

ORDINANCE NO. 609

AN ORDINANCE ASSESSING VARIOUS LOTS, PARCELS AND TRACTS OF PROPERTY FOR SANITARY SEWER IMPROVEMENTS MADE ON SOUTH DOUGLAS STREET IN LID #6 (SANITARY IMPROVEMENT DISTRICT); DIRECTING THE ENTRY OF ASSESSMENTS IN THE DOCKET OF CITY LIENS; PROVIDING FOR NOTICE THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, the Common Council for the City of Canby, Oregon, has made sanitary sewer improvements on South Douglas Street and for the benefit of the properties adjacent thereto, all of which is within the City of Canby, and was done pursuant to the Charter of said City, the laws of the State of Oregon, the Ordinances of said City and the Resolutions of the Canby City Council as for such matters provided; and

WHEREAS, Notices of intention to make such improvements were duly given and made as provided by Ordinance No. 393 as amended by Ordinance No. 598 of the City of Canby, Oregon, and a hearing thereon was duly and regularly scheduled and held after Notice thereof, and said hearing was held at a regular meeting of the Canby City Council on Monday, November 3, 1975, and there were no objections made to or filed against said improvement project; and the Common Council has heretofore considered the probable cost of making said improvements and did, after due Notice to each of the owners of the property abutting upon said street and in said improvement district, determine to proceed with the said improvement project and assess the costs thereof to the benefited properties as provided by Ordinance No. 393 as amended by Ordinance No. 598 and the Bancroft Bonding Act. The aforesaid Notice to each of the owners of the various parcels of property within said improvement district was given in accordance with an Ownership

Report of said property as furnished by the City Engineer and also according to Council Resolution No. CXCIV (195) adopted at a special meeting of the Council on September 29, 1975, wherein the Council determined to proceed with said improvement project and assess the costs thereof to the benefited properties; and

WHEREAS, the Council did on December 1, 1975, enact Ordinance No. 597 entitled "AN ORDINANCE AUTHORIZING A CONTRACT WITH AMERICAN UNDERGROUND FOR CONSTRUCTION OF SANITARY SEWER IMPROVEMENTS IN SOUTH DOUGLAS STREET LID #6," and that Contract has now been completed and the total costs of said project have now been determined and are less than the Engineer's previous estimate; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: The costs of making sanitary sewer improvements on South Douglas Street in the South Douglas Street LID #6 as heretofore provided for and approved by the Council for said City and the property owners specially benefited thereby are hereby ascertained and determined to be in the amount of \$17,879.36, and the assessable cost to the benefited properties is the same, or \$8.60 per front foot of each benefited property, which said sum is hereby assessed upon the lots, parts of lots and tracts of land within said improvement district and abutting on South Douglas Street; and said properties are found to be specially and directly benefited by said improvements, and the cost thereof is to be and is hereby assessed upon each lot, part of lot and tract of land thereof as in the ASSESSMENT ROLL provided, hereunto annexed and marked "Exhibit A" and by reference made a part hereof, and said

Assessment Roll is hereby adopted and approved as the assessments for said improvement project.

Section 2: That the Recorder of the City of Canby, Oregon, is hereby ordered and directed to enter a statement of said assessments hereby made in the Docket of City Liens as provided for under the Charter of the City of Canby, Oregon, and Ordinance No. 393 as amended by Ordinance No. 598.

Section 3: That the City Recorder for the City of Canby, Oregon, shall within ten (10) days after the final passage of this Ordinance cause to be posted in three (3) public and conspicuous places within said City and also publish in The Canby Herald a Notice of Assessment, which said Notice shall contain a description of each lot, parcel or tract of land, together with the name of the owner or owners thereof and the amount of their respective assessments as in the annexed Assessment Roll provided; and said Notice shall state that within ten (10) days after Notice of such assessment is first published, the owner of the property as assessed, if such assessment exceeds the sum of \$100, may file with the Recorder for said City his written Application to pay the assessment in semi-annual installments not exceeding ten (10) years as provided under Oregon Revised Statutes, Sections 223.205 to 223.295, inclusive, commonly known as the Bancroft Bonding Act, and said Notice shall further provide that all assessments which are not bonded shall be due and payable in full within thirty (30) days next following the date said Notice is first published, and assessments which are not paid or bonded within the time stated in such Notice shall bear interest at the rate of ten percent (10%) per annum, and the lien

as docketed on that property so assessed shall be subject to foreclosure as provided by Ordinance No. 393 as amended by Ordinance No. 598.

