

ORDINANCE BILL NO. 9 FOR 1926.

Ordinance No. 357

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; and 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; and for the improvement of Grant Street from the East line of Second Street West to the West City Limits in Lebanon, Linn County, Oregon, by paving the same with Warrenite-Bitulithic, $1\frac{1}{2}$ inch top, $3\frac{1}{2}$ inch Bituminous base in accordance with the Charter of said City of Lebanon and the provisions of Section 3788 to 3796 inclusive, of chapter 15, Title 27, Oregon Laws and Acts Amendatory thereof, in the sum of \$9703.42, the same being the total amount of unpaid assessments not heretofore bonded for such improvement of said streets and 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, Linn County, Oregon; and has caused the improvement of Second Street from the South line of Grant Street to the North line of Tangent Street in Lebanon, Linn County, Oregon; and has caused the improvement of Grant Street from the ~~East~~ East line of Second Street West to the West City Limits in Lebanon, Linn County, Oregon, by paving the said streets with Warrenite-Bitulithic pavement, $1\frac{1}{2}$ " top, $3\frac{1}{2}$ " Bituminous base in accordance with ordinances No. 328, 331, and 329, respectively, and which said ordinances were duly enacted and passed by the said Common Council of the City of Lebanon on the 2nd day of June, 1925, the 7th day of July 1925, and on the 17th day of June, 1925, respectively, and which said ordinances were each, on the respective days of passage by the Council, duly approved by the Mayor of the City of Lebanon, Oregon, in accordance with the plans and specifications duly and regularly adopted for the improvement of said streets; and

WHEREAS, the said Common Council did, by ~~said~~ ordinances No. 337 , 340 , and 339 , duly and regularly levy assessments 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 streets and has, in all respects, duly and regularly complied with all the provisions of the Charter of said City of Lebanon with respect to the improvement of streets; and

WHEREAS, since the notice of such assessments were first duly given and published, there have been filed with the Recorder of the said City of Lebanon, Linn County Oregon, ~~xxxxxxxxxxxx~~ ~~these~~ written applications to pay said assessments, levied upon and against the property abutting upon, adjacent to and especially benefited by said improvements 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 streets 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 said assessments which have not been paid as that expressed in the bonds to be issued for such improvements; and

WHEREAS, said applications contain a statement and description by lots or blocks or other description of the property of the applicants issued for such improvements and, in all respects, comply with the requirements of said Chapter 15, Title 27, of Oregon Laws and Acts Amendatory thereof and contain the names of the applicants and owners of such property and the amount of unpaid assessment against each lot or part of lot or tract, piece or parcel of land, subject to be bonded, which said names of the owners,

description of the land and amounts of assessments, eligible to be bonded, are as follows, to-wit:

MAIN STREET:

- (1) R. W. Stanton and Amanda V. Stanton.

Beginning at the N.W. Cor. of the D.K.C. of L.T. Woodward and wife, it being Claim #45 (not 2340) in T. 12 S., R. 2 W. of the W.M., Ore., and running thence W. 269.5 ft.; thence North 495 ft.; thence East 269.5 ft.; thence South 495 ft. to the place of beginning, containing three acres, more or less, all situated in Lebanon, Linn County, Oregon.

Amount bonded \$ 950.00

- (2) L. A. Crandall and A. I. Crandall.

Lots 1, 2 and 3, Block 2, Wassom's Addition to Lebanon, Linn County, Oregon.

Amount bonded \$ 250.00

SECOND STREET:

- (1) A. R. Bogart.

West 119 ft. of Lot 8, Block 5, Ralston's Second Addition, and South 16 ft. of Lot 7, Block 5, Ralston's Second Addition to Lebanon, Linn County, Oregon.

Amount bonded \$ 356.68

- (2) J. J. Lindgren.

Beginning 89 $\frac{1}{3}$ links W. and 660 $\frac{2}{3}$ ft. S. of the corner ~~of~~ in the angle in the North line of Ralston's Claim #49, in T. 12 S., R. 2 W., W.M.; thence W. 330 ft.; thence S. 107 ft; thence E. 330 ft.; thence E. 107 ft. to the place of beginning, containing $\frac{3}{4}$ of an acre, more or less, in Lebanon, Linn County, Oregon.

Amount bonded \$ 300.00

- (3) Mary B. Elkins.

Beginning 308 ft. N. and 165 ft. W. of the N.E. cor. of Lot 2 in Block 16, Ralston's Second Addition to Lebanon, Oregon; thence East 160 ft; thence W. 165 ft; thence S. 100 ft; thence E. 165 feet to the place of beginning, containing 60/100 of an acre, in Lebanon, Linn Co., Ore.

