

A BILL FOR AN ORDINANCE LEVYING)
AGAINST THE PROPERTY SPECIALLY)
BENEFITTED THEREBY, ASSESSMENTS)
FOR THE COST OF THE CONSTRUCTION)
OF CURBS AND PAVING ON WHEELER)
ST. - WILLIAMS ST. TO EAST CITY)
LIMITS, AND DECLARING AN)
EMERGENCY:)

ORDINANCE BILL NO. 12 FOR 1953

ORDINANCE NO. 861

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. 6 passed on the 15th day of April, 1952 and approved by the Mayor, approved, ratified and affirmed the said plans, specifications and probable costs and ordered that the City Recorder cause notice of intention to make said improvements to be published in the manner provided by the Charter of the City of Lebanon, and

WHEREAS, pursuant to the order of the City Council the City Recorder of the City of Lebanon 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 that said improvement, should be made, and the said Council did by Ordinance No. 839 passed by the Council and approved by the Mayor on the 13th day of May, 1952, 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 15th day of June, 1952 and be completed not later than the 1st day of October, 1952 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 Street Improvements" in the manner required by the Ordinance and Charter of the City of Lebanon, proof of the publication of said notice now being on file herein, and

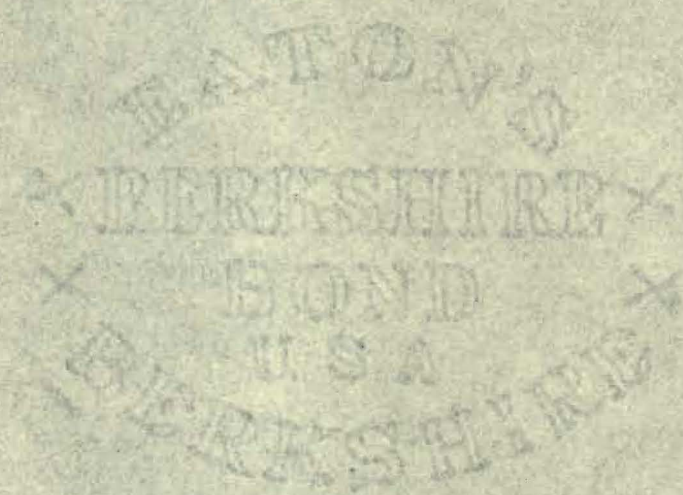
WHEREAS, upon the expiration of the time required by the Charter for the submission of bids, the bids received by the City Recorder for the making of said street improvements were opened, and submitted to the City Council and Lebanon Sand and Gravel, a responsible bidder having submitted the lowest bid,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

WHEREAS, the said work and improvements have 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 abutting upon and adjacent to the portion of Wheeler Street is \$ 6,106.52.

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 are 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 this proportionate share of the cost of said improvement in the sum set opposite the description thereof, to-wit:



IMPROVEMENT PROJECT NO. 9

1952

WHEELER STREET
WILLIAMS STREET TO E. CITY LIMITS

Width Between Curbs-----38.0 feet

Width of Pavement-----34.0 feet

Combined Curb & Gutter

ASSESSMENT TO PROPERTY OWNERS

Paving-----2387.57 Sq.Yds.----\$3992.00

Curb & Gutter,--- 970.20 Lin.Ft.----1600.83

Gutter-----150.00 Lin.Ft.---- 148.50

Drainage @ \$0.28891 per Lin.Ft.----- 365.189

TOTAL \$6106.53

6106.53

LESTER L. & EDITH E. BATESON (226-266)

Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at an Iron pipe which bears N.89° 55½'E. 1433.04 feet and S.0° 09'E. 30.0 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 T.12 S., R. 2 W. of the Willamette in Linn County, Oregon; and running thence S.0° 09'E. 100.0 feet; thence N.89° 55½'E. 100.0 feet; thence N.0° 09'W. 100.0 feet; thence S.89° 55½'W. 100.0 feet to the place of beginning.

