

1-11 Amended by Ord. 2506

## ORDINANCE NO. 1137

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. 16, adopted by said Council on the 28 day of May, 1924, to make on Elm Street from the South line of Fifth Street to the North line of Ninth 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 Elm Street that is assessed upon each lot or part thereof adjacent to said part of Elm 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 14 day of May, 1924, the Council of the City of Albany, Oregon duly adopted a resolution requiring the Engineer C. H. Leonard of said City to make plans and specifications for the improvement of Elm Street from the South line of Fifty Street to the North line of Ninth 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 grave 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 Elm 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. 9" and adopted on the 14th. day of May, 1924, and

WHEREAS, The Engineer C. H. Leonard of said City of Albany pursuant to said Resolution No. 9 made plans, specifications and estimates as directed by said Resolution for the improvement of Elm Street in the manner specified in said Resolution No. 9, 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. 16, duly adopted by said Council, determined and resolved that it deemed it expedient, and that said Council proposed to improve Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of Albany, Oregon, in the manner provided in said Resolution No. 16, and

WHEREAS, In and by said Resolution No. 16 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 Elm Street from the South line of Fifth Street to the North line of Ninth Street in the City of

**ORDINANCE NO. 1137**

Albany, Oregon, as provided by the charter of said City; and

WHEREAS, The Recorder in prusance of said order and direction of the Council of said City of Albany did duly give notice of said proposed improvement of said Elm Street in the manner provided by the charter of said City; end

WHEREAS, The said Council in end by said Resolution No. 16 ascertain- ed and determined the total probable cost of making said improvement of said Elm Street to be paid by the owners of the real property adjacent to said portion of said Elm Street to be improved as specified in said Resolution No. 16, to be the sum of Eleven Thousand One Hundred Twenty-two and Thirty-three hundredths Dollars (\$11,122.33) and

WHEREAS, The said Council in end by Resolution No. 21 adopted on the 20th. 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 proceed- ing to assess upon each lot or part thereof liable therefor, its proportionate share of the cost of making said improvement of Elm 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 CRDAIN AS FOLLOWS:**

Section 1. That Elm Street from the South line of Fifth Street to the North line of Ninth 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 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. 16, and the plans and speci- fications 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.

Section 2. That the probable cost of making said improvement of said Elm Street in the City of Albany, Oregon, from the South line of Fifth Street

**ORDINANCE NO. 1137**

to the North line of Ninth Street in the manner heretofore determined by the Council of said City of Albany, Oregon, in and by said Resolution No. 16, 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 with with a 2 inch Warrenite bitulithic wearing surface pavement on a 4 inch compressed crushed rock base, or by paving said street full with 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 Elm. Street is hereby declared to be the sum of Eleven Thousand One Hundred Twenty-two and Thirty-three hundreths Dollars (\$11122.33).

Section 3. That the proportionate share of said probable cost of said improvement of said Elm Street assessed upon each lot or part thereof adjacent to said part of Elm Street to be improved as aforesaid and as determined by said Council in and by said Resolution No. 16 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 SAID ELM STREET

<u>Torbet, H. W. &amp; Gladys M. (F.G. Will Aft.)</u>	The W. 1/2 of the N.W. 1/4 of Block 39, in the City of Albany.	110 feet on Elm Street	Assessed at	\$692.00
<u>Marshall, Lena</u>	The S.W. 1/4 of Block 39, in the City of Albany.	110 feet on Elm. Street	Assessed at	\$692.00
<u>Palmer, H. M. &amp; J. B.</u>	Beginning at the N.E. corner of Blk. 40 in the City of Albany; thence W. 108 1/2 feet; thence South 55 feet; thence East 108 1/2 feet; thence North 55 feet to beginning all lines to run parallel with the boundary lines of said Block.	55 feet on Elm Street	Assessed at	\$346.00
<u>Busick, Hattie T.</u>	South 55 feet of East 108 feet on North Half of Block 40 in the City of Albany.	55 feet on Elm Street	Assessed at	\$346.00
<u>Simpson, Mary (W. E. Perriah Aft.)</u>	East 108 1/2 feet of South half of Block 40 in the City of Albany.	110 feet on Elm Street	Assessed at	\$692.00
<u>Albany General Hospital (J. P. Wallace Pres.)</u>	Beginning at the N.E. corner of Block 41, in the City of Albany, thence Westerly on the N. line of said Block 264 feet; thence South parallel with the East line of said Block 222 feet to the South line of said Block, thence Easterly on the South line of said Block 264 feet; thence Northerly on the West line of said Block to beginning.	222 feet on Elm Street	Assessed at	\$1396.58
<u>Kimsey, W. A. &amp; M. V.</u>	Beginning at the Northwest corner of Block 42, in the City of Albany, thence Easterly 76 1/2 feet to a point 56 feet Westerly from the Northeast corner of the Northwest quarter of said Block, thence Southerly 222 feet to South line of said Block, thence Westerly to Southwest corner of said Block, thence Northerly to beginning.	222 feet on Elm Street,	Assessed at	\$1396.58

