

ORDINANCE BILL NO. 24 FOR 1925.

ORDINANCE NO. 343

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 Main Street from the South line of Carolina Street North to the North City Limits in Lebanon, Linn County, Oregon, by paving the same 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 \$ 11,016.04, 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 Main Street from the South line of Carolina Street North to the North City Limits in the City of Lebanon, Oregon, by paving the same with Warrenite-Bitulithic pavement, 1½" top, 3½" Bituminous base, in accordance with Ordinance No. 328, duly enacted and passed by the said Common Council of the City of Lebanon on the 2nd day of June, 1925, and approved by the Mayor on the 2nd day of June, 1925, and by a final assessment ordinance No. 337 duly enacted and passed by the Council on the 4<sup>th</sup> day of August, 1925, and approved by the Mayor on the 4<sup>th</sup> day of August, 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. 337 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 application to pay said assessments in ten equal installments with interest at the same rate on all said assessments which have not been paid as 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) I. J. & Marion Leabo.

The West One Acre of the following tract:  
Beginning at a point on the North side of Carolina Street 60 ft. N. from the N.W.Cor. of Bk. 1 in Kirkpatrick's Add. to the City of Lebanon, Linn Co., Oregon, and running thence East along the N. side of Carolina St. 720 feet; to the West line of Grove Street; thence North along the West line of Grove Street 92 ft. to the S.W.Cor. of the Cemetary Lot; thence West along the South boundary of the Cemetary Lot, and the South boundary of the land known as the John Hauck tract, 720 ft.; and thence South 92 ft. to the place of beginning, containing two acres, more or less, all lying and being in the County of Linn, State of Oregon.

92 feet on Main Street

\$518.16

(2) W. A. & Harriet A. Hunt.

Beginning in the West boundary line of the D.L.C. of L.T.Woodward and wife, Not. #2340 and being Claim #45 in T. 12 S. R. 2 W. of W.M. Ore. at a point which is 9.32 North of the S.W.Cor. of said D.L.C., said beginning point being in Sec. 10, in said township and range; and running thence East 4.85 chains to the S.W.Cor. of the graveyard; and thence North 112 feet; thence West 80 ft; thence North 116 ft; thence West 204 ft. to the West line of said Claim; thence South 228 ft. to the place of beginning, in Linn County, Oregon.

\$1083.90

(3) H. T. & Stella Atkinson.

Beginning at a point on the East line of Main St. in Lebanon, Linn Co., Ore., the same being at a point on the South line of Dodge St., and running thence South on the East line of Main St. 41 ft., more or less, to the North line of the lands of J.S.Lawrence; thence East on the North line of the J.S.Lawrence lands 204 ft., more or less, to the N.E.Cor. of the North projection of the said J.S.Lawrence lands; thence S. on the E. line of the said J.S.Lawrence land 116 ft. to an interior corner of the said J.S.Lawrence lands; thence East 80 ft. to the West line of the Cemetary tract; thence North on the West line of the said Cemetary tract to the South line of Dodge St., in Lebanon, Ore., thence West on the said South line of Dodge St. 284 ft., more or less, to the place of beginning, in Linn County, Oregon.

\$100.00

(4) J. O. Davis.

Lots 14, 15 and 16, Block 1, Kirkpatrick's 2nd Addition to Lebanon, Linn County, Oregon.

\$260.50

(5) Chas. Butler and Portia Butler.

Lots 11, 12 and 13, Block 1, Kirkpatrick's Third Addition to Lebanon, Linn County, Oregon.

\$229.85

(6) CROWN WILLAMETTE PAPER CO., By A.W.Olson, Mgr.

Beginning at a point which is South 250.5' distant, and East 30 ft. distant from the N.E.Cor. of Wassom's Add. to the town of Lebanon, Linn Co., Ore.; running thence North 490 ft.; thence East 465 ft. to the West bank of the Santiam Canal and Water Ditch; thence up the aforesaid Canal or Water Ditch following the meanders thereof; to a point which is 761 ft. distant, East of the place of beginning; thence West 761 ft. to the place of beginning, containing 693 acres, more or less. Also

Beginning at a point in the center of the Lebanon and Jefferson County Road, which is East 30 ft. distant and North 239 ft. distant from the N.E.Cor. of Wassom's Add. to the town of Lebanon, Linn Co., Ore. as the same appears, and is designated upon the recorded plat of said addition to said town, now on file and of record in the office of the County Recorder, in and for said County and State; running thence East 465 ft. to the West bank of the Santiam Water Ditch; thence North 50 ft.; thence West 465 ft. thence South 50' to the place of beginning, containing .52 acres, more or less. Also

