1 11 imended by Ord . 2006

ORBINANCE 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:

By grading said street to the propersubgrade

2. By paving said street full width with Portland cement concrete paving said street full width with fortland dement concrete pavement, or by paving said street full width with 2 inch Warrenite bitulithic weering surface pevement on a 3 inch black bese, or by paving said street full width with a 2 inch warrenite titulithic weering surface pevement on a 4 inch compressed crushed rock base, or by paving said street full with with 2 inch warrenite bitulithic wearing surface pevement on a 4 inch compressed grave or gravel base.

By laying raving headers. By laying & inch vitrified sewer pipe. 3.

By constructing inlets. 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

THERFAS. The Engineer C. H. Leonard of Said City of Albeny 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

WHERFAS, 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 Al any, Oregon, in the manner provided in said Resolution No. 16, and

WHEREAS, In and byseid 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

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

WHEREAS. The Recorder in prusuance 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; and

whereas, The said Council in end by said Fesolution No. 16 escertained 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 S rest 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

WHERFAS. The said Council in end by Resolution No. 21 adopted on the 20th. day of June. 1924, did fix Wednesdey 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 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 objectioned, or in any wise contested or objected in reference to said proposed assessment.

THEREFORE.

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 menner, to-wit:

- By grading said street to the proper subgrade.

 By reving said street full width with Fortland cement concrete paverent, or by paving said street full width with 2 inch Warrenite bitulithic wearing surface paverent on a 3 inch black base, or by raving said street full width with a 2 inch Warrenite bitulithic wearing surface raverent on a 4 inch compressed crushed rock base, or by paving said street full width with 2 inch Tarrenite bitulithic wearing surface pavement on a 4 inch compressed gravel or gravel base.

 By laving raving headers.
- 3. By laving paying headers.
 4. By laving 6 inch vitrified sever ripe.
- 5. By constructing inlets.
- 6. By tapping sewers.

All in accordance with said Revolution No. 16, 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.

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

1 140

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 Werrenite 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 revement on a 4 inch compressed crushedrock base, or by paving said street full with with 2 inch

Marrenite bitulithic wearing surface pavement on a 4 inch compassed crushed
gravel or gravel base, to be gaid 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 ofsaid 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 FACH LOT OR PART THEREOF ADJACENT TO SAID IMPROVEMENT ON SAID ELM STREET

Torbet, H. W. & Gladys M. (F.G. Will Agt.)

The W.f. of the N.W.z of Block 39, in the City of
Albany. 110 feet on Elm Street Assessed at \$692.00

Marshall, Lena
The S.W. 1 of Block 39, in the City of Albany.

110 feet on Elm. Street
Assessed at \$692.00

Palmer, H. M. & J. B.

Beginning at the N.E. corner of Blk. 40 in the

City of Albany; thence w. 1082 feet; thence South 55 feet;
thence East 1082 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

Busick, Hattie T.

South 55 feet of East 108 feet on North Helf of

Block 40 in the City of Albany.

55 feet on Elm Street

Assessed at \$346.00

\$346.00

Simpson, Mary (W. E. Perrish Agt.)

East 1086 feet of South helf of Block 40 in the

City of Albary.

110 feet on Elm Street

Assessed at \$692.00

Albany General Hospital (J. P. Wellace Pres.)

Beginning at the N.E. corner of Block 41, in the
City of Albany, thence Westerly on the N. line of seid
Block 264 feet; thence South parallel with the Fest line
of said Block 222 feet to the South line of seid Block.
thence Easterly on the South line of seid Block 264 feet;
thence Northerly on the West line of seid Block to beginning.

222 feet on Elm Street

Assessed at \$1396.58

Kimsey, W. A. & M. V.

Reginning at the Northwest corner of Block 42. in
the City of Albany, thence Easterly 76% feet to a point 56
feet Westerly from the Northsest corner of the Northwest quarter of said Block, thence Southerly 722 feet to South line of said Block, thence Westerly to Southwest corner of said Block, thence Westerly to Southwest corner of said Block, thence Northerly to beginning.

