

ORDINANCE BILL NO. 14 for 1951

ORDINANCE NO. 813

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF IMPROVEMENT BONDS OF THE CITY OF LEBANON, OREGON, IN THE AMOUNT OF THIRTY THOUSAND, SIXTY AND NO/100 DOLLARS, UNDER LEGAL AUTHORITY OF AND PURSUANT TO THE TERMS OF AN ACT OF THE LEGISLATURE OF THE STATE OF OREGON, AS AMENDED BY THE SEVERAL AMENDATORY ACTS THERETO, SAID ACT BEING CHAPTER 21, TITLE 95, O.C.L.A., AS AMENDED, BEING COMMONLY KNOWN AS THE "BANCROFT BONDING ACT", AND DECLARING AN EMERGENCY:

WHEREAS, The City of Lebanon, Oregon, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Oregon, by due and lawful proceedings of the Common Council of said City, has caused certain streets to be drained by the construction of a storm sewer system and to be improved by paving and the construction of curbs at the expense of the abutting and adjacent property, and has assessed the cost of such improvements upon the lots, blocks and parts thereof and parcels of land benefitted thereby, and liable therefore, under and by virtue of the provisions of the Charter of the City; and

WHEREAS, application to pay said assessments in installments as provided by an Act of Legislature Assembly of the State of Oregon, generally known as the "Bancroft Bonding Act", being Chapter 21, Title 95, O.C.L.A., as amended, have been duly filed by the property owners against whom the said assessments have been made, and who are liable for the cost of making such improvements, and

WHEREAS, the said "Bancroft Bonding Act" provides generally that bonds may be issued and sold to the amount of the application thereunder; and

WHEREAS applications in due form have been filed to pay the assessments in installments for the improvements of certain streets and drainage districts in the sum of \$30,529.27 of which sum \$469.27 has been paid since the filing of said applications and prior to the date of this ordinance, leaving the sum of \$30,060.00 unpaid on such assessments;

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. That the Mayor and the Recorder of the City of Lebanon, Oregon, be and they hereby are authorized, empowered, and directed to execute improvement bonds of the City of Lebanon, Oregon, in the aggregate sum of Thirty Thousand, Sixty and NO/100 DOLLARS, and to sell and deliver said improvement bonds to the purchasers thereof upon the payment of the purchase price to the City Treasurer of the said City of Lebanon, Oregon.

Section 2. That said bonds in the sum of Thirty Thousand, Sixty and NO/100 DOLLARS be sold for the purpose of funding obligations to said amount incurred by the City of Lebanon, Oregon, in the improvement of certain streets and drainage district assessments for which have hereunto duly been levied in the amounts set out and designated in Section 3 of this ordinance, which said assessments have been duly docketed in the Lien Docket and the Bond Lien Docket of the City of Lebanon, Oregon, so as to become liens against the several pieces of property described in the assessment ordinances in the amounts hereafter in this ordinance designated in the column headed "Amount of Assessments Covered by Application", and of which assessments the amounts designated in the column "Amount paid since Applications Filed", have been paid since the filing of said applications, and of which said assessments the amounts designated in the column headed "Amount for which bonds to be issued" remain unpaid; reference being hereby made to said Lien Docket and to said Bond Lien Docket, and to the several assessment Ordinances and of the liens against the respective lots or parcels of land therefore. The owners of the several tracts or parcels of land affected by such assessments have theretofore filed in writing with the City Recorder their applications to pay said assessments in installments as provided by Chapter 21, Title 95, O.C.L.A. as amended.

