

Ord. No
635

An Ordinance authorizing the issuance and sale of Improvement Bonds for the improvement of Seventh Street, from the east curb line of Calapooia Street to the west curb line of Railroad Street, Fourth Street, from the east line of Washington Street to the west curb line of Main Street, Fifth Street, from the east curb line of Elm Street to the west curb line of Main Street, First Street, from the west curb line of Montgomery Street to the west curb line of Main Street, and Sixth Street, from the east line of Washington Street to the west curb line of Baker Street, in the City of Albany, Oregon, in accordance with the provisions of Sections 3215 and 3203, inclusive, of Chapter 5, Title XXV, Laws of Oregon.

Whereas, the council of the City of Albany, Oregon, proceeded to improve Seventh Street, from the east curb line of Calapooia Street to the west curb line of Railroad Street, by Ordinance No. 569, passed on the 18th day of March, 1912, and approved by the Mayor on the 13th day of March, 1912, in accordance with the plans and specifications therefor duly and regularly adopted, and did, by Ordinance No. 569, passed on the 18th day of March, 1912, and approved by the Mayor on the 13th day of March, 1912, levy an assessment against and upon the several lots or parts thereof, pieces or parcels of land affected by said improvement of said street, and by Ordinance No. 605, passed on the 14th day of August, 1912, and approved by the Mayor on the 6th day of August, 1912, did declare a surplus on account of said improvement of said Seventh Street, and said surplus has been duly placed to the credit of the several owners of the property assessed for such improvement and entered upon the Pocket of City Liens as provided in said Ordinance.

Whereas, the council of the City of Albany, Oregon, proceeded to improve Fourth Street, from the east line of Washington Street to the west curb line of Main Street, by Ordinance No. 570, passed on the 12th day of April, 1912, and approved by the Mayor on the 12th day of April, 1912, in accordance with the plans and specifications therefor duly and regularly adopted, and did, by Ordinance No. 571, passed on the 12th day of April, 1912, and approved by the Mayor on the 10th day of April, 1912, levy an assessment against and upon the several lots or parts thereof, pieces or parcels of land affected by said improvement of said street, and by Ordinance No. 619, passed on the 11th day of September, 1912, and approved by the Mayor on the 11th day of September, 1912, did declare a surplus on account of said improvement of said Fourth Street, and said surplus has been duly placed to the credit of the several owners of the property assessed for such improvement and entered upon the Pocket of City Liens as provided in said Ordinance.

Whereas, the council of the City of Albany, Oregon, proceeded to improve Fifth Street in said city from the east curb line of Elm Street

RAWLNS, Albany, Oregon

Street to the west curb line of Main Street, by Ordinance No. 583, passed on the 26th day of April, 1912, and approved by the Mayor on the 26th day of April, 1912, in accordance with the plans and specifications therefor duly and regularly adopted, and did by Ordinance No. 583 passed on the 26th day of April, 1912, and approved by the Mayor on the 26th day of April, 1912, lay an assessment against and upon the several lots or parts thereof, pieces or parcels of land affected by said improvement of said street, and by Ordinance No. 584, passed on the 28th day of October, 1912, and approved by the Mayor on the 28th day of October, 1912, did declare a surplus on account of said improvement of said Fifth Street, and said surplus has been duly placed to the credit of the several owners of the property assessed for such improvement and entered upon the Book of City Signs as provided in said ordinance.

Whereas, the council of the City of Albany, Oregon, proceeded to improve First Street in said city from the west curb line of Montgomery Street to the west curb line of Main Street, by Ordinance No. 588, passed on the 22nd day of May, 1912, and approved by the Mayor on the 22nd day of May, 1912, in accordance with the plans and specifications therefor duly and regularly adopted, and did by Ordinance No. 588 passed on the 22nd day of May, 1912, and approved by the Mayor on the 22nd day of May, 1912, lay an assessment against and upon the several lots or parts thereof, pieces or parcels of land affected by said improvement of said street; and, by Ordinance No. 591, passed on the 27th day of November, 1912, and approved by the Mayor on the 27th day of November, 1912, did declare a surplus on account of said improvement of said First Street, and said surplus has been duly placed to the credit of the several owners of the property assessed for such improvement and entered upon the Book of City Signs as provided in said ordinance.

