

ORDINANCE BILL NO. 23 FOR 1925.

Ordinance No. 342

A BILL FOR AN ORDINANCE authorizing and directing the issuance and sale of improvement bonds of the City of Lebanon, Linn County, Oregon, for the improvement of Second Street from the South line of Grant Street to the North line of Tangent Street in Lebanon, Linn County, Oregon, by paving the same full width with Warrenite-Bitulithic, 1½" top, 3½" Bituminous base, in accordance with the charter of said City of Lebanon and the provisions of Sections 3788 to 3796 inclusive of chapter 15, title 27, Oregon Laws and acts amendatory thereof, in the sum of \$15,202.16 the same being the total amount of unpaid assessments for such improvement of said street for which applications to pay in installments have been duly filed with the Recorder of said City of Lebanon, Linn County, Oregon.

WHEREAS, the Common Council of the City of Lebanon, Linn County, Oregon, has caused the improvement of Second Street from the South line of Grant Street to the North line of Tangent Street in the City of Lebanon, Oregon by paving the same with Warrenite-Bitulithic pavement, 1½" top, 3½" Bituminous base, in accordance with Ordinance No. 331, duly enacted and passed by the said Common Council of the City of Lebanon on the 7th day of July, 1925, and approved by the Mayor on the 7th day of July, 1925, and by a final assessment ordinance No. 340 duly enacted and passed by the Council on the first day of September, 1925, and approved by the Mayor on the first day of September, 1925, 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. 340 duly and regularly levy an assessment upon and against the several lots, parts of lots, tracts, pieces and parcels of land abutting upon, adjacent to and especially benefited by said improvement of said street and has in all respects duly and regularly complied with all the pro-

visions of the charter of said city of Lebanon with respect to the improvement of streets; and

WHEREAS, since the notice of such assessment was first duly given and published, there has been filed with the Recorder of the said City of Lebanon, Linn County, Oregon, written applications to pay said assessments, levied upon and against the property abutting upon, adjacent to and especially benefited by said improvement, in installments; and

WHEREAS, the said applicants and property owners have thereby waived any and all irregularities and defects, jurisdictional or otherwise, in the proceedings had and done for the improvement of said street for which said assessments were duly levied and in proportion to the cost thereof; and

WHEREAS, said applicants and property owners severally agreed in said applications to pay said assessments in ten equal installments with interest at the same rate on all said assessments which have not been paid and that expressed in the bonds to be issued for such improvement; and

WHEREAS, said applications contain a statement and description by lots or blocks or other convenient description of the property of the applicants issued for such improvement and in all respects comply with the requirements of said chapter 15 of title 27 of Oregon Laws and contain 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, piece or parcel of land, which said name of the owner, description of the land and amount of the assessment are as follows, to-wit:

(1) E. B. Day.

Lot 12, Parkview Subdivision, in the City of Lebanon, Oregon.

\$200.00.

(2) E. L. Clark.

Lot 11, Parkview Subdivision, to Lebanon, Linn County, Oregon.

\$294.02.

(3) Alice DePew.

Lot 9, Parkview Subdivision to Lebanon, Linn County, Oregon.

\$468.36.

(4) W. D. Campbell and

Lot 8, Parkview Subdivision and the Southeasterly triangular One-half of the South 11 feet Lot 9, and that part of Lot 22 lying between the South line of Lot 8 and the line dividing the South 11 feet of Lot 9 when projected to Second Street, in Lebanon, Linn County, Oregon.

\$600.68.

(5) Lulu H. Stewart.

Lot 6, Parkview Subdivision to Lebanon, Linn County, Oregon.

\$357.05.

(6) Nellie F. Coates.

Lot 3, Parkview Subdivision to Lebanon, Linn County, Oregon.

\$210.04.

(7) A. J. Arehart.

Lot 2, Parkview Subdivision to Lebanon, Linn County, Oregon.

\$210.04.

(8) C. E. Aldrich.

Lot 1, Parkview Subdivision to Lebanon, Linn County, Oregon.

\$210.04.

(9) W. O. McClain and Martha A. McClain.

Lot 1, Block 17, Ralston's Third Addition to Lebanon, Linn County, Oregon.

\$277.24.

(10) Geo. H. Randle and Myrtle Randle.

Lot 2, Block 17, Ralston's Third Addition to Lebanon, Linn County, Oregon.

\$277.24.

(11) A. F. Bahrke.

The North 60 ft. of Lot 3, Block 17, Ralston's Second Addition to Lebanon, Linn County, Oregon.

\$180.00.

(12) J. M. Lee.

Lot 2, Block 18, Ralston's Second Addition to Lebanon, Linn County, Oregon.

\$277.24.

(13) Eva Scanland.

Lot 3, Block 18, Ralston's Second Addition to Lebanon, Linn County, Oregon.

\$277.24.

(14) F.A.Bohle, Treas. & Trustee of The German Lutheran Church.

Lot 2, Block 19, Ralston's Second Addition to Lebanon, Linn County, Oregon.

\$250.00.

(15) H.R.Kirkpatrick, Chairman Board of Trustees, of The First Presbyterian Church.