Paving	100.00' frontage	188.89	Sq.Yds. @ \$1.672	\$315.82
Curb		100.00	Lin.Ft. @ 1.65	165.00
Drainage		100.00	Lin.Ft. @ 0.28891	28.89
			Total	<u>\$509.71</u>
			Paid	
			Balance	

KENNETH R. & EVA CLARK (206-233)

Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at a ½" Iron pipe on the South line of Wheeler Street (as widened) in the City of Lebanon, Oregon; said beginning point being N89° 55½'E. 1673.04 feet and S.0° 09'E. 30 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R. 2 W. of the Willamette Meridian in Linn County, Oregon; and running thence S.0° 09'E. 100 feet to a ½" Iron pipe; thence S.89° 55½'W. 100 feet to a ½" Iron pipe; thence N.0° 09'W. 100 feet to a ½" Iron pipe on the South line of Wheeler St.; thence N.89° 55½'E. 100 feet to the place of beginning.

Paving	100.00' frontage	188.89	Sq.Yds. @ \$1.672	\$315.82
Curb		100.00	Lin.Ft. @ 1.65	165.00
Drainage		100.00	Lin.Ft. @ 0.28891	28.89
			Total	<u>\$509.71</u>
			Paid	
			Balance	

A.W. & TRYLBA EMICK (192-369) EX. (208-107)

Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at a 3/4" Iron pipe at the intersection of the South line of Wheeler Street and the East line of Williams Street in the City of Lebanon, Linn County, Oregon; said beginning point being N.89° 55½'E. 1173.50 feet and S.0° 09'E. 20 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R. 2 W. of the Willamette Meridian in Linn County, Oregon; and running thence N.89° 55½'E. along the South line of Wheeler St. 75 feet; thence S.0° 09'E. 110 feet; thence S.89° 55½'W. 75 feet to the East line of Williams St.; thence N.0° 09'W. along said St. line 110 feet to the place of beginning.

EXCEPT: (208-107) North 10 feet for Street purposes.

Paving	75.00' frontage	141.67	Sq.Yds. @ \$1.672	\$236.87
Gutter only		75.00	Lin.Ft. @ 0.99	74.25
Drainage		75.00	Lin.Ft. @ 0.28891	21.67
			Total	<u>\$332.79</u>
			Paid	
			Balance	

JOSEPH LEE & DOROTHY MAE JIMERFIELD (153-166) EX. (208-109)

Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at a ½" Iron pipe on the South line of Wheeler St. in the City of Lebanon, Oregon; said beginning point being N.89° 55½'E. 1693.04 feet and S.0° 09'E. 20 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R.2 W. of the Willamette Meridian in Linn County, Oregon; and running thence N.89° 55½'E. 184.77 feet along the South line of Wheeler St. to a ½" Iron pipe; thence S.0° 09'E. 235.75 feet to a ½" Iron pipe; thence S.89° 55½'W. 184.77 feet to a ½" Iron pipe; thence N.0° 09'W. 235.75 feet to the place of beginning, containing 1 acre, more or less.

Jimerfield continued:

Beginning at a $\frac{1}{2}$ " Iron pipe on the South line of Wheeler St. in the City of Lebanon, Oregon; said beginning point being N.89° 55 $\frac{1}{2}$ 'E. 1693.04 feet and S.0° 09'E. 20 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R.2 W. of the Willamette Meridian, in Linn County, Oregon; and running thence S.0° 09'E. 235.75 feet to a $\frac{1}{2}$ " Iron pipe; thence S.89° 55 $\frac{1}{2}$ 'W. 20 feet to a 1,1/8" x 19" piece of car axle; thence N.0° 09'W. 235.75 feet to a $\frac{1}{2}$ " Iron pipe on the South line of said Wheeler St.; thence N.89° 55 $\frac{1}{2}$ 'E. 20 feet to place of beginning, containing 0.11 acre, more or less.