Beginning at a point 1.21 chains North and 3.56 chs. East of the Cor. of Sec. 2-3-10-11 in T. 12 S.R. 2 W. of the W.M., Ore., from which point a maple tree 48" in diameter, bears N. 53° 30' East, 30.5 links, and a maple tree 48" in diameter, bears N. 70° 6 links distant; running thence West 8.58 chs. to a stone 8" x 12" x 20", from which an oak 30" in diameter bears 39° W., 2.55 chains, and a black walnut 10" in diameter bears N. 67' W. 1.75 chains; thence North 3.50 chains to a stone; thence East 4.29 chains; thence S. 3 chs; thence E. 4.29 chs; thence S. 50 links to the place of beginning, containing 1 51/80 acres, all in Linn County, Oregon.

\$2019.67

2249 52

(7) James A. Dart.

Beginning at a point which is N. 5° E. and 7.98 chs. distant from the N.E.Cor. of Block 2 Wassom's Add. to Lebanon, Linn Co., Ore., and running thence East 0.76 chs.; thence North 1.67 chs; thence E. 7.39 chs. to the Albany and Santiam Canal; thence N. 48° 30' E. along said Canal 3.04 chs; thence W. 11.42 chs. to the E. line of a County Road; thence S. 16° E., 3.85 chs. to the place of beginning, containing 2.17 acres, more or less, in Linn County, Oregon. Also

Beginning at the N.E. Cor. of the Elkins Bros. Mill lot; running thence West 17 rods and 4 links; thence South 4 rod and 11 ft.; thence East 17 rods and 4 links; thence 4 rods and 11 ft. to the place of beginning, containing  $\frac{1}{2}$  acre, more or less, in Linn County, Oregon. Also

Beginning at the N.E. Cor. of a certain piece or parcel of land deeded by Jonathan Wassom and wife to Ben Cleaver on March 1st, 1883, said deed being recorded at page 225 Vol. 27, Deed Records for Linn Co., Ore.; and running thence East 17 rods and 4 links; thence South 6 rods and 11 ft. to the place of beginning, containing  $\frac{3}{4}$  of an acre, more or less, situated near the Lebanon Flouring Mills (on old Canal) \$378.45

(8) Mary E. Moist.

Beginning 47.51 chains East of the West line of D.L.C. of Morgan Kees, Claim #43 in T. 12 S.R. 2 W., W.M., Ore., at a point 533.9 ft. North of the North line of the R.W. of the O & C R R Co.; thence East 195.8 ft.; thence South 441.5 ft. to a point  $21^{\circ}$  North and 259 ft. West of the N.E. Cor. of Block 2 in Wassom's Add. to the town of Lebanon, Ore.; thence South 85 ft; thence East 259 ft. to North Main St. or County Road; thence North 50 East 6.00 chains to the S.W. Cor. of a tract deeded to J. A. Moist (99-345); thence N. 16<sup>o</sup> W. 3.85 chains; thence East 11.42 chains to the tail race of the Santiam Canal; thence N.E. following the said tail race to the North line of said Claim #43 at a point 23.36 chains West of the N.E. Cor. thereof; thence West 12 chains to the Cemetary; thence S. 3.50 chains; thence West 7.15 chains; thence North 3.50 chains; thence West to a point 47.51 chains East of the N.W. Cor. of said Claim; thence South to the place of beginning, containing 120.05 acres; less 1 acre 99-433, less 2 acres 99-509, less 1 acre 99-562, less 1 acre 105-155, less 1 acre 105-156, less 1.55 acres 105-65, less 5 acres 117-527, less 1 acre 127-130, less 13.65 acres 129-5, leaving 92.84 acres in Linn Co, Ore. \$1000.00

(9) Ruth Reeves.

Beginning 60 ft. North of the N.E. Cor. of Block 2 in Wassom's Add. to Lebanon, Linn Co., Oregon, as the same appears upon the maps of said Add. now on file and of record in the Recorder's Office for said Cou on the West side of Main St., in said City; thence North along the West line of Main St. 65 ft; thence West 239 ft; thence South 65 ft; thence East 239 ft. to the place of beginning, containing a fraction of an acre, in Lebanon, Linn County, Oregon. \$199.22

(10) Emmel Reeves.

