

AN ORDINANCE PROVIDING FOR THE ISSUING OF NEGOTIABLE BONDS OF THE CITY OF WARRENTON FOR THE PURPOSE OF RAISING FUNDS FOR THE CONSTRUCTION OF A WATER SYSTEM, STATING THE PROPOSED PLAN OF WORKS, THE ESTIMATED COST AND THE AMOUNT OF BONDS TO BE ISSUED THEREFOR, AND SUBMITTING THE MATTER TO A VOTE OF THE RESIDENT FREE-HOLDERS.

WHEREAS under sub-division 32 of Section 34 of the Charter of the City of Warrenton, the Common Council is given authority to issue bonds to the amount of ^{Lws} ~~250~~ Hundred Fifty Thousand (\$250,000.00) Dollars for the purpose of building, buying and maintaining water works for the City when authorized by the vote of the resident free-holders, and,

WHEREAS, under Section 89 of the Charter of the City of Warrenton the Water Commission of the City of Warrenton is authorized to issue and sell negotiable bonds to the amount of \$250,000 for the purpose of constructing and maintaining water works therein of a character and capacity sufficient to furnish the city and the inhabitants thereof with an abundance of pure and wholesome water for all uses and purposes necessary for the convenience and well being of the same, and also one or more electric light plants, and,

WHEREAS, it is estimated it will require an expenditure of \$150,000 to install a water system sufficient to provide for the present and future needs of the City of Warrenton, and,

WHEREAS, it is proposed to take the water from the Lewis and Clark River, in Section 20 Township 6 North of Range 9 West of the Willamette Meridian, and to conduct the same by a 12 inch pipe line to the reservoir site in Section 12 in said Township; and to conduct the water from said reservoir site by

pipe line along or near the grade of the old Portland & Astoria
Railway Company to a station called Clatsop on the S. P. & S. Rd.,
and thence northerly by way of Fort Stevens and Hammond to the
City of Warrenton, and,

WHEREAS, the Water Commission of the City of Warrenton
did, on the *21* day of *May*, 1914, adopt the following
Resolution providing for the issuance and sale of bonds for that
purpose, to-wit:

A resolution providing for the issuing of negotiable Bonds of the City of Warrenton, for the purpose of raising funds for the construction of a water system, and providing for the manner of issuing of the same; time thereof, amount to be issued; and interest thereon.

Whereas, under Section 89 of the Charter of the City of Warrenton the Water Commission of the City of Warrenton is authorized to issue and sell negotiable Bonds to the amount of \$250,000 for the purpose of constructing and maintaining water works therein of a character and capacity sufficient to furnish the city and inhabitants thereof with an abundance of pure and wholesome water for all uses and purposes necessary for the convenience and well being of the same, and also one or more electric light plants, and

Whereas, it will require the expenditure of \$150,000.00 to install a water system sufficient to provide for the present needs of the City of Warrenton, and,

Whereas, the City of Warrenton is authorized to provide the rate of interest on such Bonds, not to exceed six per cent per annum, payable semi-annually; and to pledge the full faith and credit of the City of Warrenton for the payment of said Bonds, and,

Whereas, the City of Warrenton intends to construct a water system by taking water from the Lewis and Clarke River in Township 6 North of Range 9 West, Willamette Meridian, and conducting the same by pipe line to and through the City of Warrenton, and whereas it is estimated that the costs and expenses of constructing the same will aggregate \$150,000.00

Now, therefore, BE IT RESOLVED BY THE WATER COMMISSION OF THE CITY OF WARRENTON:

Commission Authorized to advertise

Section 1. That the Chairman and Clerk of the Water Commission of the City of Warrenton, be, and are hereby authorized and empowered to advertise for bids in the Astorian Daily Budget and the Morning Astorian, of Astoria, Oregon, and the Financial Record and Daily News, of New York City, for the sale of

150 municipal bonds of the City of Warrenton of the par value of \$1000.00 One Thousand Dollars each, payable forty years after date, and drawing interest at the rate of five per cent per annum, interest to be paid semi-annually.

Publishing of advertisement
Section 2. Said advertisement shall be published for five consecutive issues in each of said papers, and shall provide that a certified check in an amount equal to five per cent of the bids submitted shall accompany the bid, with the provision that if the bid made is accepted by the Water Commission of the City of Warrenton, that the check shall be forfeited and belong to the Water Commission of the City of Warrenton as liquidated damages if the bidder whose certified check accompanies the bid shall fail to purchase and accept and pay for said bonds under the provisions of his bid and of this resolution.

Bids to be filed with Clerk
Section 3. Said bids shall be filed with the Clerk of the Water Commission of the City of Warrenton up to noon Monday on the 6th day of July, 1914, and said bids shall be opened at the hour of two o'clock P. M. on said day by said Chairman and Clerk of the Water Commission aforesaid, who shall thereupon consider the same and shall make a report to said Water Commission at the next meeting to be held after that date, and in their report set forth the names of the bidders, the amount bid by each bidder and whether each bid complies with the terms of this resolution, and shall also as part of their report make a recommendation such as in their opinion

is advisable in regard to the acceptance of the best responsible bid.

