

Amended Ordinance
2743
2192

ORDINANCE NO. 2734

AN ORDINANCE TO DETERMINE THE COST OF CERTAIN IMPROVEMENTS WHICH THE COUNCIL OF THE CITY OF ALBANY HAS DETERMINED IN RESOLUTION NO. 373 ADOPTED BY SAID COUNCIL ON THE 7TH DAY OF JUNE 1956 AND RESOLUTION NO. 377 ADOPTED BY SAID COUNCIL ON THE 25TH DAY OF JULY, 1956, FOR THE IMPROVEMENT OF THE FOLLOWING DESCRIBED AREA BY THE CONSTRUCTION OF CERTAIN SANITARY SEWER IMPROVEMENTS:

Beginning at the Southeast corner of the George Cline D.L.C. #84 in T. 11 S., R. 4 W. of the Willamette Meridian in Linn County, Oregon; and running
thence South 89 degrees 42' E. 8.50 feet to the Northeast corner of Fir Oaks Addition to the City of Albany, Linn County, Oregon;
thence South 14 degrees 12' East 198.19 feet to the Southeast corner of Tract 31 of said Addition;
thence South 89 degrees 42' East, parallel with the South line of said Claim #84 (if extended Easterly) to the East right-of-way line of the Pacific Highway;
thence Southerly along said right-of-way line to a point North 0 degrees 54½' West 1711.04 feet and North 88 degrees 54½' East 66.0 feet from the Northwest corner of the Truett Davis D.L.C. #38 in said township and range;
thence North 88 degrees 54½' East 400.0 feet;
thence South 0 degrees 54½' East 260.5 feet;
thence South 88 degrees 54½' West 40.0 feet;
thence South 0 degrees 54½' East 283.0 feet;
thence North 88 degrees 54½' East to the West right-of-way line of the Southern Pacific Railroad;
thence North 0 degrees 02' West along said right-of-way 1095.5 feet to a point 50.0 feet South of the South line of South Albany Addition;
thence South 89 degrees 00' West, parallel to the South line of said South Albany Addition, to the West right-of-way line of the aforementioned Pacific Highway;
thence Northerly along said highway to the South line of Houck's Addition to the City of Albany;
thence Westerly to the Southwest corner of said Houck's Addition;
thence Northerly to the Northwest corner of said Houck's Addition;
thence Westerly, along the Westerly extension of the North line of said Houck's Addition, to the East line of the aforementioned George Cline D.L.C.;
thence Southerly along said East line to the place of beginning, excepting therefrom that part lying within the right-of-way of the Pacific Highway.

Between W. 19th Avenue and W. 21st Avenue and between S. Elm Street and U. S. Pacific Highway 99E;
The area bounded on the West by Liberty Street; on the East by Houck's Addition on the North by W. 24th Avenue and on the South by a line parallel to W. 24th Avenue and lying 373.31 feet South of the South line of 24th Avenue;
Between Powell Way and South Madison Street from E. 13th Avenue to E. Queen Avenue.

to ascertain, assess, determine and declare the proportionate share of such cost of such improvement of said street, streets, or sanitary sewers that is assessed upon each lot or part thereof adjacent to said part of said street improved or sewer installed; to direct the Recorder of said City to enter a statement of such assessments in the Docket of City Liens as provided by the Charter of said City.

WHEREAS, on the 31st day of May, 1956, the Council of the City of Albany, Oregon duly adopted a Resolution requiring the City Engineer or appoint Consulting Engineers to make plans, specifications for the improvement of said described area by the construction of sanitary sewers, and for the estimates of work to be done on said portion of said street and the probable costs thereof, and requiring that such plans, specifications, and estimates be filed in the Recorder's Office of said City, said Resolution being endorsed Resolution No. 371.

WHEREAS, the Consulting Engineers employed by the City of Albany, pursuant to said Resolution No. 371, make plans, specifications and estimates as directed by said Resolution for the improvement of said described area by the construction of sanitary sewers in the manner specified in said Resolution No. 371 and filed said plans, specifications and estimates in the Recorder's office of said City on the 7th day of June, 1956, and the 25th day of July, 1956.

WHEREAS, the Council on the 7th day of June, 1956, by Resolution No. 373 and on the 25th day of July, 1956, by Resolution No. 377 determined and resolved that it deemed it expedient, and that said Council proposed to make the improvements in the above stated manner.

