

ORDINANCE BILL NO. 152.

ORDINANCE NO. 147

An Ordinance authorizing and directing the issuance and sale of improvement bonds of the City of Lebanon, Linn County, Oregon, for the improvement of Grant street from the East line of Second street to Park street, by paving the same with Gravel Bitulithic pavement, in accordance with the Charter of the said City and the provisions of Sections 3245 to 3253 inclusive, of Chapter 5 of Title XXVI of Lord's Oregon Laws, and acts amendatory thereof, in the sum of \$4741.84 the same being the total amount of the unpaid assessments for such improvement of said street, for which applications to pay in installments have been filed with the Recorder of the said City of Lebanon.

Whereas the Common Council of the City of Lebanon, Oregon, has improved Grant street from the East line of Second street to Park street in the City of Lebanon, Oregon by paving the same with Gravel Bitulithic pavement by Ordinance No. 133, duly enacted and passed by the Council on the 5th day of June, 1913, and approved by the Mayor on the 5th day of June, 1913, and by the final assessment Ordinance No. 139 duly enacted and passed by the Council on the 11th day of November, 1913, and approved by the Mayor on the 11th day of November, 1913, in accordance with the plans and specifications, duly and regularly adopted for the improvement of said street and,

Whereas the said Common Council did by said Ordinance No. 139 duly levy an assessment upon and against the several lots, parts of lots, tracts, pieces and parcels of land affected by said improvement of said street, and has in all respects duly complied with all the provisions of the Charter of said City of Lebanon and,

Whereas within 10 days after the notice of such assessment was first published, there were filed with the Recorder of the said City of Lebanon, Oregon, written applications to pay said assessments, levied upon and against the property adjacent and abutting upon said improvement and the property particularly and specially benefited thereby, in installments and,

Whereas the said applicants and property owners did thereby waive

any and all irregularities, defects, jurisdictional or otherwise, in the proceedings to improve the said street for which said assessments were levied and in proportionment of the cost thereof and,

Whereas said applicants and property owners agreed in said applications to pay said assessments in 10 annual installments with interest at the same rate, on all said assessments which have not been paid, as that expressed in the bonds issued to pay for such improvement and,

Whereas said applications contain a statement and description, by lots or blocks or other convenient description of property of the applicants assessed for such improvement, and in all respects have complied with the requirements of said Chapter 5 of Title XXVI of Lord's Oregon Laws, togetherwith the name of the applicant and owner of such property and the amount of unpaid assessment against each lot or part of lot or tract or piece or parcel of land, which said name of owner, description and amount is as follows, to-wit:

(28a) Edward Kellenberger Estate, Emma Kellenberger-Bock Executrix.

Lot 7 in Block 3 in the City of Lebanon, Oregon.

\$148.90

(28b) Lot 8 in Block 3 in the City of Lebanon, Oregon.

\$463.95

(29) Norah J. Donaca.

The South 2/3 of Lot 4 in Block 3 in the City of Lebanon, Oregon.

\$367.09

(30) P. M. Scroggin and Seymour Washburn.

The North 1/3 of Lot 4 in Block 3 in the City of Lebanon, Oregon.

\$96.84

(31) W. H. Booth.

Beginning at the South East corner of Lot 3 in Block 3 in the City of Lebanon, Oregon, and running thence North 20 feet; thence West 159 feet; thence South 20 feet; thence East 159 feet to the place of beginning.

\$59.42

(32) Edward Kellenberger Estate, Emma Kellenberger-Bock Executrix.

Emma Bock and Kathleen Kellenberger, a minor.

Beginning at a point on the East line of Lot 3 in Block 3 in

the City of Lebanon, Oregon, which is 20 feet North of the North East corner of Lot 4 in said Block 3, and running thence North 46.13 feet; thence West 159.2 feet; thence South 46.13 feet; thence East 159.2 feet to the place of beginning.

‡89.51

(33) C. B. Montague Estate, R. B. Montague Executor.

Lot 6 in Block 11 in Ralston's Addition to Lebanon, Oregon.

‡470.21

(34) Rebecca N. Hope.

Starting at the North West corner of Lot 6, Block 11 in Ralston's Addition to Lebanon, Oregon, thence 36 feet North to the center line of said Block; thence 159 feet East to the Alley of said Block; thence 36 feet South to the North East corner of Lot 6 in said Block; thence 159 feet West to the point of beginning.

‡73.28

(36a) A. B. Millsap, B. A. Millsap & William Millsap, 1/3 to each.

Beginning 20 feet East of the South West corner of Lot 3 in Block 11 in Ralston's Third Addition to Lebanon, Oregon, and running thence East 28 feet; thence North 96 feet; thence West 28 feet; thence South 96 feet to the place of beginning.

‡83.84

(36b) A. B. & B. A. Millsap.

