

768 + 769
ORDINANCE NO. ~~25~~ FOR 1950

In the Matter of Street Improvement)
District for the construction of)
curbings and paving on Williams Street)
from Grant Street to Milton Street)
in the City of Lebanon, Linn County,)
Oregon.)

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ORDINANCE NO. ~~25~~
FOR 1950
ORDINANCE BILL NO. ~~768~~
+
769

A BILL FOR AN ORDINANCE LEVYING AGAINST THE PROPERTY SPECIALLY BENEFITTED THEREBY, ASSESSMENTS FOR THE COST OF THE CONSTRUCTION OF CURBS AND PAVING OF WILLIAMS STREET FROM GRANT STREET TO MILTON STREET, AND DECLARING AN EMERGENCY:

WHEREAS, the owners of more than fifty (50) per cent of the property abutting upon the street improvement district above described, have filed with the City Recorder of the City of Lebanon, Oregon, their petition asking for the improvement of said street, by the laying of pavement thereon and the construction of necessary curbs and said petition was accepted by the Common Council of the City of Lebanon and the City Engineer was ordered to prepare and file plans, specifications and estimates of the cost of said improvements, and

WHEREAS, the City Engineer thereafter did prepare and file with the City Recorder of the City of Lebanon plans, specifications, and estimates of the probable cost of said improvements, and the Common Council of the City of Lebanon by Resolution No. 8 for 1949, passed on the 10th day of May, 1949 and approved by the Mayor, approved, ratified, and affirmed the said plans, specifications and probable costs, and ordered the City Recorder to cause 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 that said improvement should be made, the said Council did, by Ordinance No. 29 passed by the Council and approved by the Mayor on the 7th day of June, 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 the 20th day of July, 1949 and be completed not later than the day of 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 Proposal for the Making of said Street 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 street improvements were opened and submitted to the City Council and *Warren Northcutt, Inc.* a responsible bidder having submitted the lowest bids, was awarded the contract for making said improvements.

WHEREAS, the said work and improvement had 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 born by the property abutting upon and adjacent to the portion of Williams Street from Grant Street to Milton Street together with the cost of the improvement of the district specified in Ordinance No. ~~26~~⁷⁶⁹ is \$16,536.87.

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 contained in the addendum marked Exhibit A and attached to this Ordinance and Ordinance No. ~~26~~⁷⁶⁹ and by reference incorporated into and made a part of this Ordinance and Ordinance No. ~~26~~⁷⁶⁹, 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 in said addendum; and each of said lots or tracts of land should be, and the same hereby are assessed for its proportionate share of the cost of said improvement in the sum set opposite the description thereof contained in the addendum.

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 being therefore 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 approval by the Mayor this 4th day of April, 1950.



Mayor

ATTEST:



City Recorder