact made and included in the total assessment, and the remaining amount of each assessment shall be the basis for computing the credit which is to be made and as authorized by this Ordinance.

(c) If any assessment made in Canby Sewer District No. 4 has been paid the person who paid the same, or his legal representative, shall be entitled to a rebate and to the amount of the credit as ascertained and declared by this Ordinance, and the City Recorder shall pay such rebate in cash from funds on hand in the Sewer Fund.

Section 4: It being deemed by the Common Council for the City of Canby that an emergency exists, this Ordinance shall take effect immediately upon its final passage by the City Council and approval by the Mayor.

Passed on its first reading at a regular meeting of the Council for the City of Canby this 2nd day of February, 1959.

Ordered published at full length for a period of two consecutive weeks as provided by the Canby City Charter, and to come up for final reading and action at a regular meeting of said Council to be held on the 2nd day of March, 1959 at 8:00 o'clock P.M. Oregon Standard Time in the Canby City Hall.

ATTEST:

F. G. Lawrence
F. G. Lawrence - City Recorder

Geo. W. Irwin
George W. Irwin - Mayor

Passed on Final Reading this 2nd day of March, 1959 by the following vote: Yeas 5, Nays 0.

Submitted to the Mayor this 2nd day of March, 1959, and approved by the Mayor this 2nd day of March, 1959.

ATTEST:

F. G. Lawrence
F. G. Lawrence - City Recorder

Geo. W. Irwin
George W. Irwin - Mayor