Section 3. That the particular improvements to which applications above referred to apply, and the aggregate amount of the applications applying to each of the said improvements, and the amounts paid and remaining unpaid on the aggregate of said applications, and the ordinances assessing the same as follows, to-wit:

Improvement	Amount of Assessment covered by application	Amount Paid since application filed	Amount for which bonds to be issued
<u>Street Improvement</u>			
Williams St. from Grant St. to Milton St., City of Lebanon, Ore. provided for by Ordinance No. 768 and Milton St. from Main St. to the East line of Williams St. City of Lebanon, Ore. provided for by Ordinance No. 769, Approved April 4, 1950.	\$6,240.54	\$320.40	\$5,920.14
<u>Sanitary Sewer</u>			
Beginning on Berry Street from the East line of Main Street to a point 30 feet East of the Northwest corner of Lot 3, Block 23, McDaniels Addition to Lebanon, Ore. as extended North to the end of the proposed sewer, City of Lebanon, Ore. provided for by Ordinance No. 801, Approved Feb. 6, 1951	156.60	---	156.60
<u>Storm Drainage</u>			
Beginning at the intersection of the center line of Franklin St. and the Center line of Milton St. and running thence East along the center line of Milton St. to the Northeast corner of Walnut Park Addition, thence South along the East line of Walnut Park Addition to the Southeast corner of said Addition, thence West along the South line of said Addition to a point which is East 75 feet from the East line of Franklin Street, thence South 80 feet, thence West to the center line of Franklin St. thence North along the center line of Franklin St. to the place of beginning. City of Lebanon, Ore. provided for by Ordinance No. 802, Approved Feb. 6, 1951.	2,344.29	---	2,344.29
<u>Street Improvement</u>			
Park Drive from Milton St. to the South end of Park Drive, City of Lebanon, Ore. provided for by Ordinance No. 803, Approved February, 6, 1951.	1,406.60	---	1,406.60
Harden Drive from Franklin Street to Park Drive, City of Lebanon, Ore. provided for by Ordinance No. 804, Approved February 6, 1951.	2,621.44	---	2,621.44

Street Improvement	Amount of Assessment covered by application	Amount Paid since application filed	Amount for which bonds to be issued
Filbert Street from Milton St. to Elmore St., City of Lebanon, Ore., provided for by Ordinance No. 805, approved February 6, 1951.	\$3,724.81	---	\$3,724.81
Carolina Street from Grove St. to Williams St., City of Lebanon, Ore. provided for by Ordinance No. 806, approved February 6, 1951	775.16	---	775.16
Maple Street from Williams St. to Hiatt St., City of Lebanon, Ore. provided for by Ordinance No. 807, approved February 6, 1951	783.81	---	783.81
East Ash Street from the East line of Lot 3, Block 3, to the East line of Lot 1, Block 2, Claypool Add. City of Lebanon, Ore. provided for by Ordinance No. 808, approved February 6, 1951.	2,412.81	---	2,412.81
West Ash Street from Seventh St. to Fifth St. City of Lebanon, Oreg., provided for by Ordinance No. 809, Approved February 6, 1951	2,735.94	---	2,735.94
West Vine Street from Seventh St. to Fifth St., City of Lebanon, Ore. provided for by Ordinance No. 810, approved February 6, 1951	3,240.99	---	3,240.99
Park Street North to Carolina St. and Carolina St. West from Park St. to Main St. City of Lebanon, Ore., provided for by Ordinance No. 811, approved February 6, 1951	380.00	---	380.00
Pine Street from Main Street East to Carroll St. City of Lebanon, Oregon, as provided for by Ordinance No. 757, approved January 23, 1950	715.92	38.64	677.28
Cedar Street from Main St. to Hemlock St. City of Lebanon, Oregon, as provided for by Ordinance No. 758, approved January 23, 1950.	238.64	---	238.64

Storm Drainage Improvements	Amount of Assessment covered by application	Amount Paid since application filed	Amount for which bonds to be issued
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Beginning at the intersection of the center line of Hiatt St. and the centerline of the Southern Pacific Railroad tract. Thence S. along the center line of Hiatt St. to the intersection of the center line of Hiatt St. and the center line of Elmore St, thence E. along the center line of Elmore St. to the intersection of the center line of Elmore St. and the center line of Franklin St. thence S. along the center line of Franklin St. to the S. City limit line; thence Westerly along the S. City limit line to the intersection of the S. City limit line and the right bank of the Lebanon and Santiam canal, thence N. and Northeasterly along said bank of said canal to the center line of the Southern Pacific Railroad, thence E. along the center line of said railroad to the point of beginning, City of Lebanon, Linn Co. Oregon, Provided for by Ordinance No. 746, approved January 23, 1950.

