

ORDINANCE NO. 2120

AN ORDINANCE to determine the probable cost of certain improvements which the council of the City of Albany had determined to make in Resolution No. 85 adopted by said council on the 13th day of April, 1949 for Burkhart from the north line of 99E to the south line of the existing pavement of the Old Salem Road in the City of Albany, Oregon; to ascertain, assess, determine and declare the proportionate share of such probable cost of such improvement of said street that is assessed upon each lot or part thereof adjacent to said part of said 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 13th day of April, 1949 the Council of the City of Albany, Oregon duly adopted a resolution requiring the City Engineer of said city to make plans and specifications for the improvement of Burkhart from the north line of 99E to the south line of the existing pavement of the Old Salem Road, in the following manner, to-wit:

1. By preparing the proper sub-grade.
2. By installing hard surface material.

and for the estimates of the work to be done on said portion of said 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. 66" and adopted the 13th day of April, 1949.

WHEREAS the City Engineer of said City of Albany pursuant to said Reclamation No. 66 made plans, specifications and estimates as directed by the said resolution for the improvement of said street in the manner specified in said Resolution No. 66 and filed said plans, specifications and estimates in the Recorder's office of said City on 13th day of April, 1949.

WHEREAS the Council on the 13th day of April, 1949 by Resolution No. 85 duly adopted by said council, determined and resolved that it deemed it expedient and that said council proposed to improve Burkhart Street from the north line of 99E to the south line of the existing pavement of the Old Salem Road in the manner provided in said Resolution No. 85, and

WHEREAS, in and by said Resolution No. 85 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 street in the manner provided by the Charter of said city, and

WHEREAS the Recorder in pursuance of said order and direction of the council of said city did duly give notice of said proposed improvement of said street in the manner provided by the Charter of said city, and

WHEREAS, the said council in and by said Resolution No. 85 ascertained and determined the total probable cost of making said improvement of said street to be paid by the owners of the real property adjacent to said portion of said street to be improved as specified in said Resolution No. 85 to be the sum of \$7,629.60.

T H E R E F O R E

THE PEOPLE OF THE CITY OF Albany DO ORDAIN AS FOLLOWS:

Section 1. That Burkhart Street from the north line of 99E to the south line of the existing pavement of the Old Salem Road in the City of Albany, Oregon be improved as follows:

1. By preparing the proper sub-grade.
2. By installing hard surface material.

all in accordance with said Resolution No. 85 and the plans and specifications for said improvement filed by the City Engineer with the Recorder of said City of Albany, Oregon on the 13th day of April, 1949.

Section 2. That the probable cost of making said improvement of said street in the manner heretofore determined by the council of Albany in and by Resolution No. 85 to be paid by the owners of the real property adjacent to said portion of said street and computing any surplus or deficit that might arise by reason of credits for previous work done or additional work that might have been encountered, is hereby declared to be the sum of \$5,756.80

Section 3. That the proportionate share of said probable cost of said improvement of said street assessed upon each lot or part thereof adjacent to said part of said street to be improved as aforesaid and as determined by said council in and by said Resolution No. 85 is hereby ascertained and declared to be the sum set and placed immediately after the separate descriptions of each of such lots or parts thereof as follows:

DESCRIPTION OF EACH LOT OR PART THEREOF ADJACENT
TO SAID IMPROVEMENT OF SAID STREET

BURKHART ADDITION

H. J. and A. E. Kropp
Block 5, Lot 4 139.24
Block 5, Lot 3 139.24

Clara M. McCoy
Block 5, Lot 2 139.24

Lotus C. and Elsie A. Osborn
Block 5, Lot 1 139.24

R. L. BURKHART

Nelta W. Young
Block 1, Lot 1 126.59

Mountain States Power Co.
Block 1, Lot 2 146.84

John W. & Ermine A. Motley
Block 1, Lot 3 146.84
Block 1, Lot 4 146.84
Block 1, Lot 5 146.84
Block 1, Lot 6 146.84
Block 1, Lot 7 229.88