Lot 12, Block 2, Wassom's Addition to Lebanon, Linn County, Oregon. \$100.00  
177767

(11) Mrs. A. H. Sanford

Lots 10 and 11, Block 2, Wassom's Addition to Lebanon, Linn County, Oregon.

\$115.57

(12) Lucy J. Gonstad.

The South half of Lots 1, 2 and 3, Block 1, Wassom's Add. to Lebanon, Linn County, Oregon.

\$187.67

(13) Minnie Simons and Geo. W. Simons.

Beginning 4 chains and 8 links West of the N.E. Cor. of L.T. Woodward D.L.C. No. 2340 and Claim No. 45 in T. 12 S., R. 2 W., W.M., Ore.; thence North 5 chains and 50 links; thence West 4 chs; thence South 5 chs. and 50 links; thence East 4 chs. to the place of beginning, containing 2.20 acres, more or less, situated in Linn County, State of Oregon.

\$1020.58

(14) School District No. 16, Linn County, Oregon.

Beginning on the N.E. 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, Ore. Also:

Beginning at a point 20 rods South of the N.W. Cor. of the L.T. Woodward's land claim on the line between J. Ralston and 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 Co., Ore.

\$2440.83

(15) Arch Diocese of Oregon City.

Beginning at a point on the West side of Main St. in Lebanon, Linn Co., Oregon, which is 10 chains South and 60' West, of the N.W. Cor. of the D.L.C. of L.T. Woodward and wife, Claim #45, T. 12 S. R. 2 W. of the W.M., Ore.; and running thence West 60 ft. to a point of beginning, and from the last said beginning point, running thence West 63 ft.; thence South 32 ft; thence East 63 ft; thence North 32 ft. to the place of beginning, containing a fraction of an acre in Lebanon, Linn County, Oregon. Also

Beginning at a point on the West side of Main St. in Lebanon, Linn Co., Ore., which point is 10 chs. South and 60 ft. West of the N.W. Cor. of the D.L.C. of L.T. Woodward and wife, Claim #45, T. 12 S., R. 2 W. of the W.M., Ore. and running thence West 60 ft.; thence South 32 ft.; thence East 60 ft.; thence North 32 ft. to the place of beginning, containing a fraction of an acre in Lebanon, Linn Co., Ore., Also

376465

Beginning 10 chains South and 183 ft. West of the N.W. Cor. of the D.L.C. of L.T. Woodward and wife, Claim #45, T. 12 S., R. 2 W. of the W.M., Oregon, said beginning point being the N.W. Cor. of the grounds of the St. Edwards Catholic Church in Lebanon, Oregon; and running thence West 36 ft. along the South line of Academy Street; thence South 100 ft; thence East 159 ft. to the West side of Main St. in said City; thence North 18 ft. to the S.E. Cor. of said grounds; thence West 123 ft. to the S.W. Cor. of said grounds; thence North 82 ft. to the place of beginning, containing a fraction of an acre in Lebanon, Linn County, Oregon.

\$563.23

(16) Emma P. Newport and N. M. Newport.

Beginning at a point on the West line of Main St. in the City of Lebanon, in Linn County, Oregon, which is North 305 ft. distant from the N.E. Cor. of Lot 2 in Block 16, in Ralston's Second Addition to Lebanon, Oregon; and running thence North on West line of said Main St. of said City 230 ft; thence West 165 feet; thence South on a line parallel with the West line of Main St. 230 ft.; thence East 165 ft. to the place of beginning.

\$797.41

186064

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 \$ *11,015.04*

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 \$ *11,015.04* 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, 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 *23*, both inclusive, and shall be in denominations of Five Hundred Dollars each, except the bond bearing the number *23*, it being the highest number of said bonds, and shall be for the sum of \$ *15.04*

Section 2: That said bonds shall bear the date of August 12, 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 signature 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 <sup>12</sup> ~~2nd~~ day of <sup>August</sup> ~~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> ~~6~~ per cent. per annum, payable semi-annually in like Gold Coin on the <sup>12<sup>th</sup></sup> ~~2nd~~ day of <sup>August</sup> ~~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 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.

*the 12<sup>th</sup> day of February and*

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:

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

\_\_\_\_\_  
Recorder 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 \$ *11,015.04*

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

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

Attest:

*Frank Sterling*  
\_\_\_\_\_  
Mayor of the City of Lebanon,  
Oregon.

*C. H. Vitman*  
\_\_\_\_\_  
Recorder of the City of  
Lebanon, Oregon.