

## ORDINANCE NO. 1459

AN ORDINANCE to ascertain and determine the probable cost of constructing a lateral sewer which the Council of the City of Albany has determined by Resolution # 19, adopted on the 9th day of February, 1938 described as follows: Beginning at the man-hole on Fifteenth Street between Takenah and Liberty Streets in the City of Albany, and running thence northerly through the center of Block 1 in Miller's Addition to said City a distance of 380 feet; to ascertain, assess, determine and declare the proportionate share of the probable cost of said improvement that is assessed upon lots or parts thereof or parcels or tracts of land adjacent to said improvement to direct the Recorder of said City to enter a statement of such assessment in the docket of City Liens as provided in the Charter of said City, and declaring an emergency.

WHEREAS, on the 9th day of February, 1938, the Council of the City of Albany, Oregon, duly adopted a Resolution requiring Walter M. Larsen, City Engineer of said City to prepare plans and specifications for the construction of a lateral sewer beginning at the man-hole on Fifteenth Street between Takenah and Liberty Streets in the City of Albany, and running thence northerly through the center of Block 1 in Miller's Addition to said City a distance of 380 feet; and for estimates of the work to be done and for the probable cost thereof; and

WHEREAS, said engineer, pursuant to said Resolution # 19 made plans, specifications and estimates as directed by said Resolution for the construction of said lateral sewer and filed the same with the Recorder of said City on the 10th day of February, 1938; and

WHEREAS, the Council on the 9th day of February, 1938, by Resolution # 19, duly adopted by the Council determined and resolved that it deemed it expedient and said Council proposed to construct said lateral sewer hereinabove described; and

WHEREAS, the Recorder pursuant to said Resolution # 19, gave due notice of said proposed improvement in the manner provided by the Charter of said City and on the 23rd day of March 1938, pursuant to said Notice, Robert L. Colbert and Jesse L. Colbert submitted their bid to the Council for the making of said improvement for the sum of \$400.00, which said bid was received and accepted by the Council in and by Ordinance # 1440 passed by the Council March 23, 1938, and approved by the Mayor March 23, 1938.

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

Section 1. That an eight inch vitrified terra cotta sewer shall be constructed beginning at the man-hole on Fifteenth Street between Takenah and Liberty Streets in the City of Albany and running thence northerly through the center of Block 1 in Miller's Addition to said City a distance of 380 feet in accordance with Resolution # 19, and the plans and specifications for said improvement filed in the office of the Recorder of said City on the 10th day of February, 1938.

Section 2. That the cost of making such improvement in the manner hereinbefore determined by the Council of said City in and by Resolution # 19 and by the bid of the said Robert L. Colbert and Jesse L. Colbert is hereby declared to be the sum of \$400.00 and the cost of said improvement to be paid by the owners of the property adjacent thereto and particularly benefited thereby is hereby declared to be the sum of \$359.13.

Section 3. That the proportionate share of such cost of said improvement assessed upon each lot or part thereof or parcel or tract of land adjacent to said improvement as aforesaid and as determined by the Council is hereby ascertained and determined to be the sum set and placed immediately after the separate description of said lot or parts thereof or parcels or tracts of land as follows:

Rich, D.W. and )	Lot 5 in Block 1 in Miller's Addition to the City	
Rich, Annie, )	of Albany, Oregon,	
	Assessed at	\$30.48
Miller, Hattie, )	Lots 1,2,3,4,5,6,7,8,9,10,12,	
	and 13, in Block 1 in Miller's	
	Addition to the City of Albany,	
	Oregon,	
	Assessed at	\$328.65

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

ORDINANCE NO. 1459

Section 5. Whereas, the peace, health and safety of the people of the City of Albany require that this Ordinance become immediately effective, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council September 28, 1938.

Approved by the Mayor September 28, 1938.

C.R. Ashton  
Mayor

ATTEST: K.R. Horton  
City Recorder

STATE OF OREGON )  
COUNTY OF LINN ) ss.  
CITY OF ALBANY )

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance # 1459, has been by me carefully compared with the original Ordinance Bill # 1573, and that it is a true and correct copy of the whole of said Ordinance Bill # 1573, passed by the Council September 28, 1938, and approved by the Mayor September 28, 1938.

Witness my hand and official signature and the seal of the City of Albany, Oregon, this 29th day of September, 1938.

K.R. Horton  
City Recorder