

ORDINANCE BILL NO. 1 FOR 1923.

Ordinance No. 310

A BILL FOR

An Ordinance fixing and levying an assessment upon and against Lots Seven and Sixteen in Strawberry Subdivision to Lebanon, Linn County, Oregon, for the construction of a board sidewalk abutting upon the East end of said Lots.

WHEREAS, heretofore on the _____ day of July, 1923, the Superintendent of Streets of the City of Lebanon, Oregon, filed with the Recorder of said City a report, in writing, which said report was, on said day, reported and referred to the Common Council of said City, and in which said report it was made to appear to the Council and the Council found that the sidewalks on the West side of Second Street and abutting upon Lots Seven and Sixteen of Strawberry Subdivision to said City, were in a dangerous condition, and it further appearing that the said sidewalks were outside the cement sidewalk district of said city as provided by ordinance, and it further appearing to the Council, from said report, that the owner or reputed owner of said Lot Seven was and is Roseburg Sand & Gravel Company, whose post-office address is *Roseburg Orego*, and that the owner or reputed owner of said Lot Sixteen is W. C. Gilbert whose post-office address is *Chico Cal*, and

WHEREAS, the said Council of the said City of Lebanon, did, on the 17th day of July, 1923, duly enact and pass Resolution No. 7 for 1923, in which the said Council ascertained and determined that the sidewalks abutting upon said Lots were in a dangerous condition at said time and that a new wooden walk should be constructed within thirty days from the date of said Resolution, and that said owners of said Lots build or cause to be built, within said time, a wooden sidewalk abutting upon said Lots in accordance with Ordinance No. 74 and No. 128 of the said City of Lebanon, Oregon, and

WHEREAS, the said Council in said Resolution directed that the Superintendent of Streets of the said City post and give all notices to the owners of said Lots, as required by the Charter of said City of Lebanon, and further provided that if the said owners of said Lots should fail or refuse to build the said sidewalk within the time and manner provided in said Resolution and in accordance with the Ordinances and the Charter of said City, then and in that event that the said Superintendent of Streets should build the same, as provided in said Charter, and keep an accurate account of the cost of labor and materials in the building thereof in front of each lot, and to report such expense to the Council, in writing, when the work was completed, and

WHEREAS, it appears to the Council, from the affidavit on file herein, that on the 22 day of July, 1923, proper notices were posted on each of said Lots, as provided by the Charter and Ordinances of the said City, and that on said day proper notices were duly mailed to each of the owners of said Lots by the Recorder of said City, and

WHEREAS, on the 18th day of December, 1923, the Superintendent of Streets of the said City of Lebanon, duly made, and filed with the Recorder, report in detail giving the cost of the labor and material and other expenses in constructing the said walks abutting upon each of said Lots, as provided by said Ordinances and Charter of said City, the total cost thereof, as evidenced by said report, being the sum of Thirty-nine and 69/100 Dollars, and that the cost of constructing the said walk in front and abutting upon each of said Lots was the sum of Nineteen and 85/100 Dollars, the cost for each Lot being the same, and

WHEREAS, the matter having been referred to the Street Committee of the said Council, and the said Committee having reported that they find said items to be correct and true and that the cost of

constructing said walks to be reasonable and just in all things, and the Council finds that said items are true and correct in all respects, and that the construction of said walks and that the expenses incurred in constructing same was reasonable and fair and the said report was, by said Council, duly accepted and approved, and

WHEREAS, on the day of December, 1923, the owners of said Lots were duly notified of the completion of said walks and were each furnished a statement of the amount and cost of the construction of the same and demand made for payment thereof, and

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

WHEREAS, the Council finds ^{and} determines that all proceedings and things in connection therewith have been regularly and legally done and performed in the building and construction of the said sidewalks in the manner required by the Ordinance and Charter of the said City. NOW THEREFORE

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

Section 1: That the total cost of building and constructing the sidewalks, mentioned and described in the preamble of this Ordinance, was and is the sum of Thirty-nine and 69/100 Dollars, the whole amount of which is to be paid by the owners of the abutting Lots and parcels of land benefitted thereby, and which amount is hereby assessed against the said Lots Seven and Sixteen of Strawberry Sub-division to Lebanon, the same being the abutting and adjacent property and property especially benefitted thereby.

Section 2: That the several lots and parcels of land 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 Thirty-nine and 69/100 Dollars is hereby assessed upon and against the said lots and parcels of land owned by the persons herein named

and to the amounts herein set out, as follows:

- (1) Lot Seven, Strawberry Subdivision to Lebanon, Linn County, Oregon, the owner or reputed owner being Roseburg Sand & Gravel Company, assessed at Nineteen and 85/100 Dollars.
- (2) Lot Sixteen, Strawberry Subdivision to Lebanon, Linn County Oregon, the owner or reputed owner being W. C. Gilbert, assessed at Nineteen and 85/100 Dollars.

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.

Section 4: In case the said assessment levied against the said Lots as set forth herein are not paid within the time provided by law, therefor, such assessment shall become immediately delinquent and the proper officers of said City shall proceed to collect the same in the manner provided by the Charter of the said City and the Ordinances thereof.

Passed by the Council this 15th day of Jan 1924

Approved by the Mayor this 15 day of Jan 1924

Head Sterling
Mayor.

Attest:

G. B. Witman
Recorder.