Beginning 82.5 feet North from the South West corner of Lot 3, Block 11 in Ralston's Third Addition to Lebanon, Oregon, thence 17.25 feet North; thence 48 feet East; thence 3 feet South; thence 28 feet West; thence 14.25 feet South; thence 20 feet West to the point of beginning.

‡4.88

(37) William Millsap, Estate.

Beginning at a point 48 feet East of the South West corner of Lot 3, Block 11 in Ralston's Third Addition to Lebanon, Oregon, thence East 111 feet to the South East corner of said Lot; thence North 99.75 feet to the center of said Block; thence West 111 feet and along the line of said Block; thence 99.75 feet South to the point of beginning.

\$335.39

(38a) Mary J. Reeves.

Lot 5 in Block 2 in the City of Lebanon, Oregon.

\$465.60

(38b) Lot 6 in Block 2 in the City of Lebanon, Oregon.

\$148.94

(39) H. G. Everett and Robert Kyle.

Beginning at the North East corner of Lot 1 in Block 2 in the City of Lebanon, Oregon, and running thence West 159 feet; thence South 54.56 feet; thence East 159 feet; thence North 54.56 feet to the place of beginning.

\$369.27

(40) S. H. Elliott.

Beginning at a point 54.56 feet South of the North East corner of Lot 1 in Block 2 in the City of Lebanon, Oregon, and running thence South 22.23 feet; thence West 159 feet; thence North 22.23 feet; thence East 159 feet to the place of beginning.

\$126.50

(41) H. G. Everett and Robert Kyle.

Beginning at the South East corner of Lot 2 in Block 2 in the City of Lebanon, Oregon, and running thence North 56.58 feet; thence West 159 feet; thence South 56.58 feet; thence East 159 feet to the place of beginning.

\$118.82

(42) Lebanon National Bank of Lebanon, Oregon, a Corporation.

Beginning at a point 60 feet East of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence

South 34 feet; thence East 67 feet; thence North 34 feet; thence West 67 feet to the place of beginning.

\$133.40

(43) Lebanon Investment and Trust Company, a Corporation.

Beginning at a point 60 feet East and 34 feet South of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence East 67 feet; thence North 34 feet; thence East 27 feet; thence South 82 feet; thence West 94 feet; thence North 48 feet to the place of beginning.

\$168.28

(44) W. M. Brown.

Beginning at a point 60 feet East and 82 feet South of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence South 31.42 feet; thence East 94 feet; thence North 31.42 feet; thence West 94 feet to the place of beginning.

\$41.44

(45) M. A. Miller.

Beginning at a point 60 feet East and 53.42 feet South of the North East corner of Block 2 in the City of Lebanon, Oregon, and running thence East 94 feet; thence South 40 feet; thence West 94 feet; thence North 40 feet to the place of beginning.

\$36.98

(46) C. I. Leavengood & J. C. Lambert.

Beginning from the South East corner of Block 3, City of Lebanon, Oregon, and 60 feet East and 153.42 feet South; thence 10.29 feet South and along the East line of Main street; thence 94 feet East to Alley; thence 10.29 feet North; thence 94 feet West to the point of beginning.

\$9.21

(47) F. W. Seeck.

Beginning at a point on the South line of Grant street which is 166 feet East of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence South 163.71 feet; thence East 106 feet; thence North 163.71 feet; thence West 106 feet to the place of beginning.

\$440.46

(48a) Geo. H. Morey.

Beginning at a point which is 272 feet East of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence South 163.71 feet; thence East 50 feet; thence North 163.71 feet; thence West 50 feet to the place of beginning.

\$207.46

(48b) Beginning at a point 322 feet East of the South East corner of Block 3 in the City of Lebanon, Oregon, and running thence East 20 feet; thence South 163.71 feet; thence West 20 feet; thence North 163.71 feet to the place of beginning.

\$83.00

(48c) Lot 1 in Block 2 in J. M. Ralston's Third Addition to Lebanon, Oregon.

\$199.17

Whereas the applications as above mentioned are separate and are now on file in the office of the Recorder of the City of Lebanon, and the same has been duly entered in the Bond Lien Docket of the said City of Lebanon and,

Whereas the total amount of the unpaid assessments for such improvement for said street, for which applications to pay under the provisions of said act above referred to as shown by said Bond Lien Docket, is the sum of \$4741.84,

NOW THEREFORE THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Sec. 1. That the Mayor and Recorder of the City of Lebanon, Oregon, are hereby authorized, empowered and directed to sign and execute on behalf of the said City, its negotiable, interest bearing, coupon bonds and issue its bonds, in all equal to the amount of \$4741.84 the said sum being the total amount of the unpaid assessments for such street improvement for the said street for which applications to pay, under the provisions of Chapter 5 of Title XXVI of Lord's Oregon Laws, have been filed with the Recorder of the said City as shown by the Bond Lien Docket of the said City, which said bonds shall be numbered from 1 to 10 both inclusive, and shall be in denominations of \$500.00 each, except the bond bearing the number 10, being the highest number of said bonds, which shall be for the sum of \$241.84.