Whereas, the council of the City of Albany, Oregon, proceeded to improve Sixth Street in said city from the east line of Washington Street to the west curb line of Baker Street, by Ordinance No. 595, passed on the 10th day of July, 1912, and approved by the Mayor on the 10th day of July, 1912, in accordance with the plans and specifications therefor duly and regularly adopted, and did by Ordinance No. 597, passed on the 15th day of July, 1912, and approved by the Mayor on the 15th day of July, 1912, lay an assessment against and upon the several lots or parts thereof, pieces or parcels of land affected by said improvement of said street; and by Ordinance No. 599, passed on the 27th day of November, 1912, and approved by the Mayor on the 27th day of November, 1912, did declare a surplus on account of said improvement of said Sixth Street, and said surplus has been duly placed to the credit of the several owners of the property assessed for such improvement and entered upon the Book of City Signs as provided in said ordinance.

ordinance.

Whereas, after service of notice of such assessments and of the entry of same in the Docket of City Liens there were filed with the Recorder of the City of Albany, Oregon, written applications to pay said assessments in installments, and the applicants and property owners did thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the streets aforesaid for which said assessments were levied, and in the apportionment of the costs thereof, and,

Whereas, said applicants and property owners agreed to pay said assessments in ten annual installments, with interest at the same rate as all of said assessments which have not been paid as first expressed in the bonds issued to pay for such improvement, and said applications contained a statement, by lots or blocks, or other convenient description, of the property of the applicants assessed for such improvement, and in all respects complied with the requirements of Chapter 5, Title XXVI, of Laws of Oregon, and,

Whereas, the applications as above are separate and are now on file in the office of the Recorder of the City of Albany, Oregon, and the same have been duly entered in the Bond Lien Docket; and,

Whereas, the total amount of the unpaid assessments for said street improvements for which applications to pay under the provision of the act herein referred to have been filed, as shown by the Bond Lien Docket is the sum of \$71087.⁰⁸; Now, Therefore,

The People of The City of Albany Do Ordain As Follows:

Section 1. That the City of Albany issue its bonds in all equal to the amount of \$71087.⁰⁸ being the total amount of the unpaid assessments for the improvement of Birch Street, from the curb line of Calapooie Street to the west curb line of Railroad Street, Fourth Street, from the east line of Washington Street to the west curb line of Main Street, Fifth Street, from the east curb line of Pine Street to the west curb line of Main Street, First Street, from the west curb line of Washington Street to the west curb line of Main Street, and Sixth Street, from the east line of Washington Street to the west curb line of Baker Street, and for which applications to pay under the provisions of Chapter 5, Title XXVI, of Laws of Oregon, have been filed as shown by the Bond Lien Docket of the City of Albany, said bonds shall be numbered from 1 to 43, both inclusive, and shall be in denominations of \$100.00 each, except Bond No. 43 which shall be for the sum of \$87.⁰⁸.

Section 2. That said bonds shall be dated the 1st day of

day of April, 1913, and shall by the terms thereof mature in ten years from the date thereof, and shall be payable in gold coin of the United States and bear interest at the rate of six percent per annum, interest payable semi-annually; said interest to be evidenced by coupons attached to said bonds which must have a number printed or inscribed thereon corresponding to that of the bonds, both principal and interest to be payable at the Fiscal Agency of the State of Oregon in the City of New York.

Section 3. That the right to take up and cancel such bond or bonds, up to the payment of the face value thereof, with accrued interest to the date of payment; at any semi-annual coupon period at or after one year from the date of such bond or bonds, is hereby reserved, said redemption of bonds if so made to be in accordance with the provisions of the law herein cited.

