

ORDINANCE BILL NO. 38 for 1958

ORDINANCE NO. 1048

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF IMPROVEMENT BONDS OF THE CITY OF LEBANON, OREGON, IN THE AMOUNT OF SIXTEEN THOUSAND, FOUR HUNDRED, NINETY-NINE and 67/100 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, 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 improved by paving and the construction of curbs and sidewalks 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 Legislative Assembly of the State of Oregon, generally known as the "Bancroft Bonding Act", have been duly filed by the property owners against who 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 in 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 in the sum of \$17,927.78 of which sum \$1,428.11 has been paid since the filing of said applications and prior to the date of this Ordinance, leaving the sum of \$16,499.67 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 Sixteen Thousand, Four Hundred Ninety-Nine and 67/100 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 Sixteen Thousand, Four Hundred Ninety-Nine and 67/100 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, assessments for which have hereunto duly been levied in the amounts set out and designated in Section³ 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 Applications", 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 to 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 heretofore filed in writing with the City Recorder their applications to pay said assessments in installments as provided by the "Bancroft Bonding Act".

Section 3. That the particular improvements to which the application 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 ordinance assessing the same as follows, to-wit:

SIDEWALK AND STREET IMPROVEMENT

NAME	Amount of Assessment	Amt. Paid since Assess. was levied	Bal. Due & Amt. for which Bonds are to be issued
Presbyterian Church	\$1027.01	\$ 51.36	\$ 975.65
Grace W. McCracken	561.34	44.85	516.49
Ross C. & Alice R. Youmans	223.82	11.20	212.62
Rosa A. Blackburn	329.46	16.48	312.98
Carrie E. Carter	368.72	18.44	350.28
Arthur & Mamie Henrich	314.17	15.71	298.46
Maynard H. & Virginia M. Thompson	216.66	55.00	161.66
Ralph L. & Mae Cruson	854.80	129.68	725.12
Oliver E. & Doris K. Gunderson	458.04	78.04	380.00
James J. & Hazel A. Magee	530.15	245.15	285.00
Harold W. & Sonnichia I. Otta	233.27	11.67	221.60
August & Dorothy Schemm	429.86	21.50	408.36
Lawrence R. & Evelyn B. Christian	508.94	25.45	483.49
Donald A. & Mildred Phelps	537.22	26.87	510.35
Fred M. & May Briske	523.78	26.19	497.59
Thomas B. & C. Josephine Reed	295.81	14.80	281.01
Edna Robbins	1213.80	60.69	1153.11
B. F. & Sadie Scheele	179.06	8.96	170.10
Arthur P. & Ethel V. Christansen	179.06	8.96	170.10
J. J. Little	233.27	4.67	228.60
Roy & Marjory Stevens	424.12	- - -	424.12
Richard & Marcia Thoma	243.86	12.20	231.66
Doris W. Lohr	533.23	26.67	506.56
Warren & Cleo Canoy	331.41	16.58	314.83
Paul Swanson	214.66	10.74	203.92
Earl H. & Geraldine M. Sayers	334.95	- - -	334.95
Clifford J. & Nettie A. Dunmyer	486.90	- - -	486.90
Dean R. Johnston	551.69	219.19	332.50
Olive & Ernest H. Birch	933.06	46.66	886.40
George W. & Olive I. Crabtree	641.03	32.06	608.97
David L. & Clara A. Cummins	547.11	- - -	547.11
Vern C. & Flossie Noland	508.94	25.45	483.49
Lawrence & Rosalie Peltz	933.06	46.66	886.40
St. Johns Lutheran Church	597.99	37.49	560.50
O. H. & Mary P. Mather	212.66	10.64	202.02
Bessie Burkett	90.80	4.54	86.26
Alphonso & Ruby J. Crill	99.33	4.97	94.36
Jack R. & Wilda M. Elvin	90.34	- - -	90.34
Marilyn Hayes	90.80	- - -	90.80
Edith Kelley	90.49	4.53	85.96
Anthony Paul & Helen Marie Sheridan	90.80	24.31	66.49
Virgil W. & Janet E. Willis	182.22	9.13	173.09
Martha Barker	160.50	8.03	152.47
Richard & Virgie M. Clarke	169.68	5.09	164.59
Albert & Viola C. Gredig	149.91	7.50	142.41
TOTALS	\$17,927.78	\$1,428.11	\$16,499.67

	Amount Assessment	Amount paid since assess. was levied	Amount for which Bonds are to be issued
--	----------------------	--------------------------------------------	--------------------------------------------------

SIDEWALKS

The South 12.50 ft. of the East 101 ft. of Lot 5 and the East 75 ft. of North 112 ft., 2 1/2" of Lot 6, Block 1, Wheeler Addition; Lot 1, Block 7, Supl. Plat Blocks 52 to 61 incl., Hyland Addition; Lot 3 and the North 1/2 of Lot 2, in Block 2, Williams' Addition; Lot 5, Block 6, Hyland Addition; Lot 4, Block 6, Mountain View Addition; the East 10 ft. of Lot 2 and Lot 3 except the East 4 ft. Block 5, in Kirkpatrick's 3rd Addition, City of Lebanon, Oregon, provided for by Ordinance No. 1028 and 1029, approved January 21, 1958.