Commission reserves rights

Section 4. Said Commission reserves the right to reject any and all bids submitted.

Chairman & Clerk to Report

Section 5. That upon the report of the Chairman and Clerk the said Commission shall consider the same and shall accept such bids as in its opinion shall be deemed advisable.

to execute & deliver bonds, when,

Section 6. That upon the acceptance by the Commission of such bids as in its opinion is deemed advisable the Chairman of the Commission and the Clerk thereof shall execute and deliver such bonds to the bidder whose bid has been accepted upon the payment of the amount bid to the Treasurer of the Water Commission of the City of Warrenton, and his receipt therefor shall be presumptive evidence of such payment.

Bonds described

Section 7. The bonds shall be payable to the bidder whose bid has been accepted or to the bearer thereof and shall be of the par value of \$1000.00 ^{one} ~~ten~~ Thousand Dollars each and shall be payable in United States Gold Coin forty years after date and shall draw interest at the rate of five per cent per annum, payable semi-annually, and there shall be interest coupons attached for each installment of interest falling due thereon; there shall be *One*

Hundred and fifty

1 to 150 bonds and they shall be numbered consecutively from one to *1 to 150*; inclusive, and the same shall be executed in the name of the City of Warrenton, with the name and title of office of the Chairman and Clerk of said Commission thereto subscribed, and the seal of said City of Warrenton shall be affixed to each bond. The interest coupons shall have attached thereto the name of said City, with the name and title of office of the Chairman and Clerk of said Commission, and shall state the amount of interest represented by each coupon and the date the same becomes due, and

shall be numbered the same as the bond to which it is attached and of which it is a part. Said bonds shall provide that the same may be called and paid at par with accrued interest at the option of said City at any time after ten years from date of issuance. Said bonds and coupons shall bear date of issue the 1st day of July, 1914, and the same may be substantially in the following form, if agreeable to purchaser, to-wit:

FIVE PER CENT MUNICIPAL GOLD BOND

\$1000.00

No. _____

Warrenton, Oregon, _____

Forty years after date, to-wit, on the 1st day of July, ~~1914~~¹⁹⁵⁴, without grace, the City of Warrenton, promises to pay to _____ or bearer hereof, at the National Park Bank, or fiscal agency of the State of Oregon, in New York City, New York, one thousand dollars in gold coin of the United States of America, of the present standard value, with interest thereon in like gold coin, at the rate of five per cent per annum from date until paid, for value received herein, interest to be paid semi-annually according to the coupons hereto attached, and if not so paid the whole sum of both principal and interest to become immediately due and collectable at the option of the holder hereof. And in case suit, action or proceeding is instituted to collect this bond, or any portion thereof, the City of Warrenton promises and agrees to pay, in addition to the costs and disbursements provided by statute, such additional sum in like gold coin as the Court may adjudge reasonable for attorneys fees to be allowed in said suit, action or proceeding.

This bond is issued under authority of Section 89 of the Charter of the City of Warrenton as incorporated by an act of the Legislature Assembly of the State of Oregon approved February 11, 1899, and entitled "An act to incorporate the City of Warrenton"; and is issued to provide funds for constructing a water system

as therein provided; and the full faith and credit of the City of Warrenton and all water rates and pipe lines are hereby pledged to the payment of this bond; Provided that this bond may be recalled and paid at the option of the City at par and accrued interest at any time after the expiration of ten years from the date of the issuance of the same.

IN WITNESS WHEREOF, the Water Commission of the City of Warrenton has caused these presents to be executed by the Chairman and Clerk thereof by affixing hereto the seal of the City of Warrenton and by subscribing their respective names and titles of office pursuant to a resolution of said Commission adopted May 21~~st~~ 1914, authorizing the same and under authority of ordinance No. 115 approved on the 21st day of May, 1914, also authorizing the same and also in pursuance to a majority vote of the resident freeholders authorizing the same at an election held on the 3rd day of July, 1914, in pursuance to said ordinance.

CITY OF WARRENTON (SEAL)

E. J. Smiley

Chairman of the Water Commission
of the City of Warrenton.

Attest:

John Evenden
Clerk of the Water Commission of
the City of Warrenton.

Certified Check

Section 8. The certified checks accompanying the bids shall be payable to the Water Commission of the City of Warrenton, and all checks accompanying rejected bids shall be returned by the Clerk of the Water Commission to the bidders as soon as convenient after the Commission has made acceptance of a bid or such bids as it shall accept.

Bidder to furnish blank Bonds

Section 9. The firm, company or corporation to whom said bonds shall be sold and whose bid is accepted as herein provided for shall furnish the necessary blank bonds in form as herein provided for, at its or their own expense and without charge to said Commission and said blank bonds shall be furnished not later than the 16th day of July, 1914. That the above form prescribed for the bonds is directory only and any form of bond that substantially complies with the requirements of this resolution shall be sufficient.

Payment Made by City

Section 10. The full faith and credit of the City of Warrenton and all water rates and pipe lines are hereby pledged to the payment of said bonds and the interest to accrue thereon and the full taxing power, both general and special, and other revenues of the City of Warrenton are pledged to the payment of said bonds, together with the payment of the interest coupons as herein provided for.