Section 4. That such bonds before the issuance thereof shall be signed by the Mayor and countersigned by the Recorder of the City of Albany, Oregon, and authenticated by the seal of said city; the coupons, however, may have printed thereon a facsimile signature of the Mayor and Recorder, and shall be registered consecutively by number and denomination of each in a book to be kept by the Recorder to be known and designated as the "Improvement Bond Register".

Section 5. That each of said bonds shall have distinctly and plainly inscribed or printed on the face thereof the registered number, and the words "Improvement Bond", with the name of the city, and the words "Series A/1913".

Section 6. That said bonds shall be advertised for sale for a period of five days from the date of first publication and sold for the highest price obtainable, but for not less than par and accrued interest; and that the proceeds thereof shall be paid by the purchaser to the Treasurer of the City of Albany, and the par value thereof credited to the respective street improvement funds for which said bonds are issued, and the accrued interest and premium of any accruing from the sale of said bonds shall be credited to the general fund of the city.

The Recorder of the City of Albany is hereby authorized and directed to advertise said bonds for sale.

Section 7. That said bonds and coupons shall be in substantially the following form:

United States Of America
State Of Oregon
City Of Albany

Hamilton, Albany, Oregon

No. — Improvement Bond "Series Of 1913" \$ 500.00.

Know All Men By These Presents: That the City of Albany, County of Linn, State of Oregon, for value received, hereby agrees and promises to pay the bearer the sum of Five Hundred Dollars in Gold Coin of the United States of America on the first day of April in the year of Our Lord One Thousand Nine Hundred and Twenty-three, without grace, with interest thereon from the date hereof until redeemable at the rate of six per cent. per annum, payable semi-annually in like coin on the first day of April and the first day of October in each year on presentation and surrender of the proper coupons hereto annexed. Principal and Interest payable at the Fiscal Agency of the State of Oregon in the City of New York.

This bond is one of a series authorized by an act of the Legislative Assembly of the State of Oregon, entitled "An Act to provide for the issuance of bonds for the improvement of streets, and the laying of sewers in incorporated cities, and for the payment of the cost of such improvements and laying of sewers by installments," filed in the office of the Secretary of State February 22nd, 1893, as amended by an act entitled, "An Act to amend Sections 1, 2, 3, 4, 5, 6, and 7 of an Act entitled 'An Act to provide for the issuance of bonds for the improvement of streets and the laying of sewers in incorporated cities, and for the payment of the cost of such improvements, and laying of sewers by installments,' filed in the office of the Secretary of State February 22, 1893," approved February 28th, 1901, and subsequent amendments thereto passed by the Legislative Assembly of the State of Oregon, and is an obligation of the City of Albany aforesaid and is not to be deemed or taken to be within or any part of the limitation by law as to the indebtedness of said City of Albany, and it is further certified that all requirements of law have been fully complied with by the proper officers in the issuing of this bond, and that the total amount of this issue does not exceed the limit prescribed by said act.

This bond is redeemable at the option of the City of Albany upon the payment of the face value thereof with accrued interest to the date of payment at any semi-annual coupon period also after one year from date hereof, as provided in said act.

For the fulfillment of the conditions of this bond

tion the faith and credit of the City of Albany are hereby pledged.
In Witness Whereof, this bond has been signed by the
Mayor and attested by the Recorder of the City of Albany, and the corpor-
ate seal of the City of Albany hereto affixed this first day of April, A.D.
1913.

Attest:

Mayor.

Recorder of the City of Albany

(Form of Coupon)

No. —

\$15.00

City of Albany
State of Oregon

Will pay to the bearer Fifteen Dollars in Gold Coin of the
United States of America, at the Fiscal Agency of the State of Oregon
in the city of New York, on the — day of —, 19—, being six
months' interest on Improvement Bond No. —, Series of 1913, unless
said bond is sooner redeemed as therein provided, which redemption
will render this coupon void.

Mayor.