Section 4: The Common Council, after due investigation, deems and considers that the benefits of said improvements to and upon each lot and part thereof and tract of land assessed for said improvements is more than the amount assessed against each lot or part thereof and tract of land as the cost of said improvement; and that the share of the cost of said improvements assessed against each lot and part thereof and tract of land is proportionate to the benefits to and upon each lot and part thereof and tract of land respectively as compared with other property benefited.

Section 5: All Ordinances, or parts of Ordinances, in conflict herewith be and the same are hereby repealed.

Section 6: That it being deemed by the Common Council for the City of Canby, Oregon, that an emergency exists, this Ordinance shall go into effect immediately upon its final passage by the City Council.

Passed on its first reading at a regular meeting of the Canby City Council held on the 7th day of September, 1976; ordered posted in three (3) public and conspicuous places in the City of Canby for a period of two (2) full calendar weeks as provided by the Canby City Charter, and to come up for final reading and action of the Council at a regular meeting thereof to be held on the 4th day of October, 1976, at the hour of 8:00 o'clock p.m. at the Canby City Hall.

ATTEST:

Harold A. Wyman
HAROLD A. WYMAN - City Recorder

Howard Giger
HOWARD GIGER - Acting Mayor

Passed on final reading at a regular meeting of the Canby
City Council held on the 4th day of October, 1976, by the following
vote: Yeas 4. Nays 0.



PAUL N. ROTH - Mayor

ATTEST:



HAROLD A. WYMAN - City Recorder

"Exhibit A"

ASSESSMENT ROLL

For the construction of sanitary sewer improvements on South Douglas Street in the South Douglas Street LID #6, described in the City Engineer's plans and report to the City Council under date of September 29, 1975, and published at length in The Canby Herald in issues dated October 15, 1975, and October 22, 1975, under legal notices headed "NOTICE TO OWNERS OF REAL PROPERTY WITHIN THE PROPOSED SOUTH DOUGLAS STREET LID #6 (SANITARY SEWER IMPROVEMENT DISTRICT)".

Name of Owners	Property Descriptions	Front Footage of Area Assessed	Total Assessment
Denniston, Orval R. and Lewellyn	Tax Lot 1900 Sec. 4BA-4S-1E	131.66	\$1,132.19
Angle, David	Tax Lot 2000 Sec. 4BA-4S-1E	100.00	859.93
McStry, Roger	Tax Lot 2100 Sec. 4BA-4S-1E	50.00	429.97
Mock, Gail L.	Tax Lot 2200 Sec. 4BA-4S-1E	50.00	429.97
Cullison, Gail and Pamela	Tax Lot 2300 Sec. 4BA-4S-1E	100.00	859.93
Triplett, Rudy and Evelyn A.	Tax Lot 2400 Sec. 4BA-4S-1E	75.00	644.95
Fisher, David S. and Carol J.	Tax Lot 2500 Sec. 4BA-4S-1E	77.00	662.15
Olsen, Kenneth W. and Ellen G.	Tax Lot 2600 Sec. 4BA-4S-1E	97.00	834.13
Larson, Harry E. and Miriam J.	Tax Lot 2700 Sec. 4BA-4S-1E	80.00	687.95
Kopelk, Edgar H. and Nancy G.	Tax Lot 2800 Sec. 4BA-4S-1E	80.00	687.95
Corley, James M. and Lynetta M.	Tax Lot 2500 Sec. 4BB-4S-1E	104.00	894.33

Oliver, Frank C. and Elsie A.	Tax Lot 2600 Sec. 4BB-4S-1E	94.00	808.34
McMahon, Grant E. and Shirley E.	Tax Lot 2700 Sec. 4BB-4S-1E	94.00	808.34
Jolley, Vern C. and Phyllis I.	Tax Lot 2800 Sec. 4BB-4S-1E	94.00	808.34
Dawson, Earl N., Jr. and Adeline E.	Tax Lot 2900 Sec. 4BB-4S-1E	89.00	765.34
Stinson, Clark and Ruth A.	Tax Lot 3000 Sec. 4BB-4S-1E	80.00	687.95
Pond, John	Tax Lot 3100 Sec. 4BB-4S-1E	240.00	2,063.84
Dobak, Dean L. and Helen L.	Tax Lot 1600A Tax Lot 1700A Sec. 4BA-4S-1E	25.00 28.00	214.97 240.77
Stajgr, Mary	Tax Lot 1800A Sec. 4BA-4S-1E	122.00	1,049.12
Housen, Lawrence J. and Olive A.	Tax Lot 100B Sec. 4BB-4S-1E	100.00	859.92
Stewart, John R. and Beulah M.	Tax Lot 3800A Sec. 4BA-4S-1E	78.50	675.04
Porter, Lauren J. and Phyllis J.	Tax Lot 3600A Sec. 4BA-4S-1E	90.00	773.94