EXCEPT: (208-109) Beginning at a $\frac{1}{2}$ " Iron pipe on the South line of Wheeler St. and North 89° 55 $\frac{1}{2}$ 'E. 519.54 feet from the intersection of said South line with the East line of Williams St. in Lebanon; thence S.0° 09'E. 10 feet to a point 30 feet South of the center of Wheeler St.; thence Easterly parallel with the center line of Wheeler St. 204.77 feet to the East line of a tract conveyed to Joseph Lee Jimerfield and wife by deed recorded Oct. 1, 1940 in Book 152, Page 400, Deed Records; thence North along the East line of said Jimerfield tract 10 feet to a point 20 feet South of the center of Wheeler St.; thence Westerly parallel with the center line of Wheeler St. 204.77 feet to the place of beginning.

Paving	152.46' frontage	287.98 Sq.Yds. @	\$1.672	\$481.50
Curb		72.46 Lin.Ft. @	1.65	119.56
Drainage		152.46 Lin.Ft. @	0.28891	44.05
		Total		\$645.11
		Paid		
		Balance		

ROBERT HILL & HAZEL L. JOHNSON (152-346) (155-556)
Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at a $\frac{1}{2}$ " Iron pipe on the South line of Wheeler St. and N.89° 55 $\frac{1}{2}$ 'E. 150 feet from the intersection of said line with the East line of Williams St. in the City of Lebanon, Oregon; said beginning point being N.89° 55 $\frac{1}{2}$ 'E. 1323.5 feet and S.0° 09'E. 20 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R.2 W. of the Willamette Meridian in Linn County, Oregon; and running thence N.89° 55 $\frac{1}{2}$ 'E. 369.54 feet along the South line of Wheeler St. to a $\frac{1}{2}$ " Iron pipe; thence S.0° 09'E. 235.75 feet to a $\frac{1}{2}$ " Iron pipe; thence S.89° 55 $\frac{1}{2}$ 'W. 369.54 feet to a $\frac{1}{2}$ " Iron pipe; thence N.0° 09'W. 235.75 feet to the place of beginning, containing 2 acres, more or less.

(155-556) One-half ($\frac{1}{2}$) of above described property, conveyed to Hazel from Robert.

EXCEPTIONS: (153-166) (2060233) (226-266)
(208-106) North 10 feet of above described premises.
(229-92) 40 feet for Roadway.
(228-632) For St. purposes.

Paving	109.54' frontage	206.91 Sq.Yds. @	\$1.672	\$345.95
Curb		109.54 Lin.Ft. @	1.65	180.74
Drainage		109.54 Lin.Ft. @	0.28891	31.65
		Total		\$558.34
		Paid		
		Balance		

MOUNTAIN STATES POWER COMPANY (113-487)
Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at the Southwest corner of the D.L.C. of James M. Marks, same being Notification No. 2293 & Claim No. 44 in T.12 S., R.2 W. of the Willamette Meridian; and thence North 7.50 chains; thence West 26.50 chains; thence North 6 chains; thence West 2.50 chains; thence South 3.50 chains to the North line of Not.No. 2340 & Claim No. 45, in said Tp. & range; thence E. 29 chains; to the beginning, containing 23.25 acres, more or less, excepting therefrom a strip 30 feet in width as reserved and mentioned in that certain deed from Geo. W. Wheeler & wife to John A.

Mt.States continued:

Crawford as appears of record at Page 523 of Volume Z records of Deeds in and for Linn County, Oregon.

EX.: South 30 feet in City Limits to City for Wheeler St.

