

ORDINANCE BILL NO. 2 FOR 1961

ORDINANCE NO. 1085

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF IMPROVEMENT BONDS OF THE CITY OF LEBANON, OREGON, IN THE AMOUNT OF TWENTY SEVEN THOUSAND ONE HUNDRED TWENTY THREE and 19/100 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 sewers 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 benefited thereby, and liable therefor, 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 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 in the amount of the application thereunder; and,

WHEREAS, application in due form has been filed to pay the assessments in installments for the improvements of certain streets in the sum of \$30,386.71, of which the sum of \$3,263.52 has been paid since the filing of said applications and prior to the date of

this Ordinance, leaving the sum of \$27,123.19 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 Twenty Seven Thousand One Hundred Twenty Three and 19/100 Dollars (\$27,123.19), 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 Twenty Seven Thousand One Hundred Twenty Three and 19/100 Dollars (\$27,123.19), 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 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 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 therefor. 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 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 ordinance assessing the same are as follows, to-wit:

<u>NAME</u>	<u>AMOUNT OF ASSESSMENT COVERED BY APPLICATIONS</u>	<u>AMOUNT PAID SINCE APPLICATIONS FILED</u>	<u>AMOUNT FOR WHICH BONDS TO BE ISSUED</u>
Rice M. Blackburn	\$ 251.91	\$ 50.40	\$ 201.51
W. Glen and Gladys Chandler	286.67	211.67	75.00
William H. and Lola Mae Hamlett	251.91	50.40	201.51
Marshall and Irene Clark	256.28	51.28	205.00
Andrew N. and Eva L. Jacobsen	217.46	43.52	173.94
William A. and Luana M. Sisson	251.91	50.40	201.51
Mae Shoemaker	251.91	50.40	201.51
Ilda C. Webb	412.44	82.52	329.92
Mina Bellinger Sroufe	411.51	61.74	349.77
Bert Bellinger and Avis Hill	304.01	30.40	273.61
Ray L. Hokland	194.13	9.71	184.42
George H. and Betty Whitcomb	353.73	148.29	205.44
Hazel M. Gordon	308.34	none	308.34
Richard and Teuntje DeKuyper	1,380.46	none	1,380.46
Charles E. and Margret L. LaRue	562.40	none	562.40
Wilbur H. and Georgia E. Parrish	242.22	48.46	193.76
Grace Phillips	282.06	56.44	225.62
Richard Leroy and Margaret Potts	272.69	54.56	218.13
Ruth Ginther Rucker	282.06	56.44	225.62
Sylvia Sherfy	318.70	63.76	254.94
LaVerla Jacobs	242.01	48.44	193.57
Vernon and Opal Strickler	281.46	56.32	225.14
Delbert A. and Judith Grembley	279.70	55.96	223.74
Bill J. Carroll	504.33	75.66	428.67
Grace Harden	82.35	16.48	65.87
Raymond J. and Pansy L. Borntrager	249.89	25.00	224.89
Ronald and Ruth J. Chitwood	249.89	65.00	184.89
Wayne and Charlotte Gilmore	249.89	25.00	224.89
Russell E. and Evelyn E. Perkins	249.89	15.38	234.51
Kenneth R. and Mary L. Pugh	249.89	25.00	224.89

<u>NAME</u>	<u>AMOUNT OF ASSESSMENT COVERED BY APPLICATIONS</u>	<u>AMOUNT PAID SINCE APPLICATIONS FILED</u>	<u>AMOUNT FOR WHICH BONDS TO BE ISSUED</u>
Marcus C. and Louise D. Schmele	\$ 249.89	\$ 5.01	\$ 244.88
Ella M. Starr	249.89	25.00	224.89
Bethlehem Lutheran Church	203.56	20.36	183.20
Allan S. Arbogast	575.22	57.56	517.66
Arthur and Ruth E. Beck	375.82	37.60	338.22
Goldie Surman Scott	575.22	28.78	546.44
John J. and Thelma G. Jones	385.01	195.01	190.00
Ernest and Charlotte L. Kwandt	535.71	53.58	482.13
Donald L. and DorothyAnne Chamberlain	534.94	53.50	481.44
Anna N. Friesen	542.39	54.24	488.15
Ralph E. and Alice G. Gilson	534.94	26.75	508.19
Jerry L. and Donna Joyce Ray	542.39	54.24	488.15
Church of Christ	976.37	180.68	795.69
Richard D. Clarke	842.29	84.24	758.05
Velma and Cecil Kamback	981.48	621.48	360.00
William R. and Nelda J. Wright	840.32	84.04	756.28
John A. and Mabel Brush	551.95	none	551.95
Catholic Archdiocese of Portland	1,865.10	none	1,865.10
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints	276.28	none	276.28
Ronald V. and Mayme M. Cox	548.35	none	548.35
Douglas and Lucy E. Cruise	526.20	none	526.20
M. Patrick Dennis	107.47	none	107.47
Robert A. and Ida M. Dennis, etal	220.22	none	220.22
Erwin and Marie Furchner	194.70	none	194.70
W. B. and Della V. Holbrook	276.28	none	276.28
Leonard Lyle and Marian Marie Lanning	520.83	none	520.83
Charles E. and Margret L. LaRue	274.47	none	274.47
Kurt and Lydia Lebahn	540.04	none	540.04
Robert F. and Isabel R. Meyer	274.47	none	274.47
Velma R. Muller	548.35	100.00	448.35