Amount bonded \$ 500.00

(4) L. J. Donaca Hiatt.

Lot 4, Block 8, City of Lebanon, Linn County,
Oregon.

Amount bonded \$312.22

(5) L. J. Donaca Hiatt.

Lot 3, Block 8, City of Lebanon, Linn County,
Oregon.

Amount bonded \$300.00

(6) L. J. Donaca Hiatt.

Lot 2, Block 8, Ralston's Addition to Lebanon,
Linn County, Oregon.

Amount bonded \$312.22

(7) Alice Knepper.

Lot 1, Block 19, Ralston's Second Addition to
Lebanon, Linn County, Oregon.

Amount bonded \$312.22

(8) A. I. Crandall.

Lot 4, Parkview Subdivision, in Lebanon, Linn
County, Oregon.

Amount bonded \$200.00

(9) A. I. Crandall.

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

Amount bonded \$277.24

(10) J. R. Green.

Lot 5, Parkview Subdivision, in Lebanon, Linn
County, Oregon.

Amount bonded \$200.00

(11) P. F. Seeck.

Lot 7 and that part of Lot 22 lying between the
North and South line of Lot 7 when projected to Second
Street in Lebanon, Linn County, Oregon.

Amount bonded \$200.00

(12) F. W. Seeck.

Lot 10, except the Southeasterly triangular $\frac{1}{2}$ of
the S. 11' Parkview Subdivision, in Lebanon, Linn County,
Oregon.

Amount bonded \$200.00

GRANT STREET:

- (1) A. B. Millsap and Frances Millsap.

The West 125 ft. of Lots 5 and 6, Block 9, of the City of Lebanon, Linn County, Oregon.

Amount bonded \$623.69

- (2) A. P. Blackburn Estate

Lots 1, 2, 3, 4 and 5 J.M.Ralston's Fourth Addition to the City of Lebanon, Linn County, Oregon.

Amount bonded \$1250.00

- (3) Gertrude LaFevra.

The East 128 ft. of the N. $\frac{1}{2}$ of Lot 26, A. F. Bahrke's Fruitdale Addition to Lebanon, Linn County, Oregon.

Amount bonded \$631.73

- (4) Emma Parrish.

The East 50 ft. of Lot 29, A. F. Bahrke's Fruitdale Addition to Lebanon, Linn County, Oregon.

Amount bonded \$ 60.00

- (5) L. J. Donaca Hiatt.

Lots 3 and 4, Block 8, of the City of Lebanon, Linn County, Oregon.

Amount bonded \$790.18

- (6) L. J. Donaca Hiatt.

Lots 7 and 8, Block 8, of the City of Lebanon, Linn County, Oregon.

Amount bonded \$300.00

- (7) F. W. Duttonhaver.

Lots 9 and 10, Block 7, J. M. Ralston's Fourth Addition to Lebanon, Linn County, Oregon.

Amount bonded \$651.50

- (8) David A. Whinnery and Ida Whinnery.

Lot 8, Block 7, in J. M. Ralston's Fourth Addition to Lebanon, Linn County, Oregon.

Amount bonded \$325.74

- (9) T. F. Fee.

Beginning 96 ft. W. of the S.E. cor. of Lot 24 in A.F.Bahrke's Fruitdale Addition to the City of Lebanon, in Linn County, Oregon, as the same appears on the maps and plats of said addition, now on file in the County Recorder's office for Linn County, Oregon, and running thence W. on the N. line of Grant St. 96 ft. and 1 inch; thence N. 132 ft. and 9 inches; thence E. 98 ft. and 1 inch; thence S. 132 ft. and 9 inches to the place of beginning.

Amount bonded \$150.00

(10) Roy Diercoff.

The East 96 ft. of the S. $\frac{1}{2}$ of Lot 24, A.F.
Bahrke's Fruitdale Addition to the City of Lebanon,
Linn County, Oregon. \$450.00

WHEREAS, the applications above mentioned are separate and are each now on file in the office of the Recorder of the City of Lebanon, Linn County, Oregon, and each application has been duly entered in the Bond Lien Docket of the City of Lebanon, Linn County, Oregon; and

WHEREAS, the total amount of unpaid assessments for such improvements of said streets, for which applications to pay under the provisions of said Act above referred to, as shown by said Bond Lien Docket and not heretofore bonded, is the sum of \$9703.42

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 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 those said bonds in all equal to the amount of \$9703.42, the said sum being the total amount of the unpaid assessments for such street improvements of the said streets for which applications to pay under the provisions of said Chapter 15, Title 27, Oregon Laws and Acts Amendatory thereof, have been filed with the Recorder of said City as shown by the Bond Lien Docket of the said City, which said bonds shall be numbered from One to *Twenty*, both inclusive, and shall be in denominations of Five Hundred Dollars each, except the bond bearing the number *Twenty* it being the highest number of said bonds, and shall be for the sum of \$203.42.

