

AN ORDINANCE providing for the time and manner of constructing the improvement of Reclamation and Improvement District Number One (1), in the City of Warrenton, Clatsop County, Oregon, and prescribing the time and manner of making same, approving, confirming and adopting Resolution adopted by the Common Council on the 4th day of November, 1918, declaring intention of making said improvement, notice and Proofs of publication of making said improvement and plans and specifications and estimates of the costs and expenses of making said improvement filed by the Engineer on the *7th* day of *October* ~~November~~, 1918.

WHEREAS, by a resolution duly adopted on the 4th day of November, 1918, the Common Council of the City of Warrenton declared it necessary in order to protect the health of the inhabitants of the City of Warrenton, to construct the improvement hereinafter mentioned and known as Reclamation and Improvement District Number One (1), and

WHEREAS, in pursuance to said Resolution, on the *4th* day of November, 1918, the duly appointed, qualified and acting engineer of the said City of Warrenton, made and filed with the Auditor and Police Judge of said City, an estimate of the costs and expenses of making said improvement, and plans and specifications for the proposed work; and after the filing of said plans and specifications and estimate of the costs and expenses of making said improvement, the Auditor and Police Judge of the City of Warrenton caused a Notice of the intention of the City of Warrenton to cause such improvement to be constructed, to be given by publication in the "Warrenton News", a weekly newspaper published in the City of Warrenton, County of Clatsop, State of Oregon, for three (3) weeks, and in the form and manner provided by the Charter of the City of Warrenton, and said resolution. All of which appears from the proofs of publication filed with the Auditor and Police Judge. Said Resolution and Proofs of Publication and said plans and specifications and estimates of the costs and expenses of constructing said improvement are each hereby referred to and made a part of this Ordinance as though set out in haec verba herein, and

WHEREAS, no remonstrance has been made or filed against said pro-

posed improvement, and

WHEREAS, the property holders in said District have executed, filed and consented in writing with the City Council of the City of Warrenton, that said improvements be made, and that the costs of making said improvements be assessed against their property to the extent of making the same in accordance with the plans and specifications filed with the Auditor and Police Judge of the City of Warrenton, and the estimate of the costs of the same.

NOW THEREFORE, THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That the Common Council of the City of Warrenton declares it necessary in order to protect the health of the inhabitants of the City of Warrenton, to construct the improvement hereinafter mentioned, and hereby orders the construction of the same for the reason that it deems it necessary to fill in and reclaim the tide lands, mud flats and overflowed lands in the City of Warrenton, within the District hereinafter described, and to be known as Reclamation and Improvement District Number One (1), in order to protect the health of the inhabitants of the City of Warrenton, and to that purpose and to that end, the said Common Council of the City of Warrenton hereby orders the filling in and reclaiming of the tide lands, mud flats and overflowed lands within said District hereinafter described, and the building of the necessary dikes and retaining walls in accordance with the plans and specifications now on file with the Auditor and Police Judge, excepting, however, the main bulkheading and retaining wall along the Skipanon River, and declares that the costs and expenses of filling said tidelands, mud flats and overflowed lands, shall be derived from Special Assessment, according to the benefits upon all the property so filled in and reclaimed in the District.

Section 2. The District to be filled in and reclaimed and assessed, is as follows, to-wit:

Situated lying and being in the Northeast Quarter of Section Twenty-one (21), Township Eight (8), North Range Ten (10) W.W.M; and the Northwest Quarter of Section Twenty-two (22), Township Eight (8), North Range Ten (10), W.W.M. and is bounded on the North by the north line of Sections Twenty-one (21) and Twenty-two (22), on the West by the ridge running north and south and approximately four hundred (400') feet west of the East line of Section Twenty-one (21), on the South and East by the existing dike and the bulkhead line on the Westerly bank of the Skipanon River; and on the Northeast by a line approx-

imately twenty-five (25) feet southwesterly from and parallel to the graded railroad road bed south of the Warrenton Clay Company's plant. The total area of this District is 20.62 acres, the said property being particularly described by meets and bounds as follows, to-wit:

~~Beginning at a point in the north line of Section 22, T. 8 N., R. 10 W. W. M., said point being 828.6 ft. east of the N. W. corner of said Section 22; thence S. 48 degrees 36' E. a distance of 144.0 ft; thence S. 60 degrees 39½' E. a distance of 346.3 ft. to a point on the dike along the westerly bank of the Skipanon River; thence S. 8 degrees 06½' W. along said dike a distance of 156.0 ft. to a point in the west bulkhead line of the Skipanon River; thence S. 18 degrees 00' W. along said bulkhead line a distance of 41.7 ft. more or less to its intersection with the southerly line of Jefferson Avenue produced; thence N. 66 degrees 46' W. along said southerly line of Jefferson Avenue produced a distance of 885.0 ft. more or less to the S. W. corner of the Warrenton Clay Company's property; thence N. 23 degrees 14' E. along the westerly line of said Warrenton Clay Company's property a distance of 102.0 ft. more or less to its intersection with the north line of said Section 22; thence east along said north line of Section 22, a distance of 388.8 ft. more or less, to the point of beginning, containing 4.05 acres, more or less.~~