**ORDINANCE NO.** 1137

E. B. Williamson (A. E. Powell, Azt.)

Beginning at the Northwest corner of Block 59 in the City of Albany, thence Easterly on the North line of said Block, 86 feet; thence Southerly with the West line of said Block 90 feet; thence Westerly parallel with the North line of said Block 66 feet to the West line of said Block, thence Northerly on said West line 90 feet to beginning.  
 90 feet on Elm Street Assessed at \$566.20

Jackson, W. L.

Beginning 90 feet South of the Northwest corner of and on West line of Block 59 in the City of Albany, thence East 66 feet; thence South 32 feet; thence West 66 feet; thence North 32 feet to beginning.  
 32 feet on Elm Street Assessed at \$201.32

Rohrbough, G. V. & Viola

Beginning at the Southwest corner of Block 59 in the City of Albany, thence North on the West line 100 feet; thence East parallel with the South line 100 feet; thence South parallel with the West line 100 feet, to the South line, thence West on the South line 100 feet to beginning.  
 100 feet on Elm Street Assessed at \$629.10

McClain, Mary E.

Beginning at the Northeast corner of Block 60 in the City of Albany, thence west 75 feet, thence South 93 feet; thence East 78 feet; thence North 93 feet to beginning, the above lines to run parallel with the boundary lines of said Block.  
 95 feet on Elm Street Assessed at \$597.64

Judd, Adeline

Beginning 55 feet Northerly from the Southeast corner of Block 60 in the City of Albany, thence Northerly 72 feet thence Westerly 78 feet; thence South 17 feet; thence East 12 feet; thence Southerly 55 feet, thence Easterly to beginning.  
 72 feet on Elm Street Assessed at \$452.95

Pierce, D. H.

Beginning at the Southeast corner of Block 60 in the City of Albany, thence Northerly 55 feet, thence Westerly 66 feet, thence Southerly 55 feet; thence Easterly, 63 feet to beginning.  
 55 feet on Elm Street Assessed at \$346.00

Donnelly, Maris (A. P. Howells, Azt.)

Beginning at the Northeast corner of Block 61 in the City of Albany, thence South 73 1/3 feet; thence West 109 feet; thence North 73 1/3 feet; thence East 109 feet to beginning, the above lines to run parallel with the boundary lines of said Block.  
 73.33 feet on Elm Street Assessed at \$461.32

Dorgan, Edmund

Beginning at the East line of and 73 1/3 feet from the Southeast corner of Block 61, in the City of Albany, thence Westerly 119 feet, thence Northerly 73 1/3 feet; thence Easterly parallel with the South line of said Block 119 feet; thence Southerly 73 1/3 feet to beginning.  
 73.33 feet on Elm Street Assessed at \$461.32

Patterson, R. S. & E. W.

Beginning at the Southeast corner of Block 61, in the City of Albany, thence North on the East line of said Block 73 1/3 feet, thence Westerly 119 feet, thence Southerly 73 1/3 feet, thence Easterly 119 feet to beginning.  
 73.33 feet on Elm Street Assessed at \$461.32

Southern Pacific Railway Co.

The West Half of Block 62 in the City of Albany.  
 220 feet on Elm Street Assessed at \$1384.00

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