Section 2: That said bonds shall bear the date of
, 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 $5\frac{1}{2}$ per cent.
per annum, interest payable semi-annually, and 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 at Lebanon, Linn County, Oregon.

Section 3: That the right to take up and cancel said
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 redemptions of said bond or bonds, if so made, to be
in accordance with the provisions of said Chapter 15 of Title 27,
Oregon Laws and Acts Amendatory thereof.

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 number-
ed 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 *1st* day of *September*, in the year of our Lord Nineteen Hundred and *thirty-six*, without grace, with interest thereon from the date hereof until redeemable, at the rate of *5 1/2* per cent. per annum, payable semi-annually in like Gold Coin on the *1st* day of *March*, and *1st 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 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 _____, 192__.

Mayor of the City of
Lebanon, Oregon.

Attest:

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.

Mayor of the City of
Lebanon, Oregon.

Attest:

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 \$ 9703.42 .

Passed by the Council this 7" day of ~~August~~ ^{September}, 1926.

Approved by the Mayor this 7" day of ~~August~~ ^{September}, 1926.

Thad Sterling
Mayor of the City of Lebanon,
Oregon.

Attest:

676 Witman
Recorder of the City of Lebanon,
Oregon.

CALL FOR BIDS ON CITY OF
LEBANON STREET IMPROVE-
MENT BONDS

Notice is hereby given that the City Council of Lebanon, Linn county, Oregon, pursuant to Ordinance No. 357, passed by the council on the 7th day of September, 1926, and approved by the mayor on the same date, will on the 5th day of October, 1926, at the hour of 7:30 o'clock p. m. thereof, at the council chamber in said city of Lebanon, receive sealed bids on the whole or any part of the issue of \$9,703.42 Bancroft Street Improvement Bonds of the City of Lebanon, Linn County, Oregon, issued for the improvement of Main, Second and Grant streets in said city; said bonds to bear date September 1, 1926, and to draw interest at the rate of 5½ per cent per annum from said date, payable semi-annually, and to be numbered from one to twenty inclusive, and to be in denominations of \$500.00 each except the bond bearing the highest number, which shall be for the sum of \$203.42.

Each bid shall be accompanied by a certified check on a responsible bank to the amount of five per cent of the bid, payable on the presentation thereof to the Treasurer of the City of Lebanon, Oregon. Checks accompanying any unsuccessful bid to be returned to the bidder upon demand, but checks accompanying the successful bid or bids shall be applied on the purchase price when the bidder consummates the purchase; and upon the bidder's failure to do so, the proceeds of the check shall become the property of the City of Lebanon, Oregon, as liquidated damages for the failure to consummate the terms of his bid. Sale to be for cash upon delivery of the bonds. The bonds to be furnished by the City of Lebanon.

The City of Lebanon reserves the right to reject any or all bids.

C. H. WITMAN,
Recorder of the City of
Lebanon, Oregon.

Affidavit of Publication

STATE OF OREGON, }
County of Linn, } ss.

I, G. L. Alexander, being first duly sworn, depose and say that I am the foreman of the printers of The Lebanon Express, a weekly newspaper of general circulation, printed and published in Lebanon, in the aforesaid county and state; that such newspaper is made up of at least four pages of five columns of at least 17¼ inches in depth, or if of smaller pages, then comprising an equivalent amount of type matter; that such newspaper was regularly and uninterruptedly published for at least one year immediately preceding the first publication of the attached notice, and has 200 bona fide subscribers within the county in which it is published; that.....

Notice of Call for Bids on City of Lebanon
Street Improvement Bonds.

a printed copy of which is hereto attached, was published in the regular and entire issue of said newspaper for three successive and consecutive weeks, commencing with the issue dated the 15th day of September, 1926 and ending with the issue dated the 29th day of September, 1926

That the price actually charged for this notice was \$ 16.60

That a reduction of \$..... from the legal rate was made for charitable purposes.

G. L. Alexander

Subscribed and sworn to before me this 11 day of October, 1926

Murray D. Shanks

Notary Public for Oregon.

(My Commission expires July 8, 1927)