School District #5 556.98

Beg. at the SE cor of Block 2 in Bryant's Add. and thence running N. 88 deg. 35 min E on easterly projection of the So. boundary line 376'; thence N. 1 deg. 35 Min. W parallel with E. bdy. 376'; thence N 1 deg 35 min W. parallel with E bdy line 220' to E. projection of the N. bdy; thence So. 88 deg 25 min W. 376' and 4" to the NE corner; thence S 1 deg 35 Min E. 220' to beg and containing 1.916 acres, more or less

State of Oregon 561.28

Beg. at a point on the E. line of Bl. 4 of Bryant's Add.; being 114.1 ft. N. of SE corn. of said Blk. 4; also being 60' distant Nly from the re-located center line of the Pac. Hiway at Engrs. station 383+21.60; thence N. 0 deg 56 min W. along the E. line of Blocks 4 & 3 Bryants Add. 375.98' to the S. line of Sixth St. extended east; thence N. 89 deg.

¼ min. E., along said Southerly line of 6th St. extended a distance of 375.71' to its intersection with the W line of Burkhart St., thence S 1 deg 3 min E. along said W. line of Burkhart 221.69' to a point which is 60' distant northerly from the said relocated center line of Pacific Hiway at Engineer's Station 379+15.01; thence S. 66 deg 46 min W. parallel to and 60' distant from said center line, a distance of 406.59' to the beg., containing 2.579 acres.

BURKHART ADDITION

D. G. and A. M. Blake	
Block 4, Lot 1	126.59
Block 4, Lot 2	126.59
O. R. and E. M. Phelps	
Block 4, Lot 3	126.59
Lenore Powell	
Block 4, Lot 4	126.59
H. E. and L. M. Chrisman	
Block 4, Lot 5	126.58
E. R. and E. A. Richards	
Block 4, Lot 6	126.59
Block 4, Lot 7	126.59
C. L. and L. M. McLavey	
Block 4, Lot 8	126.59
Block 4, Lot 9	126.59
Louis A & Mildred A. Disbrow	
Block 4, Lot 10	126.59
LaMayne & Cecile Paris	
Block 4, Lot 11	126.59
Block 4, Lot 12	126.59
R. E. and L. F. Robertson	
Block 4, Lot 13	126.59
Block 4, Lot 14	126.59
Block 4, N 5' Lot 15	12.66
Millie Obermier	
Block 4, Lot 15 exep. N. 5'	113.92
Block 4, Lot 16	126.59
R. L. Burkhart	
Block 4, Lot 17	126.59
R. W. VanFleet	
Block 4, Lot 18	126.59
Block 4, Lot 19	126.59
J. D. and D. B. Fosdick	
Block 4, Lot 20	353.18
D. G. and A. M/ Blake	232.54
Beg. at a pt on the S line of the Pac. Highway, said pt being the NW cor of Mamie Burkhart's land as recorded in Vol. 105, pg 370 of Linn County Deed Records, which is N 88 deg 35' W 716.2 ft from the NE cor of Blk 2 in Bryant's Add thence S 79 deg 7' W along sd southerly line of the Pacific Highway 101.4' to the E line of Burkhart's road; thence S 1 deg 30' E along E line of said road 91.85' thence N 88 deg 25' E 100 ft; thence N 1 deg 35' W 108.15 ft to place of beg. contg. 0.23 acres, more or less	

Section 4. That the Recorder of the City of Albany is hereby ordered and directed to immediately enter a statement of the assessments made and declared by this ordinance together with the

names of the respective owners of such lots or parts thereof hereinafter described in the Docket of City Liense of the said City of Albany, Oregon, as provided in the Charter of said City.

Passed by council Oct. 5 1949

Approved by Mayor Oct. 5 1949

ATTEST:

E. J. Foster
Recorder

John W. Long
Mayor