222 feet on Elm Street,

Assessed at \$1396.58

## Assessed at Section West Interest Assessed at	
Northerly on said West line 90 feet to beginning. 90 feet on Elm Street Section W. La	
mest 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. Rohrbough, G. W. & Wiels. Rohrbough, G. W. & Wiels. Reginning at the Southwest corner of Block 59 in the City of Albany, thence North on the West line 100 feet; thence South parallel with the South line 100 feet; thence South parallel with the South line 100 feet; thence South parallel with the West line 100 feet to beginning. 100 feet on Eim Street McClaim, Marv E. Reginning at the Northeast corner of Block 60 in the City of Albany, thence West 75 feet, thence South 93 feet; thence East 75 feet; thence North 93 feet to beginning, the above lines to run perallel with the boundary lines of said Block. 95 feet on Elm Street Assessed at 1udd, 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 Pierce, D. H. Reginning 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 65 feet to beginning. 55 feet on Elm Street Assessed at Donnely, Marie (A. P. Howells, Agt.) Beginning at the Northeast corner of Block 61 in the City of Albany, thence North 73 1/3 feet; thence East 109 feet to beginning. the above lines to run perallel with the boundary lines of said Block. 73.33 feet on Elm Street Assessed at Assessed at Assessed at 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 to beginning. 73.33 feet on Elm Street Assessed at Patterson, R. S. & E. W. Beginning at the Southearly 73 1/3 feet to beginning. Beginning at the Southearly 73 1/3 feet to beginning.	86.20
mest 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. Rohrbough, G. W. & Wiels. Rohrbough, G. W. & Wiels. Reginning at the Southwest corner of Block 59 in the City of Albany, thence North on the West line 100 feet; thence South parallel with the South line 100 feet; thence South parallel with the South line 100 feet; thence South parallel with the West line 100 feet to beginning. 100 feet on Eim Street McClaim, Marv E. Reginning at the Northeast corner of Block 60 in the City of Albany, thence West 75 feet, thence South 93 feet; thence East 75 feet; thence North 93 feet to beginning, the above lines to run perallel with the boundary lines of said Block. 95 feet on Elm Street Assessed at 1udd, 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 Pierce, D. H. Reginning 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 65 feet to beginning. 55 feet on Elm Street Assessed at Donnely, Marie (A. P. Howells, Agt.) Beginning at the Northeast corner of Block 61 in the City of Albany, thence North 73 1/3 feet; thence East 109 feet to beginning. the above lines to run perallel with the boundary lines of said Block. 73.33 feet on Elm Street Assessed at Assessed at Assessed at 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 to beginning. 73.33 feet on Elm Street Assessed at Patterson, R. S. & E. W. Beginning at the Southearly 73 1/3 feet to beginning. Beginning at the Southearly 73 1/3 feet to beginning.	
Rohrbough, G. W. & Viola Beginning at the Southwest corner of Block 59 in the City of Albeny, thence North on the West line 100 feet; thence Fast parellel with the South line 100 feet, to the 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 McClaim, 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 persilel with the boundary lines of said Block. 95 feet on Elm Street Assessed at 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 be- ginning. 72 feet on Elm Street Assessed at 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 Donnely, Marie (A. P. Howells, Att.) 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 perallel with the bound- ary lines of said Block. 73.33 feet on Elm Street Assessed at Dorgan, Edmund Eeglining 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 Rlock 119 feet; therce Southerly 73 1/3 feet; thence Easterly parallel with the South line of said Rlock 119 feet; therce Southerly 73 1/3 feet to beginning. 73.33 feet on Elm Street Assessed at Patterson, R. & E. W. Beginning at the Southeast corner of Block 61, in the	
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City of Albeny, thence North on the West line 100 feet; thence East parellel with the South line 100 feet; to the South line, thence West on the South line 100 feet to beginning. 100 feet on Elm Street **Reclaim**, 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 persllel with the boundary lines of said Block. 95 feet on Elm Street **Sessed at **Sessed at **Studd.**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 East 12 feet thence Southerly 55 feet, thence Easterly to beginning. **Test feet on Elm Street** **Pierce**, D. H.** **Beginning** at the Southeast corner of Block 60 in the City of Albany, thence Kortherly 55 feet, thence Westerly 66 feet, thence Southerly 55 feet; thence Easterly 63 feet to beginning. **Donnely**, East in Elm Street** **Donnely**, Maris (A. P. Howells Agt.)** **Beginning** 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 perallel with the boundery lines of said Block. **Dorgan**, Famund** **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 from the Southeast corner of Block 61, in the City of Albany, thence Easterly parallel with the South line of said Block 119 feet; there Southerly 73 1/3 feet to beginning. **Testing** Testing** at the Southeast corner of Plock 61, in the City of Albany, thence Easterly parallel with the South line of said Block 119 feet; there Southeast corner of Plock 61, in the City of Albany. **Testing** Testing** at the Southeast corner of Plock 61, in the City of	
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Beginning et the Southeest corner of Plock 81, in the	31.32
City of Albany, thence North on the East line of said	
Brook 73 1/3 feet, thence Westerly 119 feet, thence Southerly 73 1/3 feet, thence Easterly 119 feet to beginning.	31.32
Southern Pacific Railway Co.	
The West helf of Block 62 in the City of Albeny.	34.00

Section 4. That the Recorder of the City of Albany, Cregon, 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

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 Meyor, July 10th. 1924.

J. J. Barrett

Mayor, protem

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON,)

) 88

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. 1137 has been by me carefully compared with the original Ordinance Bill No. 1235 new on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1235 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 3ℓ day of December, 1924.

JA Beline

Recorder of the City of Albeny.