Recorder of the City of Albany.

Section 8. That the Mayor and Recorder of the
City of Albany are hereby authorized and required to make, execute
and deliver, in behalf of the City of Albany, Oregon, Improvement
Bonds as hereinbefore provided to the amount of \$7,087.08

Passed the Council of the City of Albany, Oregon, this
29th day of April, 1913.

Approved this 2nd day of May, 1913.

Attest:

D J Gieant
Mayor

F. J. Van Tassel
Recorder of the City of Albany.

Albany, Oregon

CITY RECORDER'S CERTIFICATE

STATE OF OREGON. }
COUNTY OF LINN. } ss.

I, F. E. Van Tassel, 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. 635

has been by me carefully compared with the original Ordinance Bill No. 700 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. 700, as passed by the Council of the City of Albany, Oregon, April 29th 1913

Witness, my hand and official signature and the seal of the City of Albany, this 2nd day of May 1913

F. E. Van Tassel

Recorder of the City of Albany.

ORDINANCE NO. _____

Notary Public Oregon

The undersigned Northern Idaho & Montana Power Company, a corporation and the present holder of the franchise granted by Ordinance No. 366 of the City of Albany, Linn County, Oregon, entitled "An Ordinance relating to and granting a right of way to the Albany Canal, Water, Transportation and Lighting Company through the streets of Albany and extending and granting the franchise heretofore granted to John A. Crawford to said Company and requesting the exercise of the franchises granted to said Company," passed by the Council June 10th, 1902, approved by the Mayor June 11th, 1902. Has hereby consented to and accepted the amendments to said Ordinance No. 366 as said Ordinance No. 366 is amended by Ordinance No. 631 of the City of Albany Linn County, Oregon, entitled "An Ordinance to amend Section 15 of Ordinance No. 366 of the City of Albany, entitled "An Ordinance relating to and granting a right of way to the Albany Canal, Water, Transportation and Lighting Company through the Streets of Albany and extending and granting the franchise heretofore granted to John A. Crawford to said Company and regulating the exercise of the franchises granted to said Company" passed by the Council June 10th, 1902, approved by the Mayor June 11th, 1902, and to repeal Ordinance No. 617 of the City of Albany, entitled "An Ordinance requiring the Albany Canal, Water, Transportation and Lighting Company, its successors and assigns, to enclose its canal in the City of Albany, Oregon," passed by the Council October 9th, 1912, and approved by the Mayor October 18th, 1912; passed by the Council April 23, 1913, and approved by the Mayor April 24, 1913.

In Witness Whereof, the said Northern Idaho & Montana Power Company has caused its corporate name to be hereunto duly signed by its duly authorized vice president this 30th day of April 1913.

Northern Idaho & Montana Power Company

By Olmer Herr
Vice President.

Done in Presence of:
P. J. Diehlman
Ald. F.

State of Washington, 1913
County of Pierce.

On this 30th day of April 1913, personally appeared before the undersigned, a Notary Public in and for the State of Washington, Olmer Herr, personally known to me to be the Vice President of the Northern Idaho & Montana Power Company, a corporation, and acknowledged to me that he executed the foregoing acceptance in the name and in behalf of said com-

Albany, Oregon

tion and that he was duly authorized so to do and that he executed the same freely and voluntarily in the name and in behalf of said corporation for the uses and purposes therein named.

Witness my hand and notarial seal the day and year in this certificate first above written.

Jas J. Pendergast
Notary Public for Washington.



CITY RECORDER'S CERTIFICATE

STATE OF OREGON.
COUNTY OF LINN.

I, F. E. Van Tassel, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of Accepted
Ray Northwest Lumber & Menhaden Packing Company, a corporation
has been by me carefully compared with the original Accepted
now on file in my office, and that it is a true and correct copy of all and the whole of said

Witness, my hand and official signature and the seal of the City of Albany, this

2nd day of May 1913

F. E. Van Tassel

Recorder of the City of Albany.