\$688.34 \$25.95 \$662.39

IMPROVEMENTS

On Sixth St. from Tangent to Harrison St.; Isabella St. from Cleveland St. to Santiam St.; Seventh St. from "D" St. to "E" St.; Second St. from Oak St. to Rose St.; Park St. from Carolina St. North for 92 ft.; Park St. from Oak to Grant St.; Morton St. from fifth St. to Seventh St.; Grove St. from Carolina St. to Dodge St.; Ash St. from Second St. to third St., Alley between Blocks 24 and 25 Wm. Ralston's Addition; Cleveland St. from Vine St. to Rose St.; Morton St. from North Main St. to Second St.; South Park St. (alley) from Milton St. North to alley, City of Lebanon, Oregon, provided by Ordinance No. 1014, 1015, 1016, 1017, 1018, 1020, 1022, 1023, 1024, 1025, 1026, and 1027, approved January 21, 1958.

TOTALS	\$17,239.44	\$1,402.16	\$15,837.28
TOTALS	\$17,927.78	\$1,428.11	\$16,499.67

Section 4. That the City Recorder be, and 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 Sixteen Thousand, Four Hundred Ninety-Nine and 67/100 Dollars, such bonds to be dated the first day of November, 1958, and to mature in annual installments as follows:

November 1, 1959	\$ 499.67
November 1, 1960	1,000.00
November 1, 1961	1,000.00
November 1, 1962	2,000.00
November 1, 1963	2,000.00
November 1, 1964	2,000.00
November 1, 1965	2,000.00
November 1, 1966	2,000.00
November 1, 1967	2,000.00
November 1, 1968	2,000.00

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 1958-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 1958-A, shall be substantially in the following form:

UNITED STATES OF AMERICA
STATE OF OREGON, COUNTY OF LINN
NO. \$1,000.00
CITY OF LEBANON IMPROVEMENT BOND
ISSUE 1958-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 November, 1962, without grace, with interest thereon from the date hereof until maturity or until the date of redemption, (for the bonds maturing on November 1, 1959, 60 and 61, the words "or until date of redemption" will be omitted,) at the rate of per cent per annum, payable semiannually on the first days of May and November 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 of the face amount thereof, with accrued interest thereon to the date of 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 November 1, 1959, 1960 and 1961.)

This bond is one of a series of bonds authorized by and under the provisions of the Charter of said City and Chapter 223, Sections 205 to 300 inclusive Oregon Revised Statutes, 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 the law have been fully complied with by the proper officers in the issuance of this bond.

For the fulfillment of the conditions of this obligation the full faith and credit of the City of Lebanon hereby are irrevocably pledged.

IN WITNESS WHEREOF, This bond has been signed by the Mayor and countersigned by the Recorder of the City of Lebanon, Oregon, and the corporate seal of said City hereto affixed this _____ day of _____, 1958.

Mayor of the City of Lebanon, Oregon

ATTEST:

Recorder of the City of Lebanon, Oregon

NO.

THE CITY OF LEBANON, COUNTY OF LINN
STATE OF OREGON

\$

will pay to the bearer on the first day of May, 19 ,

DOLLARS

in lawful money of the United States of America at the office of the treasurer of the City of Lebanon, Oregon, being six months' interest on City of Lebanon Improvement Bond, Issue 1958-A, No. dated November 1, 1958, unless said bond is sooner redeemed as herein provided, which redemption will render this coupon void, (The following words "unless said bond is sooner redeemed, as herein provided, which redemption will render this coupon void" shall be deleted from the coupons on the bonds maturing in 1959, 1960 and 1961.

Mayor

City Recorder


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 therefore 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, assessments for which 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, and approval by the Mayor.

PASSED by the Common Council and approved by the Mayor on this 16th day of September, 1958.



Mayor of the City of Lebanon, Oregon

ATTEST:



City Recorder of the City of Lebanon, Oregon

Clarence Huston
286 Chestnut
Roseburg, Ore.

^{or Mrs.}
Mrs. Frank Eilers
253 Wheeler St.
Lebanon -
takes care of his
property in Lebanon