

ORDINANCE BILL NO. One for 1918.

ORDINANCE NO. ²²⁰~~226~~

An Ordinance fixing and levying as Assessment upon and against lots 3 and 4 in Block 2 in Kirkpatrick's Addition to Lebanon, Oregon, for the construction of a cement sidewalk abutting upon said lots.

WHEREAS, heretofore and on the 2nd day of April, 1918, the Superintendent of Street of the City of Lebanon, Oregon, filed with the recorder of the said City a report in writing, which said report was on said day reported and referred to the Common Council of the said City and in which said report it was made to appear to the Council, and the council found that the side walk on the East side of Main Street and abutting upon lots 3 and 4 in Block 2 of Kirkpatrick's Addition to Lebanon, Oregon. was and is in a dangerous condition, and it further appearing that the said sidewalk was and is within the cement sidewalk district of the said city as duly provided by ordinance, and it further appearing to the Council from the said report that the owners or reputed owners of the said lots were and are H. L. Simpson, address 331 Margueritte Avenue Portland, Oregon, E. M. Simpson, address Dothan, Oregon, Hattie Wolters, address Ketchikan, Alaska and Addie Van Marter, address Ketchikan, Alaska. And

WHEREAS, The said Council of the City of Lebanon, did on the said 2nd day of April, 1918, duly enact and pass Resolution NO. One for 1918, wherein the said Council did ascertain and determine that the said side walk aboutting upon said lots was and is in a dangerous condition at said time and that a new cement side walk should be built in the shortest time reasonable for that purpose, and

WHEREAS, the said council did on the said 2nd day of April 1918, ascertain and determine that the said owners of the said lots build or cause to be built a cement side walk six feet wide on the established grade on the east side Main Street in the city of Lebanon,

Oregon, and abutting upon the said lots 3 and 4 in Block 2 in said Kirkpatrick's Addition to said City, the same to be so made and constructed within twenty days from the date of the said order and resolution, and in accordance with Ordinances 74 and 128 of the said City of Lebanon, and

WHEREAS, the said Council in said resolution directed that the Superintendent of Streets of the said City and the recorder of the said City post and give all notices to the owners of the said lots required by the charter of the said city of Lebanon, and that if the said owners thereof shall fail or refuse to build the said sidewalk within the time and manner provided in the said resolution and the ordinances and charter of the said city, then in that event the said Superintendent of Street shall build the same as provided in the said charter and keep an accurate account of the cost and labor and material in the building of the same in front of each lot or parcel of land and when the work is completed shall report the same to the council in writing, And

WHEREAS, it appearing to the Council from the affidavits and proofs on file with the recorder, that on the 3rd day of April, 1918. Proper notices were posted on each of the said lots as provided by the Charter and ordinances of the said City, and that on the said 3rd day of April, 1918 proper notices were duly mailed to each of the owners of the said lots by the recorder of the said City, And WHEREAS; on the 21st day of May, 1918, the Superintendent of Streets of the said City of Lebanon, duly made and filed with the Recorder and Council his written report giving the costs of the labor and material and other costs of constructing of the said Walk abutting upon each of the said lots, as provided by the said ordinances and charter of the said city, the total costs thereof being the sum of \$ 182.60, and the costs of constructing the said walk in front of and abutting upon each of the said lots being the sum of \$ 91.40 the cost being the same for each lot, and

WHEREAS; The matter having been referred to the Street Committee, of

the said council, and the said committee having reported to the said Council in Writing that they finds all the said items to be correct and true and the costs of the constructing of the said work to be reasonable and just in all things and in all matters, and

WHEREAS, the said council finds that the said items are true and correct in all respects and the construction of the said walk is in all respects extremely reasonable and as cheap as the work can be done, the said council therefore adopts and approves the said report in all things, and

WHEREAS, On the 18th day of May, 1918, the owners of the said lots were duly notified of the completion of the said walk and were each furnished a statement of the amount and cost of the construction of the same and demand made for the payment of the same, and

WHEREAS, the said owners of the said lots have failed, neglected and refused to pay the said sums for the construction of the said side walk or any part thereof, and

Whereas, the council finds and determines that all things have been regularly and legally done and performed in the building and construction of the said side walk as required by the ordinances and charter of the said city. NOW THEREFORE,

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

Section 1.- That the total actual cost of building and constructing the sidewalk and improvement mentioned and described in the preamble of this ordinance was and is the sum of \$ 182.³⁰, the whole amount of which is to be paid by the owners of the abutting lots and parcels of lands benefitted thereby. And which amount is hereby assessed against the said lots 3 and 4 in Block 2 in said Addition, the same being the abutting and adjacent property and property specially benefitted thereby.

Section 2.- That the several lots and parcels of lands hereinafter described are specially and peculiarly benefitted by the said improvement to the extent and to the amount of the respective sums indicated

herein and apportioned thereto in this ordinance, and the said sum of \$ 182.80 is hereby assessed upon and against the said lots and parcels of lands owned by the persons herein named and to the amounts herein set out, as follows:

- (1) Owned by H. L. Simpson, E. M. Simpson, Hattie Wolters and Addie van Marter,
Lot 3 in Block 2 in Kirkpatrick's Addition to Lebanon, Oregon
Assessment \$ 91.40
- (2) Owned by H. L. Simpson, E. M. Simpson, Hattie Wolters and Addie Van Marter,
Lot 4 in Block 2 in Kirkpatrick's Addition to Lebanon, Oregon.
Assessment \$ 91.40

Section 3.- That immediately after the passage of this ordinance by the council and its approval by the Mayor of the said City, the recorder of the City of Lebanon, Oregon, shall enter upon the Docket of City Liens said assessment in the sums herein set out against each lot and parcel of land, and thereupon the same shall become due and payable in the said sums. As soon as the said assessments shall have been so entered upon the said Lien Docket the recorder shall give notice to the owners of the said lots and parcels of land as provided by Section 231 of the charter of the said city, of the amount of the said assessment and that the same is due, requiring the payment of the same to the Treasurer of the said City within ten days from the date of such notice, Provided however that the owners of the said lots shall have the option upon making proper application in writing within ten days from the date of such notice to have such assessment bonded and pay the same in ten equal installments as provided under the provisions of section 3245 to 3253 inclusive of Lord's Oregon Laws, so far as the same are applicable under the charter of the said city.

Section 4.- In case the said assessment levied against the said lots as set forth herein are not paid nor application made to bond the same be filed with the recorder within the time provided by law therefor, such assessment shall become and be delinquent and the proper officers of the said city shall proceed to collect the same in the manner provided by the

by the charter of the said city and the ordinances thereof.

Passed by the Council this 4th day of June, 1918

Approved by the Mayor this 4th day of June, 1918

J. P. Underwood
Mayor of the City of Lebanon,

Attest

C. H. Wetman
Recorder of the City of Lebanon.

The above claim was paid by check
received June 5th and receipt issued on
June 8th as payment in full;
consequently, there was no Lien filed
on Lien Booklet C. H. Wetman
Lebanon June 8th 1918 City Records