

ORDINANCE BILL NO. 5 FOR 1950

ORDINANCE NO. 748

A BILL FOR AN ORDINANCE LEVYING AGAINST THE PROPERTY SPECIALLY BENEFITTED THEREBY, ASSESSMENTS FOR THE COST AND CONSTRUCTION OF STORM SEWERS WITHIN THE DRAINAGE DISTRICT DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF OLIVE STREET AND FOURTH STREET, THENCE SOUTH ALONG CENTER LINE OF FOURTH STREET TO THE CENTER LINE OF S. P. RAILROAD TRACK THENCE SOUTHEASTERLY DIRECTION ALONG CENTER LINE OF S. P. RAILROAD TRACK TO A POINT 162 FEET NORTH OF THE CENTER LINE OF ROSE STREET, THENCE EAST ALONG THE NORTH SIDE OF LOT 7 AND LOT 3, BLOCK 17, RALSTON'S THIRD ADDITION AND THE NORTH LINE OF LOT 7 BLOCK 16, RALSTON'S SECOND ADDITION TO THE CENTER LINE OF THE ALLEY IN BLOCK 16, THENCE NORTH ALONG THE CENTER LINE OF SAID ALLEY PROJECTED TO A POINT DUE WEST OF THE CENTER LINE OF CAROLINA STREET PROJECTED, THENCE EAST ALONG SAID CENTER LINE PROJECTED TO THE CENTER LINE OF MAIN STREET, THENCE NORTH ALONG CENTER LINE OF MAIN STREET TO A POINT 230 FEET NORTH OF THE INTERSECTION OF CENTER LINE OF MAIN STREET AND WHEELER STREET, THENCE WEST ON A LINE PARALLEL TO CENTER LINE OF MORTON STREET PROJECTED TO THE CENTER LINE OF MAIN STREET, THENCE NORTH ALONG THE CENTER LINE OF MAIN STREET TO THE CENTER LINE OF OLIVE STREET, THENCE WEST ALONG SAID CENTER LINE TO THE PLACE OF BEGINNING; and DECLARING AN EMERGENCY:

WHEREAS, the Common Council of the City of Lebanon by Resolution No. 24 passed on the 7th day of June, 1949 and approved by the Mayor adopted the area above described as a drainage district designating the same as Drainage District No. 6 and approved plans, specifications and estimates for the drainage of said district filed by the City Engineer and directed the City Recorder to cause notice of intention to make said improvements in the manner provided by the Charter of the City of Lebanon.

WHEREAS, pursuant to the order of the City Council the City Recorder caused notice of intention to make said improvements to be published in the Lebanon Express, the official newspaper of the City of Lebanon in the manner provided by the Charter of said City, proof of the publication of said notice now being on file herein, and the time for remonstrance having elapsed without any thereof having been made against said improvement, and it then appearing unto the said Council did, by Ordinance No. 732 passed by the Council and approved by the Mayor on the 5th day of July, 1949 duly establish and

declare its jurisdiction to make said improvements and ordered that the same be done by contract to be awarded to the lowest responsible bidder and that the Recorder publish for ten (10) days a notice inviting proposals for the making of said street improvements, referring in said notice to the plans and specifications therefore filed in her office, and the time when said work shall be completed, and

WHEREAS, the City Council did by said Ordinance order that the work be commenced not later than seven days after the contract was awarded and be completed not later than December 31, 1949, and that it be done in the manner provided by the plans and specifications theretofore filed by the City Engineer, and approved by the Council and that the contractor be subject to the penalties and default for failure to complete said work in the manner, and within the time provided in his contract with the City, and that he shall indemnify the City by a bond in an appropriate amount with a surety or sureties approved by the Council for faithful and prompt performance of his contract, and for the failure, payment of damages thereof in a sum or sums provided in said contract, and

WHEREAS, pursuant to said order the City Recorder caused to be published in the Lebanon Express "Notice Inviting Proposals for the Making of said Sewer Improvements " in the manner required by the Ordinance and the Charter of the City of Lebanon proof of the publication of said notice now being on file herein, and

WHEREAS, upon the expiration of the time required by the Charter for the submission of bids, the bids received by the City Recorder for the making of said sewer improvements were opened and submitted to the City Council and a responsible bidder having submitted the lowest bid, was awarded the contract for making said improvements.

WHEREAS, the said work and improvement has been completed and approved, having been done in accordance with the Charter and

Ordinance of the said City of Lebanon, and the cost of said work and improvements has been determined.

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


Section I. That the cost of said work and improvement to be borne by the property owners abutting upon and adjacent to the streets included within the Drainage District No. 6 is \$ 13,655.94

Section II. That the proportionate share of said cost of said work and improvement to be borne by the real property especially benefitted thereby and to be assessed therefor is hereby declared to be the amount set immediately after the separate description of each lot or tract of land hereinafter stated, and each of said lots or tracts of land is determined and declared to be benefitted by said improvement in the sum equal to or greater than the amount assessed thereto hereinafter; and each of said lots or tracts of land should be and the same hereby is, assessed for its proportionate share of the cost of said improvement in the sum set opposite the description thereof, to-wit:

Section III. That the Recorder of the City of Lebanon be and she hereby is ordered and directed to enter immediately in the docket of City Liens of the City of Lebanon, a statement of each assessment made, declared and levied by this Ordinance, together with the names of the respective owners or reputed owners and the description of such lots and tracts of land hereinabove described, in the manner, as provided by the Charter; and to give notice forthwith to the owners of all of said property as to said assessments in the manner provided by the Charter of the said City of Lebanon.

Section IV. That the said City of Lebanon having seriously depleted its funds, and this Ordinance therefore being required for the peace, health and safety of the said City, an emergency is hereby declared and said Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 23rd day of January, 1950



Mayor

ATTEST:



City Recorder