

ORDINANCE BILL NO. 139

ORDINANCE NO. ~~139~~ <sup>136</sup> No. 129

An Ordinance providing for the Improvement of Sherman Street from the West line of Third Street to the West line of Park Street, and for the Improvement of Grant Street from the East line of Second street to the East line of Park street, with Gravel Bitulithic Pavement, in accordance with the plans, specifications and profiles heretofore adopted and approved by the council of the said city for the improvement of said streets and now on file with the recorder of said City, and in accordance with the laws of the State of Oregon, and directing the recorder to advertise for bids for the improvement of said streets with gravel Bitulithic pavement.

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:-

*Section*

WHEREAS, On The 6th day of May, 1913, the common council of the City of Lebanon, duly adopted and passed a resolution No. 2, for 1913, requiring of the City Engineer of the said City plans and specifications and estimates for the improvement of Sherman streets from the West line of Third Street to the East line of Park street, and for the improvement of Grant street from the East line of Second street to the East line of Park street with gravel bitulithic pavement, which said resolution was on the said 6th day of May, 1913 duly adopted and approved by the mayor of the said city and filed in the office of the recorder of the said city on the said 6th day of May, 1913.

And WHEREAS, thereafter and on the 13th day of May, 1913, the said City engineer filed in the office of the recorder of the said city plans and specifications and profiles and estimates of the cost of the improvement of said Sherman street from the West line of Third street to the west line of Park street, and for the improvement of Grant street from the east line of Second street to the East line of Park Street with gravel bitulithic pavement, and

WHEREAS, on the said 13th day of May, 1913, the said Common Council duly adopted and passed resolution No. 5, for 1913, providing for

the improvement of said Sherman street from the West line of Third street to the West line of Park street, by paving the same with gravel bitulithic pavement for the full width of the road way of said street as follows:

#### SHERMAN STREET

- 1- By grading the street to proper subgrade,
- 2- By paving the roadway of said street the full width with gravel bitulithic pavement with full intersections
- 3- By laying and constructing <sup>gravel</sup> bitulithic headers,
- 4- By constructing proper inlets and catch basins,
- 5- By constructing proper sewer pipe drainage,
- 6- By constructing concrete curbs where not already constructed.

#### GRANT STREET

For the Improvement of Grant street from the East line of Second street to the East line of Park street by paving the same with gravel bitulithic pavement the full width of the roadway as follows:

- 1- By grading the street to proper subgrade,
- 2- By paving the roadway of said street the full width with gravel bitulithic pavement with full intersections,
- 3- By laying and constructing <sup>gravel</sup> bitulithic headers,
- 4- By constructing proper catch basin and inlets,
- 5- By Constructing proper sewer pipe drainage.
- 6- By constructing concrete curbs where not already constructed.

And WHEREAS, the City engineers estimates of the probable total cost of the said improvement of said Sherman street is the sum of \$9826.69, and the said City engineers estimates of the probable total cost of said improvement of said Sherman street to be paid by the owners of the abutting real property and the property specially and particularly benefitted thereby is the sum of \$8464.71 and the said city engineers estimate of the probable total costs of the said improvement of said Sherman street to be paid by the city of Lebanon, is the sum of \$1341.98 and

WHEREAS, The said City engineer's estimates of the probable total cost of said improvement of said Grant street is the sum of \$6043.58 and the said City engineer's estimates of the probable total cost of the said improvement of said Grant street to be paid by the owners of the abutting real property and the property specially and particularly benefitted by the said improvement is the sum of \$5450.87, and the said city engineers estimates of the probable total cost of the said improvement to be paid by the city of Lebanon, is the sum of \$592.71

And WHEREAS, the Recorder of the said City was and is authorized and directed in said Resolution No. 5 for 1913, to give notice to all persons concerned that said City proposed to improve the said streets as therein provided, and by virtue and in pursuance thereof and by authority of the said resolution the said recorder of the said City of Lebanon, did on the 13th day of May, 1913, give due and legal notice as by ordinances and charter of the said city and the laws of the state of Oregon, provided, to all persons concerned to file with the recorder within ten days from the final publication of the said notice any remonstrance or objections to the said proposed improvement of the said streets, or either of them, and thereafter on the 3rd day of June, 1913, the said recorder filed in his office proof of the publishing of the said notices as by law required, and

WHEREAS, the council met and convened at the time and place mentioned in the said notices, and no remonstrances or objections were made or filed against the said improvements, <sup>or either of them</sup> But on the other hands petitions were filed by a majority of the <sup>ab</sup>utting real property owners and the owners of a majority of real property specially and particularly benefited by the said improvements and against which the cost of the said improvements will be assessed and charged asking that the said improvement be made as set out in said resolution.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS

Section 1- That the common Council of the City of Lebanon, deem it expedient and for the best interest of the City of Lebanon and its inhabitants to improve said portions of said Sherman street and the said portions of said Grant street <sup>by paving the same</sup> with <sup>gravel</sup> bitulithic pavement as provided in the plans and specifications, and in said resolution, and <sup>as</sup> herein <sup>provided</sup>

Section 2:- The said Council finds and ascertains that no remonstrances or objections have been made or filed and against the said proposed improvement of the said streets or either of them

Section 3:- The said Council finds and ascertains that a majority of the owners of the abutting real property and property specially and

particularly benefited and against which the cost of the said improvement will be assessed and charged have filed a petition asking for the said improvement to be made, and are in favor of the said improvement.

Section 4;- That the recorder of the said City of Lebanon be and he is hereby authorized, ordered and directed to at once advertise for sealed bids for the said improvement of the said streets with gravel bitulithic pavement according to the plans and specifications now on file with the recorder, and the Ordinances and charter of the said City and the laws of the state of Oregon,

Section 5- That the said notice be given by publication thereof for a period and space of ten days in the Lebanon Express, a newspaper published and printed in the city of Lebanon and of general circulation, and also by posted five copies of such notice in public places in the said city,, and that the bids be recieved and opened by the council on the 17th day of June 1913 at the hour of eight o'clock p. m. of said day at the council chambers in the City of Lebanon, Oregon,

Section 6:- that the said city reserves the right to reject any and all bids, and that each bid be accompanied by a certified check on some responsible bank in the sum of \$500.00 payable to the order of the mayor of the said City.

Section 7- That in as much as it is necessary that the paving of the said streets be commenced at once the health, peace and safety of the City of Lebanon requires that this ordinance be in full force and effect at once an emergency is hereby declared to exist, and this Ordinance shall be in full effect and force from and after its passage by the council and approval by the mayor.

Section 8- This ordinance was passed by the Council this 5th day of June, 1913, the same having received the unanimous vote all member elected to the council, taken by aye and nays on the roll being

*Taken and*  
called and the vote entered in the journal of the council.

Approved by the Mayor this 5th day of June, 1913.

*J. W. Emerson*  
Acting Mayor of the City of Lebanon.

Attest

*J. M. Burtenshaw*  
Recorder of the City of Lebanon.