	AMOUNT OF ASSESSMENT COVERED BY APPLICATIONS	AMOUNT PAID SINCE APPLICATIONS FILED	AMOUNT FOR WHICH BONDS TO BE ISSUED
STREET IMPROVEMENTS (Curbing and Paving)			
Eaton Street from N. End to Wheeler; Fourth Street from E Street to F Street; Alley from Ash Street to Fine Street in the Block between Main Street and Park Street; Elmore Street from Hiatt Street to Williams Street; Grant Street (widening) from Second Street to Third Street; Oak Street from Second Street to West City Limits, City of Lebanon, Oregon, provided for by Ordinances No. 1035B and No. 1037, approved May 6, 1958.	\$8,482.65	\$1,373.25	\$7,109.40
Fifth Street from F Street to I Street; Fourth Street from C Street to E Street; Third Street from Mary Street to Olive Street; Grant Street (widening) from Hiatt Street to Cleveland Street, City of Lebanon, Oregon, provided for by Ordinance No. 1059, approved June 2, 1959.	\$8,445.66	1,552.06	6,893.60
Fifth Street from Oak Street to Rose Street; Maple Street from Fourth Street to Fifth Street; Paving on Third Street from Rose Street to Tangent Street; and Curbing on Third Street from Rose Street to Tangent Street on the east side, City of Lebanon, Oregon, provided for by Ordinance No. 1076, July 5, 1960.	\$11,709.17	152.82	11,556.35
Totals	<u>\$28,637.48</u>	<u>\$3,078.13</u>	<u>\$25,559.35</u>
SEWER CONSTRUCTION			
On Berry Street from Hiatt to a point 278 feet West, City of Lebanon, provided for by Ordinance No. 1061, approved July 12, 1959.	1,749.23	185.39	1,563.84
Totals	<u>\$30,386.71</u>	<u>\$3,263.52</u>	<u>\$27,123.19</u>

<u>NAME</u>	<u>AMOUNT OF ASSESSMENT COVERED BY APPLICATIONS</u>	<u>AMOUNT PAID SINCE APPLICATIONS FILED</u>	<u>AMOUNT FOR WHICH BONDS TO BE ISSUED</u>
Leona and John Pless	\$ 330.68	none	\$ 330.68
Katherine C. Scholl	232.11	none	232.11
John Q. and Ruth E. Smith	272.82	52.82	220.00
Jean L. Stovall	454.69	none	454.69
Laura Wirth	545.55	none	545.55
Richard and Shirley R. DeKuyper	272.82	none	272.82
Vale and Alice L. Kimes	272.90	none	272.90
Lewis E. and Charlotte L. Parks	264.55	none	264.55
Ernest P. and B. Bonita Caldwell	392.69	none	392.69
Goldie O. Fisher	272.82	none	272.82
Helen E. Kinkelie	220.65	none	220.65
Grace and Robert Langmack	286.88	none	286.88
Robert and Grace Langmack	283.48	none	283.48
Clemence J. and Odille F. Speasl	241.86	none	241.86
E. R. and Dorothy M. Storey	392.69	none	392.69
Lyle R. and Adalee C. Winters	247.27	none	247.27
Total	\$ 30,386.71	\$3,263.52	\$27,123.19

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 Twenty Seven Thousand One Hundred Twenty Three and 19/100 Dollars (\$27,123.19), such bonds to be dated the first day of July, 1961, and to mature in annual installments as follows:

July 1, 1962	\$2,123.19
July 1, 1963	2,000.00
July 1, 1964	2,000.00
July 1, 1965	3,000.00
July 1, 1966	3,000.00
July 1, 1967	3,000.00
July 1, 1968	3,000.00
July 1, 1969	3,000.00
July 1, 1970	3,000.00
July 1, 1971	3,000.00

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 percent per annum, or such lesser rate as the Common Council shall prescribe, payable semi-annually, 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 1961-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 counter-signed by the Recorder.

Section 5. That the said City of Lebanon Improvement Bonds, Issue 1961-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 1961-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, 1965, without grace, with interest thereon from the date hereof until maturity or until the date of redemption, (for the bonds maturing on July 1, 1962, 63 and 64, the words "or until date of redemption" will be omitted,") at the rate of _____ percent per annum, payable semi-annually 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 of the face amount thereof, with accrued interest thereon to the date of payment at any semi-annual 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, 1962, 63 and 64)

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 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 _____, 1961.

Mayor of the City of Lebanon, Oregon

ATTEST:

Recorder of the City of Lebanon, Oregon

THE CITY OF LEBANON, COUNTY OF LINN
STATE OF OREGON

No. _____ \$ _____

will pay to the bearer on the first day of January, 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 1961-A, No. _____ dated July 1, 1961, 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 1962, 1963 and 1964.).

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 therefor must file with their bids a certified check, payable to the City of Lebanon, Oregon for two percent (2%) 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 May, 1961.

Alan R. Bealock
Mayor of the City of Lebanon, Oregon

ATTEST:

Alan R. Howze
City Recorder of the City of Lebanon, Oregon