Purpose of bond issue

Section 11. Said bonds are issued to provide funds for constructing said water system heretofore mentioned and shall be kept in a separate fund and shall be used by such Water Commission exclusively for that purpose.

Sale of bonds authorized by majority vote

Section 12. Said bonds shall be issued and sold when authorized by a majority vote of the resident free-holders of the City of Warrenton at an election held in pursuance to an ordinance of the City of Warrenton to submit said question.

WHEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Resolution approved

SECTION 1: That said Resolution adopted by the Water Commission be, and the same is hereby approved and adopted as a part of this Ordinance to the same extent as though ^{inserted} executed there-
by. That said bonds shall be issued as provided in said Resolution adopted by said Water Commission, as in said Resolution provided in case said bond issue is approved by a majority vote of the resident free-holders at the election hereinafter mentioned.

Plan of works

SECTION 2: That the plan of the works shall consist of constructing a dam and taking water from the Lewis and Clark River in Section 20, Township 6 North of Range 9 West, and conducting the water by 12 inch pipe line to a reservoir ~~pipe~~ ^{site} in Section 12, Township 6 North of Range 10 West, and constructing a reservoir and conducting the water from said reservoir by 14 inch pipe line by way of Clatsop Station north along Clatsop Plains, by way of Fort Stevens and ~~New-Artoria~~ ^{New-Artoria} to the city of Warrenton; and that the estimated cost of constructing said water system is One Hundred Fifty Thousand (\$150,000.00) Dollars; and it is proposed to issue said \$150,000 in bonds to raise the money for that purpose.

Special Election to vote on same

SECTION 3: That a special election is hereby called to be held on the third day of July, 1914, to submit the question to a vote of the resident free-holders of the City as to whether or not said bonds shall be issued. Said election shall be by ballot and shall commence at nine o'clock A. M. and close at seven o'clock P.M.; and the balloting place for said election

shall be the City Hall in the City of Warrenton, and that
G A Green and *C A Bowers* and *J W Leonard*

be, and they are hereby appointed Judges of said election, and
Phil Coffey and *Gladys Moore*, be and they
are hereby appointed as Clerks of said election; that the tally

sheets and poll books for said election shall be in the form provided by Chapter 1 of Title XXVII of Lord's Oregon Laws, and the votes shall be counted and tallied as therein provided, except as otherwise provided by the Charter of the City of Warrenton, and the returns of the election shall be filed with the Auditor and Police Judge as provided by Section 10 of the Charter, and the returns shall be canvassed as provided by Section 11 thereof.

Form of Ballot
SECTION 4: The form of the ballot for the election shall be as follows:

Ballot for an election by the resident free-holders of the City of Warrenton to be held on the third day of July, 1914, to determine the question as to whether or not the City of Warrenton shall issue \$150,000 of forty-year Five (5%) per cent bonds to construct a gravity Water System.

All resident free-holders of the City of Warrenton are authorized to vote upon the question:

Shall the City of Warrenton, through its Water Commission, be authorized to issue and dispose of \$150,000 worth of forty-year 5% bonds for the purpose of constructing a gravity Water System from Section 20 in Township 6 North of Range 9 West of Willamette Meridian on the Lewis and Clarke River by way of Fort Stevens and New Astoria to the City of Warrenton, which is estimated to cost \$150,000, for the purpose of constructing said gravity Water System?

Vote "Yes" or "No" by writing a (X) between the number and the question to be answered.

300 Yes.

301 No.

Auditor's duty in connection

SECTION 5: It shall be the duty of the Auditor and Police Judge, ten (10) days before said election, to prepare printed notices of the election and deliver two of said notices to each Judge and each Clerk of the election; and it shall be the duty of the several Judges and Clerks to immediately post said notices in public places in the City of Warrenton; and it shall be the duty of the Auditor and Police Judge to see that said Clerks and Judges perform such duty and that they cause to be made and subscribed

before him an affidavit of the performance of such duty, which affidavit shall be filed in the office of the Auditor and Police Judge as part of the proceedings of said election. Said notice shall be in the following form:

Notice of Election.

Notice is hereby given that on the third day of July, 1914, at the City Hall in the City of Warrenton, in the County of Clatsop, Oregon, a Special Election will be held for the City of Warrenton, for the purpose of submitting to the resident free-holders of the City of Warrenton the question as to whether or not \$150,000 of forty-year 5% bonds shall be issued for the purpose of constructing a gravity Water System from Section 20 in Township 6 North of Range 9 West, Willamette Meridian, on the Lewis and Clarke River, by way of Clatsop Station and Fort Stevens and New Astoria to the City of Warrenton; which is estimated to cost \$150,000; which election shall be held at Nine o'clock A.M. and shall continue until Seven o'clock P. M.

Dated this day of , 1914.

Auditor and Police Judge of
the City of Warrenton.

Passed the Common Council of
the City of Warrenton this 21 day
of May 1914

Approved this 21 day of May
1914

George Schmidt
Mayor

Attest *John Evenden*
Auditor & Police Judge