Beginning at the N. E. Corner of Section 21, T. 8 N. R. 10 W., thence west along the north line of said Section 21 a distance of 320.0 ft; thence S. 19 degrees 24' W. a distance of 25.6 ft; thence S. 4 degrees 46½' E. a distance of 200. ft; thence S. 22 degrees 50½' W. a distance of 70.4 ft; thence S. 7 degrees 39' E. a distance of 91.9 ft; thence S. 1 degree 49' E. a distance of 185.7 ft; thence S. 9 degrees 46½' E a distance of 108.0 ft. to a point in the dike on the westerly bank of the Skipanon River; thence along said dike N. 6 degrees 30' E. a distance of 104.6 ft. to a point in the west bulkhead line of the Skipanon River; thence N. 44 degrees 00' E. along said bulkhead line a distance of 50.00 ft; thence N. 79 degrees 45' E. along said bulkhead line a distance of 47.8 ft. to a point in the dike; thence along said dike in an easterly direction a distance of 680.0 ft. to a point in said bulkhead line; thence S. 69 degrees 15' a distance of 80.3 ft. along said bulkhead line; thence S. 80 degrees 30' E. a distance of 425.1 ft. along said bulkhead line; thence N. 46 degrees 28' E. a distance of 266.7 ft. along said bulkhead line; thence 19 N. degrees 00' E. a distance of 171.7 ft. along said bulkhead line to a point in the dike on the westerly bank of the Skipanon River; thence N. 8 degrees 06½' E. a distance of 156.0 ft. along said dike; thence N. 60 degrees 39½' W. a distance of 346.3 ft; thence N. 48 degrees 36' W. a distance of 144.0 ft. to a point in the north line of Section 22, T. 8 N. R. 10 W. W. M.; thence West along said Section line a distance of 828.8 ft. to the point of beginning, containing 20.62 acres.

All of said tide lands, mud flats and overflowed lands being in the City of Warrenton, Clatsop County, State of Oregon.

Section 3. All the tide lands and mud flats and overflowed lands, including lots and blocks and parcels of land, and all streets within the boundaries of said District above mentioned, shall be filled in with earth or sand by sluicing or dredging from the Skipanon River to the following elevation or grade; To an elevation 12 feet above mean low water as determined from the Datum at Fort Stevens, Oregon.

Section 4. Inasmuch as the property holders in said Reclamation District Number One (1) have consented in writing, and filed the same with the ~~Common Council~~ ^{Auditor & Police Judge} of the City of Warrenton giving their consent to the making of said improvements, and the assessing the costs of same against said property and waiving all irregularities, and asking that the same be paid in installments as in the Charter provided, and requesting that the said improvements be made at the least possible expense to the property holders, and waiving the requirements of the Charter in that it be done by contract, and the Common Council deeming it to the best interests of said property holders, the City Engineer is hereby directed forthwith, to proceed to make said improvements, and the same shall be made for the cost of labor and material, provided, however, that the same shall be done under the supervision of the Committee on Streets and Public Improvements.

And in matters of detail, said improvements and fill shall be made and constructed according to the said plans and specifications made and prepared therefor by the City Engineer and filed with the Auditor and Police Judge of the City of Warrenton.

Section 5. That the costs and expenses of constructing said improvements and fill shall be assessed upon the lots, lands, premises and franchises within said District according to the benefits resulting therefrom, as provided by An Act authorizing the filling in of tide lands, mud flats and overflowed lands of the City of Warrenton, and that said lots, lands and premises within said District shall be assessed pro rata according to the benefits resulting to the same for their proportion of the costs and expenses of filling in the aforesaid District.

Section 6. That whenever any owner of the lands assessed for such improvements shall ask for the privilege of paying said assessment in ten (10) installments, ^{it shall be granted, and} in which case the City of Warrenton shall issue negotiable bonds of said City equal to amount remaining due on account of such persons so assessed having availed themselves of the privilege of paying such assessments in installments. The said bonds shall be payable twenty (20) years from date of issue, and draw interest at a rate not exceeding six (6%) per cent per annum, payable annually; and payments for the construction of said improvements, retaining wall or dike, shall be made from funds derived from the sale of bonds for that purpose as afore-

said.

Section 7. That in the making of said improvements, no person shall be permitted or required to labor more than eight (8) hours in any one calendar day, or more than forty-eight (48) hours in any one calendar week, except in cases of necessity, or where public policy absolutely requires it, and in such event, the person or persons so employed for excessive hours shall receive double pay for the time so employed, and no necessity, emergency or public policy shall be presumed to exist when other labor of like skill and efficiency shall have not been employed full time is available.

Passed the Common Council this 3rd day of December, 1918.

Submitted to the Mayor this 3rd day of December, 1918.

Attest:

John Evenden
Auditor and Police Judge.

Approved this 3rd day of December, 1918.

J. M. Hann
Mayor.