

**ORDINANCE No. 1135**

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. 14, adopted by said Council on the 28 day of May, 1924 to make on Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street in the City of Albany, Oregon, to ascertain assess, determine and declare the proportionate share of such probable cost of such improvement of said Eleventh Street that is assessed upon each lot or part thereof adjacent to said part of Eleventh Street 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 14th. 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 Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street in the City of Albany, Oregon, in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By paving said street full width with Portland Cement concrete pavement, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said street full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed gravel or gravel base.
3. By laying paving 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 Eleventh Street 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. 6" 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. 6 made plans, specifications and estimates as directed by said Resolution for the improvement of Eleventh Street in the manner specified in said Resolution No. 6 and filed said plans, specifications and estimates in the Recorder's Office in said City on the 28 day of May, 1924, and

WHEREAS, The said Council on the 28 day of May, 1924, by Resolution No. 14, duly adopted by said Council, determined and resolved that it deemed it expedient, and that said Council proposed to improve Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street in the City of Albany, Oregon, in the manner provided in said Resolution No. 14, and

WHEREAS, In and by said Resolution No. 14, adopted as aforesaid by the Council, the Recorder of said City was duly ordered and directed by

**ORDINANCE NO. 1135**

said Council to give notice of said proposed improvements of said Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street 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 Eleventh Street in the manner provided by the charter of said City, and

WHEREAS, The said Council in and by said Resolution No. 14, ascertained and determined the total probable cost of making said improvement of said Eleventh Street to be paid by the owners of the real property adjacent to said portion of said Eleventh Street to be improved as specified in said Resolution No. 14, to be the sum of Six Thousand Nine Hundred Fifty-eight and Fourteen Hundredths Dollars (\$6958.14), and

WHEREAS, The said Council in and by Resolution No. 23, 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 Eleventh Street in accordance with the plans and specifications on file 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 Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street in the City of Albany, Oregon, shall be improved in the following manner, to-wit:

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

All in accordance with said Resolution No. 14, and the plans and specifications for said improvement filed by the Engineer C. H. Leonard with the Recorder of said City of Albany on the 28th. day of May, 1924.

137

**ORDINANCE NO. 1135**

Section 2. That the probable cost of making said improvement of said Eleventh Street from the West line of Ferry Street West to the East line of Calapooia Street in the City of Albany, Oregon, in the manner heretofore determined by the Council of said City of Albany, Oregon, in and by said Resolution No. 14 by paving said street full width with Portland cement concrete pavement, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface pavement on a 3 inch black base, or by paving said street full width with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said street 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 portion of Eleventh Street is hereby declared to be the sum of Six Thousand Nine Hundred Fifty-eight and Fourteen Hundredths Dollars (\$6958.14).

Section 3. That the proportionate share of said probable cost of said improvement of said Eleventh Street assessed upon each lot or part thereof adjacent to said part of Eleventh Street to be improved as foresaid and as determined by said Council in and by said Resolution No. 14, 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 ON ELEVENTH STREET.

<u>Wieder, E. I.</u>	Beginning at the Southeast corner of Block 90 in Monteith's Southern Addition to the City of Albany; thence North on the East line of said Block 55 feet; thence West parallel with the South line of said Block 95 feet; thence South 55 feet; thence East 95 feet to beginning. 95 feet on Eleventh Street	Assessed at	\$616.64
<u>Martin, J. R.</u>	Beginning 55 feet North from the Southeast corner of end on the East line of Block 90 in Monteith's Southern Addition to the City of Albany; thence Westerly parallel with the South line of said Block 95 feet; thence Southerly parallel with the East line of said Block 55 feet; thence West on the South line of said Block 40 feet; thence North parallel with the East line of said Block 110 feet; thence East parallel with the South line of said Block 135 feet; thence South 55 feet to beginning. 39 feet on Eleventh Street	Assessed at	\$253.14
<u>Morgan, Emma</u>	The East half of the Southwest quarter of Block 90 in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street	Assessed at	\$434.88
<u>Hornback, J. W. &amp; S. E.</u>	The West half of the Southwest quarter of Block No. 90, in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street	Assessed at	\$434.88
<u>Merrill, Elizabeth A.</u>	The Southeast quarter of Block 91 in Monteith's Southern Addition to the City of Albany. 134 feet on Eleventh Street	Assessed at	\$869.77
<u>Sherer, Rebecca A.</u>	The Southwest quarter of Block 91 in Monteith's Southern Addition to the City of Albany. 134 feet on Eleventh Street	Assessed at	\$869.77

ORDINANCE NO. 1135

Lee, Wallace H. & Elizabeth F. The East half of the Northeast Quarter of Block 100 in Monteith's Southern Addition to the City of Albany; also a strip 3 feet wide, the whole way across off the East side of the West half of the Northeast quarter of Block 100 in Monteith's Southern Addition to the City of Albany. 70 feet on Eleventh Street Assessed at \$454.36

Fortmiller, Edwin F. The West half of the Northeast quarter of Block 100 in Monteith's Southern Addition to the City of Albany, except three feet off of the East side thereof. 64 feet on Eleventh Street. Assessed at \$415.42

Fortmiller, Julia C. The East half of the Northwest quarter of Block 100 in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street Assessed at \$434.88

Fortmiller, Julia C. The West half of the Northwest quarter of Block 100 in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street Assessed at \$434.88

Fisher, Raymond W. & Maud The East 80 feet of the North half of the Northeast quarter of Block 101 in Monteith's Southern Addition to the City of Albany. 80 feet on Eleventh Street Assessed at \$519.26

Hood, Irvine L. & Josephine The West 54 feet of the Northeast quarter of Block 101 in Monteith's Southern Addition to the City of Albany. 54 feet on Eleventh Street Assessed at \$350.50

Emmons, Mary E. The East half of the Northwest quarter of Block 101 in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street Assessed at \$434.88

Shelvik, Paul The West half of the Northwest quarter of Block 101 in Monteith's Southern Addition to the City of Albany. 67 feet on Eleventh Street Assessed at \$434.88

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, ) County of Linn, ) ss

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. 1135 has been by me carefully compared with the original Ordinance Bill No. 1233 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. 1233, 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.

[Signature of D. H. Bodine] Recorder of the City of Albany.