Drainage Dist. No. 4	\$ 480.20	\$7.22	\$ 472.98
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Beginning at a point of the intersection of the alley South of E St. and West City limit line, thence E. along the center line of said alley to the left bank of Lebanon Santiam Canal. Thence N. and Northeasterly following the left bank of said canal to an alley 159 ft. more or less, E. of the E. line of Second St. thence N. along the center line of said alley to the middle of Block 1, in the City of Lebanon, thence W. along the N. side of Lot 7, in Block 1 and N. side of Lot 3, in Block 10, of the City of Lebanon, to the center line of the alley E. of Third St., thence N. along the center line of said alley to the center of Block 17 in Ralston's Third Addition, thence W. along the N. Side of Lot 7, in said Block and said line produced W. to the center line of Southern Pacific R. R., thence N. and Northwesterly along the center line of said railroad to a point which is 129 ft. N. of the N. line of Tangent St., thence Westerly parallel to said St. line to the E. line of Boslar Addition when produced S. thence N. along said line to the intersection of said line produced N. to Southwest right of way line of Southern Pacific R. R., thence W. parallel to the N. side of Harrison St. to the W. City limit line thence S. along the W. City limit line to point of beginning, City of Lebanon, Linn County, Oregon, provided for by Ordinance No. 747, approved January 23rd, 1950.

Drainage District No. 5	\$1,085.71	\$39.04	\$1,046.67
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Improvement	Amount of Assessment covered by application	Amount Paid since application filed	Amount P for which bonds to be issued
<p>Beginning at the intersection of the center line of Olive St. & Fourth St., thence S. along center line of Fourth St. to the center line of S.P. Railroad track, thence Southeasterly direction along center line of S.P. Railroad track to a point 162 ft. N. of the center line of Rose St., thence E. along the N. side of Lot 7, and Lot 3, Block 17, Ralston's Third Addition and the N. line of Lot 7, Block 16 Ralston's Second Addition to the center line of the alley in Block 16, thence N. along the center line of said alley projected to a point due W. of the center line of Carolina St. projected, thence E. along said center line projected to the center line of Main St., thence N. along center line of Main St. to a point 230 feet N. of the intersection of center line of Main St. and Wheeler St., thence W. on a line parallel to the center line of Morton St. projected to the center line of Main St., thence N. along the center line of Main St. to the center line of Olive St., thence W. along said center line to the place of beginning, City of Lebanon, Linn County, Oregon, provided for by Ordinance No. 747, approved January 23rd, 1950.</p>			
Drainage Dist. No. 6	\$ 75.60	\$15.60	\$60.00
<u>Street Improvement</u>			
Walnut Street from Grant St. to the North end of Walnut St., City of Lebanon, Ore., as provided for by Ordinance No. 752 approved January 23, 1950	159.10	3.23	155.87
East Sherman St. from Walnut St. W. to the W. end of the Section of Sherman St. which runs westerly from Walnut St., the Westerly terminus of the proposed improvement being the W. line of Riverdale Add. projected across this section of Sherman St., City of Lebanon, Ore. as provided for by Ordinance No. 753, approved January 23, 1950.	451.33	45.14	406.19
Grove St. from Elmore St. to Milton St., City of Lebanon, Oregon, as provided for by Ordinance No. 756, approved January 23, 1950.	249.78	---	249.78
B Street from Fourth St. to Seventh St., Hyland Addition, City of Lebanon, Oregon, as provided for by Ordinance No. 761, approved January 23, 1950.	250.00	---	250.00
Totals	\$30,529.27	\$469.27	\$30,060.00

Section 4. That the City Recorder be, and she hereby is, instructed and directed to have prepared and printed a sufficient number of bonds, in denominations not to exceed \$1,000.00 each, and in all equal to said sum of Thirty Thousand Sixty Dollars, (\$30,060.00), such bonds to be dated the first day of July, 1951, and to mature in annual installments as follows:

