

**ORDINANCE NO. 1134**

A BILL FOR AN ORDINANCE To ascertain and determine the probable cost of certain improvement which the Council of the City of Albany, Oregon, has determined in Resolution No. 12, adopted by said Council on the 28 day of May, 1924, to make on the Alley through Block Four in the City of Albany, Oregon; to ascertain, assess, determine and declare the proportionate share of such probable cost of such improvement of said Alley that is assessed upon each lot or part thereof adjacent to said part of said Alley to be so improved; to direct the Recorder of said City to enter a statement of such assessment in the Docket of City Liens as provided by the charter of said City.

WHEREAS, On the 14 day of May, 1924, the Council of the City of Albany Oregon, adopted a resolution requiring the Engineer C. H. Leonard of said City to make plans and specifications for the improvement of the Alley through Block Four in the City of Albany, Oregon, in the following manner, to-wit:

1. By grading said alley to the proper subgrade.
2. By paving said alley full width with Portland cement concrete pavement, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said alley full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed gravel or gravel base.
3. By laying wooden headers.
4. By laying 6 inch vitrified sewer pipe.
5. By constructing inlets.
6. By tapping sewers.

and for estimates of the work to be done on the said portion of said Alley through Block Four and the probable cost thereof and requiring that such plans, specifications, estimates and probable cost be filed in the Recorder's Office of said City, said resolution being endorsed "Resolution No. 8" and adopted on the 14 day of May, 1924, and

WHEREAS, The Engineer C.H. Leonard, of the said City of Albany pursuant to said Resolution No. 8 made plans, specifications and estimates as directed by said Resolution for the improvement of said Alley in the manner specified in said Resolution No. 8, and filed said plans, specifications and estimates in the Recorder's Office in said City on the 28th. day of May, 1924; and

WHEREAS, The said Council on the 28th. day of May, 1924, by Resolution No. 12 duly adopted by said Council, determined and resolved that it deemed it expedient, and that said Council proposed to improve the Alley through Block Four in the City of Albany, Oregon, in the manner provided in said Resolution No. 12, and

WHEREAS, In and by said Resolution No. 12, adopted as aforesaid by the Council the Recorder of said City was duly ordered and directed by said Council to give notice of said proposed improvement of said Alley through Block Four in the City of Albany, Oregon, as provided by the charter of said city; and

WHEREAS, The Recorder in pursuance of said order and direction of the Council of said City of Albany did duly give notice of said proposed improvement of said Alley through Block Four in the manner provided by the charter of

ORDINANCE No. 1134

said City; and:

WHEREAS, The said Council in and by said Resolution No. 12, ascertained and determined the total probable cost of making said improvement of said Alley to be paid by the owners of the real property adjacent to said portion of said Alley to be improved as specified in said Resolution No. 12, One Thousand Eight Hundred Sixty-five and Eighty-five Hundredths Dollars (\$1865.85), and

WHEREAS, The said Council in and by Resolution No. 20 adopted on the 20 day of June, 1924, did fix Wednesday the 9th. day of July, 1924, at the hour of 8:00 o'clock P.M. of said day at the Common Council Chambers in the City of Albany, Oregon, as the time and place for the purpose of proceeding to assess upon each lot or part thereof liable therefor, its proportionate share of the cost of making said improvement of said Alley in accordance with the plans and specifications onfile in the office of the Recorder of the City of Albany, Linn County, Oregon, and

WHEREAS, In pursuance of said resolution notice was given as provided in and by said resolution, notifying any and all persons interested, to appear at said time and place concerning the same, and

WHEREAS, No one has appeared and objected, or in any wise contested or objected in reference to said proposed assessment.

T H E R E F O R E.

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

Section 1. That the Alley through Block Four in the City of Albany, Oregon, shall be improved in the following manner, to-wit:

1. By grading said alley to the proper subgrade.
2. By paving said alley full width with Portland cement concrete pavement, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said alley full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed gravel or gravel base.
3. By laying wooden headers.
4. By laying 6 inch vitrified sewer pipe.
5. By constructing inlets.
6. By tapping sewers.

All in accordance with said Resolution No. 12 and the plans and specifications for said improvement filed by the City Engineer with the Recorder of the said City of Albany on the 28th. day of May, 1924.

Section 2. That the probable cost of making said improvement of said Alley in the City of Albany, Oregon through Block Four in the manner heretofore determined by the Council of said City of Albany, Oregon, in and by said Resolution No. 12, by paving said alley full width with Portland cement concrete pavement, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said alley full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed

**ORDINANCE NO. 1134**

crushed rock base, or by paving said alley full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed gravel or gravel base, to be paid by the owners of the real property adjacent to said alley is hereby declared to be the sum of One Thousand Eight Hundred Sixty-five and Eighty-five hundredths Dollars (\$1865.85).

