

A BILL FOR AN ORDINANCE LEVYING AGAINST THE)
PROPERTY ESPECIALLY BENEFITTED THEREBY)
ASSESSMENTS FOR THE COST OF SEWER AND)
DRAINAGE INSTALLATION IN TENTH STREET)
DRAINAGE DISTRICT, KEES DRAINAGE DISTRICT,)
AND SEWER IMPROVEMENT ON MARKET STREET)
FROM SOUTH MAIN ROAD TO U.S. HIGHWAY 20,)
AND NORTHERLY FROM THE EXISTING SEWER)
IN U.S. PLYWOOD CHAMPION PAPERS, INC.)
PROPERTY TO SERVICE PROPERTIES IN THE)
3100 BLOCK OF SOUTH SANTIAM HIGHWAY A)
DISTANCE OF APPROXIMATELY 500 FEET, AND)
DECLARING AN EMERGENCY.)

ORDINANCE BILL NO. 35
for 1973
ORDINANCE NO. 1496

WHEREAS, the owners of more than fifty (50) percent of the property abutting upon the streets hereinafter described have filed with the City Recorder of the City of Lebanon, Oregon, their Petition asking for sewer and/or drain installation in Tenth Street Drainage District, Kees Drainage District, Market Street from South Main Road to U.S. Highway 20, and Northerly from the existing sewer in U.S. Plywood Champion Papers, Inc. property to service properties in the 3100 block of South Santiam Highway a distance of approximately 500 feet; and

WHEREAS the Common Council of the City of Lebanon ordered the City Engineer of the City of Lebanon to prepare and file plans, specifications and estimates of the cost of installation of said sewers and drains; and

WHEREAS the City Engineer, by order of said Council, thereafter prepared and filed plans, specifications and estimates of the cost thereof, which were approved and accepted by :

- Resolution #3, passed March 21, 1972
- Resolution #4, passed March 21, 1972
- Resolution #8, passed June 6, 1972
- Resolution #25, passed November 21, 1972; and

WHEREAS the Common Council thereafter gave notice of intention to install said sewers and drains in the manner provided by the Charter of said City, the proof of posting of such notice being now on file herein; and the time for remonstrance did elapse thereafter

without any remonstrance having been made against the said sewer and drain installations by the owners of a majority of the property adjacent thereto; and it then appearing unto the said Council that said sewer and drain installations should be made, the said Council did, by:

- Ordinance No. 1445, passed August 1, 1972
- Ordinance No. 1433, passed May 16, 1972
- Ordinance No. 1437, passed July 10, 1972
- Ordinance No. 1464, passed Dec. 19, 1972

duly establish and declare its jurisdiction to make said sewer and drain installations and ordered that the work be done by contract to be awarded to the lowest responsible bidders, and there be published for ten (10) days in a newspaper published in Lebanon, Oregon, notices inviting proposals for installation of said sewers and drains; and

WHEREAS, pursuant to said Order the City Recorder caused to be published in the LEBANON EXPRESS Notices Inviting Proposals for Making Sewer and Drain Improvements in the manner required by the Ordinance and Charter of the City of Lebanon, proof of the publication of said notices 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 installation of said sewers and drains were opened and submitted to the Council. By Ordinance the bids were awarded to the companies having submitted the lowest bids, in the amounts as follows:

<u>Ordinance No.</u>	<u>Company</u>	<u>Amount</u>
1451	Jarvis Booker Const.	\$69,165.10
1435	M.E.M. Corporation	37,735.50
1446	L.E.H. Corporation	74,582.41
1465	L.D. Van Over Construction, Inc.	11,957.70

and;

WHEREAS the said work and installations have been completed and approved in accordance with the Charter and Ordinances of the

City of Lebanon, and the cost of said work and installation has been determined.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. That the costs of installation of said sewers and drains to be borne by the property owners abutting upon and adjacent to said above described streets is \$193,440.71.

Section 2. That the proportionate share of said cost of said work and installations to be borne by the real property especially benefitted thereby, and to be assessed therefor, is hereby declared to be the amount set forth immediately after the separate description of each lot or tract of land hereinafter stated, and each of said lots or tracts of land is determined and declared to be benefitted by said installations 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 its proportionate share of the cost of said installations in the sum set opposite the description thereof; to-wit:

Section 3. That the Recorder of the City of Lebanon be, and he is hereby, ordered and directed to immediately enter a statement of each assessment made, declared and levied by this Ordinance, together with the names of the respective owners of such lots and tracts of land hereinabove described, in the Docket of City Liens of said City, as provided by the Charter; and to give notice forthwith to the owners of all of said property as to said assessments as provided by the Charter of said City of Lebanon.

Section 4. 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 this 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 23rd day of October, 1973.

Richard H. Ryan
Mayor

ATTEST:

Zella M. Lawrence
City Recorder
acting