Lot 4, Block 19, Ralston's Second Addition  
Lot 3, Block 19, Ralston's Second Addition to Lebanon, Linn County, Oregon.

\$624.44.

- (16) R.Lee Wood et al, By N.E.Irvine, Lebanon Hospital.  
 Lots 1 and 2, Block 20, Ralston's Second Addition to  
 Lebanon, Linn County, Oregon. \$554.48
- (17) P.J.Gilgenbach.  
 Lot 3, Block 20, Ralston's Second Addition to  
 Lebanon, Linn County, Oregon. \$312.22
- (18) John B. Hope.  
 Lot 4, Block 20, Ralston's Second Addition to  
 Lebanon, Linn County, Oregon. \$312.22
- (19) J. C.Mayer.  
 Lot 1, Block 8, Ralston's Addition to Lebanon,  
 Linn County, Oregon. \$312.22
- (20) John Summers, N.M.Newport, and Jas. O'Hara,  
 School District #16, Linn County.  
 Beginning on the N.W.Cor. of the L.T.Woodward  
 Land Claim joining with the land of Morgan Kees;  
 thence running West 40 rods;thence South 20 rods;  
 thence East 40 rods; thence North 20 rods to the  
 place of beginning, containing five acres in  
 Linn County, Oregon. ALSO. Beginning at a point  
 20 rods South of the N.W. cor. of the L.T.Woodward  
 land claim on the line between J.Ralston and Mor-  
 gan Kees; thence running West 40 rods;thence South  
 20 rods; thence East 40 rods; thence North 20 rods  
 to the place of beginning, containing five acres  
 in Linn County, Oregon. \$2689.36
- (21) James L. Carrico  
 Beginning 10 chs. South and 331 ft. West of the  
 N.W.Cor. of L.T.Woodward Claim #45, in T. 12 S.  
 R. 2 W., W.M., the same being the N.W.Cor. of the  
 Catholic Church grounds in Lebanon; thence West  
 59 ft. to Second St.; thence South 150 ft; thence  
 East 171 ft; thence North 50 ft; thence West 112  
 ft. to corner Church grounds; thence N. 100 ft. to  
 the place of beginning, containing  $\frac{1}{4}$  of an acre,  
 in Lebanon, Linn County, Oregon. \$150.00
- (22) Effie L and Jennie M. Arehart and Lelia M. Aldrich.  
 Beginning 230 ft. W. and 768  $\frac{1}{3}$  ft. S. of the N.W.  
 cor. in the angle of the N. line of Ralston Claim  
 #49, in Tp.12 S.R. 2 W. W.M.;thence W.159 ft;thence  
 S.74 ft;thence E.159 ft;thence N.74 ft.to the place  
 of beginning,containing a fraction of an acre, all  
 in Lebanon, Linn County, Oregon. \$300.00

- (23) W.E. & Jennie Arehart and W. J. & Effie Arehart.  
Beginning 89 1/3 links West and 841 ft. South of the N. Cor. of an angle in the N. line of Claim No. 49, T. 12 S. R. 2.W., W.M.; thence West 171 ft. for the place of beginning; thence W. 159 ft; thence S. 58 ft; thence E. 159 ft.; thence N. 58 ft. to the place of beginning, containing a fraction of an acre, all in Lebanon, Linn County, Oregon. \$200.00
- (24) W. E. Arehart.  
Beginning at the N.W. Cor. of Lot 6, in Block 16, Ralston's Third Addition to the Town of Lebanon; thence North 66 ft; thence E. 171 ft; thence S. 66 ft; thence West 171 ft. to the place of beginning, containing a fraction of an acre, all in Lebanon, Linn County, Oregon. \$312.21
- (25) Martha A. McClain.  
Lot 6, Block 16, Ralston's Third Addition to Lebanon, Linn County, Oregon. \$312.21
- (26) Fannie Kent.  
Lot 7, Block 16, Ralston's Second Addition to Lebanon, Linn County, Oregon. \$252.37
- (27) Harry A. Anderson.  
The East Half of Lot 8, Block 16, Ralston's Second Addition to Lebanon, Linn County, Oregon. \$ 78.05
- (28) Ira C. Gates.  
The West Half of Lot 8, Block 16, Ralston's Second Addition to Lebanon, Linn County, Oregon. \$234.16
- (29) W. E. Wymer and Cina Wymer.  
Lots 5 and 6, Block 15, Ralston's Second Addition to Lebanon, Linn County, Oregon. \$551.68
- (30) W.H. Booth Estate, By M.D. Shanks, Adm.  
Lots 7 and 8, Block 15, Ralston's Second Addition to Lebanon, Linn County, Oregon. \$554.58
- (31) Geo. L. Alexander.  
Lots 5 and 6, Block 5, Ralston's 2nd Addition to Lebanon, Linn County, Oregon. \$450.00