Section 3. That the proportionate share of said probable cost of said improvement of said Alley assessed upon each lot or part thereof adjacent to said alley to be improved as aforesaid and as determined by said Council in and by said Resolution No. 12, is hereby ascertained and declared to be the sum set and placed immediately after the separate description of each of such lots or parts thereof as follows, to-wit:

DESCRIPTION OF EACH LOT OR PART THEREOF ADJACENT TO  
SAID IMPROVEMENT OF SAID ALLEY THROUGH BLOCK FOUR.

<u>Chas. Carter &amp; John Robson</u>			
	Lot No. 1, in Block No. 4, in the City of Albany.		
	67 feet on Alley	Assessed at	\$233.17
<u>Chas. Carter &amp; John Robson</u>			
	Lot No. 2 in Block No. 4 in the City of Albany.		
	67 feet on Alley	Assessed at	\$233.17
<u>Chas. Carter &amp; John Robson</u>			
	Lot No. 3, in Block No. 4, in the City of Albany.		
	67 feet on Alley	Assessed at	\$233.17
<u>Chas. Carter &amp; John Robson</u>			
	Lot No. 4, in Block No. 4, in the City of Albany.		
	67 feet on Alley	Assessed at	\$233.17
<u>Sanders, A. G. &amp; M. (M. Sternberg Est.)</u>			
	49 feet off of the E. side of Lot No. 5, in Block No. 4, in the City of Albany.		
	49 feet on Alley	Assessed at	\$170.52
<u>Burkhart, Mamie L.</u>			
	Beginning at the Southwest corner of Lot No. 5, in Block No. 4, in the City of Albany, thence Easterly on the South boundary line of said Block 17 feet; thence Northerly parallel with the East boundary line of said Block 100 feet to the Alley, thence Westerly on the South boundary line of said Alley 25 feet; thence Southerly parallel with the East boundary line of said Block 100 feet; thence Easterly to beginning.		
	25 feet on Alley	Assessed at	\$ 87.00
<u>Wallace, J. P.</u>			
	Beginning 8 feet West of the Southwest corner of Lot No. 5, in Block No. 4, in the City of Albany, thence West 78 feet; thence North 100 feet; thence East 78 feet; thence South 100 feet to beginning.		
	78 feet on Alley	Assessed at	\$271.45
<u>Kelly, Percy R.</u>			
	Beginning 26 feet East of the Southwest corner of Lot No. 7 in Block 4 in the City of Albany, thence North 100 feet; thence East 25 feet; thence South 100 feet; thence West to beginning.		
	20 feet on Alley	Assessed at	\$ 69.60
<u>Hall, John C. &amp; Julia</u>			
	Beginning at the Southwest corner of Lot No. 7 in Block No. 4, in the City of Albany thence North 100 feet; thence East 26 feet; thence South 100 feet; thence West 26 feet to beginning.		
	26 feet on Alley	Assessed at	\$ 90.48

ORDINANCE No. 1134

Harnish, C. S.

Beginning at the Southwest corner of Lot No. 7, in Block No. 4, in the City of Albany, thence North 100 feet; thence West 23 1/2 feet; thence South 100 feet; thence East 23 1/2 feet to beginning.  
23.5 feet on Alley

Assessed at \$ 81.78

Brenner, Sarah

Beginning at a point on the South boundary line of and 22 1/2 feet Westerly from the Southeast corner of Lot No. 8, in Block No. 4, in the City of Albany; thence Northerly parallel with the West line of said Block 100 feet to the Alley; thence Westerly 22 1/2 feet on the South side of said Alley thence Southerly parallel with the West line of said Block 100 feet to the South boundary line of said Block, thence Easterly to beginning. 22.25 feet on Alley

Assessed at \$ 77.43

E.J. Crow, Estate

24 feet 5 inches off of the West side of Lot No. 8, in Block No. 4, in the City of Albany.  
24.4 feet on Alley

Assessed at \$ 84.91

Section 4. That the Recorder of the City of Albany, Oregon, is hereby ordered and directed to immediately enter a statement of the assessment made and declared by this ordinance together with the names of the respective owners of such lot or part thereof hereinabove described in the Docket of City Liens of the said City of Albany as provided in the charter of said City.

Passed by the Council, July 9th. 1924

Approved by the Mayor, July 10th. 1924.

J. J. Barrett

Mayor protem

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON, )

) ss

County of Linn, )

I, D. H. Bodine, Recorder of the City of Albany, in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1134 has been by me carefully compared with the original Ordinance Bill No. 1232 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1232 passed by the Council July 9th. 1924, and approved by the Mayor, July 10th. 1924.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

Recorder of the City of Albany.