Sec. 2. That the said bonds shall bear the date of December 1, 1913 and shall, by the terms, mature in 10 years from the date thereof and shall be payable in gold coin of the United States of America, and bear interest at the rate of 6% per annum, interest payable semi-annually, said interest to be evidenced by a coupon attached to said bonds, which must have a number printed or engraved thereon agreeing to the number of the bond, both principal and interest to be payable at the office of the City Treasurer of Lebanon, Oregon.

Sec. 3. That the right to take up and cancel such bond or bonds upon the payment of the face value thereof, with accrued interest to date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, is hereby reserved, said redemption of such bonds, if so made, to be in accordance with the provisions of said Chapter 5 of Title XXVI of Lord's Oregon Laws.

Sec. 4. That such bonds, before the issuance thereof, shall be signed by the Mayor and countersigned by the Recorder of the City of Lebanon, Oregon, and authenticated by the seal of said City, and the coupons shall bear the signatures of the Mayor and Recorder, but such names may be printed or engraved thereon, and such bonds shall be registered consecutively by number and denomination of each, in a book to be kept by the Recorder for that purpose, to be numbered and designated as the Improvement Bond Register.

Sec. 5. That each of the said bonds shall have plainly printed, inscribed or engraved on the face thereof, a registered number and the words "Improvement Bond" with the name of the City of Lebanon, Oregon.

Sec. 6. That the said bonds shall be advertised for sale for a period of 10 days from the date of first publication and shall be sold for the highest price obtainable by not less than par and accrued interest, and the proceeds of such sale shall be paid by the purchaser to the Treasurer of the City of Lebanon, and the par value thereof and interest credited to the street improvement funds for which said bonds are issued, and the premium thereon, if any, from the sale of such bonds shall be credited to the general fund of the City.

Sec. 7. That the said bonds and coupons shall be substantially in the following form:

United States of America.

State of Oregon.

City of Lebanon.

\$500.00

IMPROVEMENT BONDS

No. _____

Know all men by these presents, that the City of Lebanon in the County of Linn, State of Oregon, for value received, hereby promises and agrees to pay to the bearer, the sum of \$500.00 in gold coin of the United States of America, on presentation and surrender of this obligation, on the 1st day of December, in the Year of Our Lord Nineteen-Hundred-and-Twenty-Three, without grace, with interest thereon from the date hereof, until redeemable, at a rate of 6% per annum payable semi-annually in like gold coin, on the 1st day of June and the 1st day of December in each year, on presentation and surrender of the proper coupon hereunto annexed, principal and interest payable at the office of Treasurer of the City of Lebanon, Oregon; this bond is one of a series authorized by an act of the Legislative Assembly of the State of Oregon, as contained in Chapter 5 of Title XXVI of Lord's Oregon Laws and acts amendatory thereof, and is an obligation of the City of Lebanon, Oregon and is not to be deemed or taken to be within or any part of the limitation by law as to the indebtedness of the said City of Lebanon, and it is further certified that all requirements of law and the Charter of the said City have been fully complied with by the proper officers in the issuing of this bond, and the total amount of this issue does not exceed the limit prescribed by the said act; this bond is redeemable at the office of Treasurer of the said City, at the option of the City of Lebanon, upon the payment of face value thereof with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from date hereof as provided in said act.

For the fulfillment of the conditions of this obligation, the faith and credit of the City of Lebanon are hereby pledged in witness hereof; this bond has been signed by the Mayor and attested by the Recorder of the City of Lebanon, and the Corporate seal of the said City of Lebanon hereto affixed this 2nd day of _____.

ATTEST:

Mayor of the City of Lebanon.

Recorder of the City of Lebanon.

Sec. 8. That the form of the coupon attached to such bond shall be substantially in the following form:

\$ _____

No. _____

The City of Lebanon, Linn County, Oregon, will pay to bearer \$ _____ in gold coin of the United States of America at the office of Treasurer of the said City of Lebanon on the _____ day of _____ the same being 6 month's interest on Improvement Bond No. _____ unless said bond is sooner redeemed as therein provided, which redemption shall render this coupon void.

Mayor of the City of Lebanon.

ATTEST:

Recorder of the City of Lebanon.

Sec. 9. That the Mayor and Recorder of the City of Lebanon are hereby empowered, authorized and directed to make, execute and deliver on behalf of the City of Lebanon, Oregon, improvement bonds as hereinbefore provided to the full amount of \$4741.84.

Passed by the Council this 2nd day of December, 1913.

Approved by the Mayor this 2nd day of December, 1913.

B. Hamerstein

Mayor of the City of Lebanon.

ATTEST:

J. M. Burtch

Recorder of the City of Lebanon.