Paving	623.65' frontage	1178.01 Sq.Yds. @ \$1.672	\$1969.63
Curb		588.20 Lin.Ft. @ 1.65	970.53
Drainage		623.65 Lin.Ft. @ 0.28891	180.18
		Total	<u>\$3120.34</u>
		Paid	
		Balance	<u> </u>

DAN & LYDIA NOFZIGER (226-832)

Wheeler St. Improvement, Williams St. to E. City Limits

Beginning at a point which is N.89° 55½'E. 75 feet from a 3/4" Iron pipe at the intersection of the South line of Wheeler St. and the East line of Williams St. in the City of Lebanon, Linn County, Oregon; said 3/4" Iron pipe being N.89° 55½'E. 1173.50 feet and S.0° 09'E. 20 feet from the Northwest corner of the L.T. Woodward D.L.C. No. 45 in T.12 S., R.2 W. of the Willamette Meridian; and running thence N.89° 55½'E. 75 feet; thence S.0° 09'E. 110 feet; thence S.89° 55½'W. 75 feet; thence N.0° 09'W. 110 feet to the place of beginning.

EXCEPT: therefrom the North 10 feet heretofore conveyed to the City of Lebanon for Street purposes.

Paving	75.00' frontage	141.67 Sq.Yds. @ \$1.672	\$236.87
Gutter only		75.00 Lin.Ft. @ 0.99	74.25
Drainage		75.00 Lin.Ft. @ 0.28891	21.67
		Total	<u>\$332.79</u>
		Paid	
		Balance	<u> </u>

BEN. E. & ZELLA RICHTER (172-191)

Wheeler St. Improvement, Williams St. to E. City Limits.

Beginning at a point 3 chains East of the Southeast corner of Eaton's Addition to the City of Lebanon, Linn County, Oregon; and running thence N. 1° 45' W. 200 feet ; thence West 66 feet; thence South 1° 45' East 200 feet to a point 66 feet West of the place of beginning; thence E. 66 feet to the place of beginning, containing a fraction of an acre.

Subject to a right-of-way for a trunk line sewer 12 feet wide across said premises, vested in the City of Lebanon, Oregon.

Paving	28.35' frontage	53.55 Sq.Yds. @ \$1.672	\$89.54
Drainage		28.35 Lin.Ft. @ 0.28891	8.19
		Total	<u>\$97.73</u>
		Paid	
		Balance	<u> </u>

SUMMARY SHEET
IMPROVEMENT PROJECT NO. 9
1952

WHEELER STREET

Drainage @ \$0.28891 per Lineal Foot of
property frontage

Property Owners	Deed Ref.	Prop. Front.	Drain. Cost	Curb & G. Lin.Ft.	\$1.65 Cost	Pave. Sq.Yds.	\$1.672 Cost	Total Cost
Bateson	(226-266)	100.00'	\$28.89	100.00	\$165.00	188.89	\$315.82	\$509.71
Clark	(206-233)	100.00	28.89	100.00	165.00	188.89	315.82	509.71
Emick	(192-369)	75.00	21.67	G.75.00	74.25	141.67	236.87	332.79
Jimerfield	(153-166)	152.46	44.05	72.46	119.56	287.98	481.50	645.11
Johnson	(152-346) (155-556)	109.54	31.65	109.54	180.74	206.91	345.95	558.34
Mt.States Power Co.	(113-487)	623.65	180.18	588.20	970.53	1178.01	1969.63	3120.34
Nofziger	(226-832)	75.00	21.67	G.75.00	74.25	141.67	236.87	332.79
Richter	(172-191)	28.35	8.19			53.55	89.54	97.73
Prop.Owner Totals:		1264.00'	365.19	1120.20	\$1749.33	2387.57	\$3992.00	\$6106.52
City at Road N.						7.42	12.41	12.41
City at Jimerfield				80.00	132.00			132.00
City at Johnson St.		40.00'		40.00	66.00	75.56	126.34	192.34
Project Totals:		1304.00'	365.19	1240.20	\$1947.33	2470.55	\$4130.75	\$6443.27

G.E. Whitecomb

Section III. That the Recorder of the City of Lebanon be and she is hereby 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 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 5th day of May, 1953.

Edmer Fitzgerald
Mayor

ATTEST:

Ida Enger
City Recorder