- (32) Lebanon National Bank, By WM. Brown, Cashier.  
North 50 feet of Lot 7, Block 5, Ralston's 2nd  
Addition to Lebanon, Linn County, Oregon. \$150.00
- (33) H.J. Whelan.  
East 40 ft. of Lot 8, Block 5, Ralston's 2nd  
Addition to the City of Lebanon, Linn County,  
Oregon. \$ 31.22
- (34) Myrtle Miles Lake et al.  
Lots 5 and 6, Block 4, City of Lebanon, Linn  
County, Oregon. \$624.42
- (35) Thad Sterling.  
East 59.5 ft. of Lot 8, Block 4, City of Lebanon,  
Lot 7, Block 4, City of Lebanon, Linn County, Ore. \$366.85
- (36) Linda Eichler.  
The West 100 ft. of Lot 8, Block 4, City of Leb-  
anon, Linn County, Oregon. \$257.57
- (37) Geo. Alexander and Clara Alexander.  
East 59.5 ft. of Lot 5, Block 3, City of Lebanon,  
East 59.5 ft. of Lot 6, Block 3, City of Lebanon,  
Linn County, Oregon. \$109.28
- (38) H. Y. Kirkpatrick and Maude Kirkpatrick.  
West 100 ft. of Lot 6, Block 3, City of Lebanon,  
West 100 ft. of Lot 5, Block 3, City of Lebanon,  
Linn County, Oregon. \$515.14
- (39) Carra V. Heyne, Administratrix Emma K. Muetze Est.  
Lot 8, Block 3, City of Lebanon,  
Lot 7, Block 3, City of Lebanon, Linn County,  
Oregon. \$624.42

WHEREAS, the applications above mentioned are separate and are each now on file in the office of the Recorder of the City of Lebanon, Oregon, and each application has been duly entered in the bond of lien docket in the City of Lebanon; and

WHEREAS, the total amount of the unpaid assessments for such improvement of 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 \$ 15,202.14

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

Section 1: That the Mayor and Recorder of the City of Lebanon, Oregon, are hereby authorized, empowered and directed to sign, execute and deliver on behalf of the said City of Lebanon its negotiable interest bearing coupon bonds and issue its said bonds in all equal to the amount of \$ 15,202.14, the said sum being the total amount of the unpaid assessments for such street improvement of the said street for which applications to pay under the provisions of said chapter 15 of title 27, 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 One to *Thirty One*, both inclusive, and shall be in denominations of Five Hundred Dollars each, except the bond bearing the number *31*, it being the highest number of said bonds, and shall be for the sum of \$ 202.14

Section 2: That said bonds shall bear the date of September 2, 1925, and shall, by their terms, mature in ten 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 *5* per cent. per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds and must have a number printed or engraved thereon agreeing with the number of the bond, both principal and interest to be payable at the office of the City Treasurer of Lebanon, Linn County, Oregon.



Section 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 bond or bonds, if so made, to be in accordance with the provisions of said Chapter 15 of Title 27 of Oregon Laws.

Section 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 signatures 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.

Section 5: That each of 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.

Section 6: That the said bonds shall be advertised for sale for a period of ten days in accordance with the Charter of the City of Lebanon and shall be sold for the highest price obtainable but in no event at 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.

Section 7: That the said bonds and coupons shall be substantially in the following form, to-wit:

United States of America.

State of Oregon.

\$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 the bearer the sum of Five Hundred Dollars Gold Coin of the United States of America, on presentation and surrender of this obligation on the 2nd day of September, in the year of our Lord Nineteen-Hundred-and-Thirty-five, without grace, with interest thereon from the date hereof until redeemable, at the rate of <sup>5</sup> per cent. per annum, payable semi-annually in like Gold Coin on the <sup>2nd day of March and the</sup> 2nd day of September in each year, upon presentation and surrender of the proper coupon hereto annexed, principal and interest payable at the office of the 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 15, Title 27, Oregon Laws and acts amendatory thereof, and is an obligation of the City of Lebanon, Oregon, and ~~is~~ <sup>is</sup> 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 of the charter of the 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 the Treasurer of the said City, at the option of the said City of Lebanon upon the payment of the face value thereof with accrued interest to the date of payment, at any semi-annual coupon period payment 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 WHEREOF, this bond has been signed by the Mayor and attested by the Recorder of the said City of Lebanon and the Corporate Seal of said City of Lebanon is hereby affixed this        day of  
1925.

Attest:

\_\_\_\_\_  
Mayor of the City of Lebanon,  
Oregon.

\_\_\_\_\_  
Recorder of the City of  
Lebanon, Oregon.

Section 8: That the form of the coupon attached to said 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 the Treasurer of said City of Lebanon, on the \_\_\_\_\_ day of \_\_\_\_\_, the same being six months' interest on improvement bond NO. \_\_\_\_\_ unless the same is sooner redeemed as herein provided, which redemption shall render this coupon void.

Attest \_\_\_\_\_  
Recorder of the City of Lebanon,  
Oregon.

\_\_\_\_\_  
Mayor of the City of  
Lebanon, Oregon.

Section 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, Linn County, Oregon, the improvement bonds as herein before provided for to the amount of \$ 15,202.16

Passed by the Council this 6th day of October, 1925.

Approved by the Mayor this 6th day of October, 1925.

Attest:

G. H. Wetman  
Recorder of the City of Lebanon,  
Oregon.

Paul Sterling  
Mayor of the City of Lebanon,  
Oregon.