July 1, 1952	\$2,060.00
July 1, 1953	\$3,000.00
July 1, 1954	\$3,000.00
July 1, 1955	\$3,000.00
July 1, 1956	\$3,000.00
July 1, 1957	\$3,000.00
July 1, 1958	\$3,000.00
July 1, 1959	\$3,000.00
July 1, 1960	\$3,000.00
July 1, 1961	\$4,000.00

provided, redemption of those installments of said bonds maturing on and after three years from the date of issue thereof may be made in numerical order on or after the third year from the date of issue thereof as provided by the laws of the State of Oregon regulating the issuance and sale of such bonds. Said bonds shall bear interest from the date thereof at a rate not to exceed six per cent per annum, or such lesser rate as the Common Council shall prescribe, payable semiannually, until redeemed, principal and interest payable at the office of the Treasurer of the City of Lebanon, Oregon; and said bonds shall, for convenience and identification be denominated "City of Lebanon, Improvement Bonds, Issue 1951-A", and shall be numbered consecutively and the number and name of each bond shall be printed thereon, and such bonds shall be signed by the Mayor of the City of Lebanon and countersigned by the Recorder.

Section 5. That the said City of Lebanon Improvement bonds, Issue 1951-A, shall be substantially in the following form:

UNITED STATES OF AMERICA
STATE OF OREGON, COUNTY OF LINN

No. \$1000.00

CITY OF LEBANON IMPROVEMENT BOND
ISSUE 1951-A

KNOW ALL MEN BY THESE PRESENTS, That the City of Lebanon, in the County of Linn, State of Oregon, for value received, hereby agrees and promises to pay to bearer the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the first day of July, 1960, without grace, with interest thereon from the date hereof until maturity or until the date of redemption, (for the bonds maturing on July 1, 1952, 53 and 54, the words "or until date of redemption" will be omitted) at the rate of percent per annum, payable semiannually on the first days of January and July of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the treasurer of the City of Lebanon, Oregon.

This bond is redeemable at the option of said City at the office of the treasurer of the City of Lebanon, Oregon, upon the payment at any semiannual coupon period at or after three years from the date hereof as provided by law. (This paragraph will be omitted from the bonds maturing on July 1, 1952, 1953, and 1954.)

This bond is one of a series of bonds authorized by and under the provisions of the Charter of said City and Chapter 21 of Title 95 of Oregon Compiled Laws Annotated, as amended, providing for the issuance of bonds for street improvements and for the payment of the cost of such improvements, and is an obligation of the City of Lebanon, and is within every debt limitation of said City, and it is further certified that all of the requirements of law have been

Section 6. That the full faith and credit of the City of Lebanon, Oregon, hereby is pledged for the payment of the total sum of money represented by the bonds issued under and pursuant to the provisions of this ordinance.

Section 7. That the City Recorder is instructed and directed to advertise said bonds for sale for the highest price obtainable at least once each week for two successive weeks in a newspaper of general circulation printed and published in the City of Lebanon, Oregon, and to notify by letter the several bond purchasing houses who usually purchase City of Lebanon Bonds. Such bonds shall not be sold for less than par value and accrued interest, and bidders therefor must file with their bids a certified check, payable to the City of Lebanon, Oregon, for two per cent of the par value of such bonds, to be forfeited in case any bidder shall fail or refuse to accept and pay for said bonds should they be awarded him, and the advertisement shall so state. The proceeds thereof shall be paid to the treasurer of the City of Lebanon, Oregon, and shall be credited to the various improvement funds on account of which the same were issued in the manner provided by the general laws of the State of Oregon regulating the sale and issuance of such bonds.

Section 8. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Lebanon in this: That applications for bonding have been filed and it is necessary to immediately issue bonds for the purpose of funding obligations incurred by the City of Lebanon in the improving of certain streets and storm sewers, assessments for which said assessments have been duly docketed in the Lien Docket and Bond Lien Docket of the said City so as to become liens against the several pieces of property set out and described in this Ordinance,

and which remain unpaid; THEREFORE, an emergency hereby is declared to exist and this ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Lebanon, Oregon.

PASSED by the Common Council this 1st day of May, 1951.

Signed by the Mayor this 1st day of May, 1951.


R. J. Lusk
Mayor of the City of Lebanon

ATTEST:

S. L. S. S.
City Recorder of the City of Lebanon