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WHEREAS, no remonstrances were filed after notice was given as provided by law, and the Council of the City of Albany on the 17th day of September, 1956, duly passed Ordinance No. 2688 establishing a time and manner of making said improvements.

WHEREAS, the said improvements aforesaid, have been duly made in accordance with the laws of the State of Oregon and with the Charter of the City of Albany, Oregon.

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

Section 1: That the cost of making said improvement of said described area by the construction of sanitary sewers in the manner heretofore deemed by the Council of the City of Albany, Oregon, and by Resolution No. 373, Resolution No. 377 and Ordinance No. 2688 to be paid by the owners of the real property adjacent to said sewers and particularly benefitted thereby is hereby declared to be the sum of \$153,627.82, of which the City shall pay as its share for the construction of trunk sewers the sum of \$130,166.10, leaving a balance of \$23,461.72 to be assessed to property owners benefitted.

Section 2: The proportionate share of said costs of the improvement of said described area by the construction of sanitary sewers assessed upon each lot or part thereof adjacent to said sewers, improve and particularly benefitted thereby is hereby ascertained and declared to be the sum set and placed immediately after the separate descriptions of each such lots or parts thereof as follows:

<u>OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>PROPERTY FRONTAGE/ AREA & RATE</u>	<u>AMOUNT</u>
H. R. Bierly & Marie Route 1, Halsey, Ore.	That tract of land conveyed to H. R. & Marie Bierly on Page 730 in Volume 221 of Deed Records Linn County, Oregon, excepting that tract recorded on Pg.82 Volume 227, also excepting that tract recorded on Page 820 of Volume 240, Linn County Deed Records, Linn County, Oregon.	5.976 per acre @ \$367.34265	\$ 2195.24
Merrill O. Salman 533 W. 11th Avenue	That tract of land conveyed to Merrill O. Salman recorded on Page 82 in Vol. 227, Linn County, Oregon.	0.775 per acre @ 367.34265	284.69
Hub City Plywood P. O. Box 254 Albany, Oregon	That tract of land conveyed to the Hub City Plywood Corp., as recorded on Pg.80 of Vol.242, Linn County Deed Records, also that tract recorded on Pg.820 of Vol. 240, Linn County Deed Records, Linn County, Oregon.	8.314 per acre @ 367.34265	3054.09
Cummings Transfer & Fuel Company 433 E. Water Avenue Albany, Oregon	That tract of land conveyed to the Cummings Transfer & Fuel Co., on Pg.49 of Vol. 253, Linn County Deed Records, Linn County, Oregon.	3.19 per acre @ 367.34265	1171.82
Albany Ice & Cold Storage 629 W. 3rd Avenue Albany, Oregon	That tract of land conveyed to Kurre Ice Co.(now Albany Ice & Cold Storage) recorded on Page 13 of Vol.173 of Linn County Deed Records excepting that tract of land recorded on Page 303 of Vol.199, Linn County Deed Records; also excepting that tract recorded on Page 793 of Vol. 216, Linn County Deed Records. Also excepting that tract of land recorded on Page 49 of Vol.253, Linn County Deed Records, Linn County, Oregon; also excepting that area which is outside of the City of Albany, Oregon	9.137 @ 367.34265	3356.41
C. H. & Edith N. Dencer 1340 S.E. 89th Portland, Oregon	Schultz Front, Lot 1 Block 4	51 Ft. @ .0353887	179.58
C. H. & Edith N. Dencer 1340 S.E. 89th Portland, Oregon	Schultz Front Lot 2 Block 4	51 Ft. @ .0353887	179.58

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C. H. & Edith N. Dencer 1340 S.E. 89th, Portland, Oregon	Schultz Front, Lot 3 Block 4	51 Ft. @ \$.0353887	\$ 179.58
C. H. & Edith N. Dencer 1340 S.E. 89th Portland, Oregon	Schultz Front, Lot 4 Block 4	51 Ft. @ .0353887	179.58
C. H. & Edith N. Dencer 1340 S.E. 89th Portland, Oregon	Schultz Front, Lot 5 Block 4	51 Ft. @ .0353887	179.58
C. H. & Edith N. Dencer 1340 S.E. 89th Portland, Oregon	Schultz Front, Lot 6 Block 4	51.42 Ft. @ .0353887	181.06
James L. & Elsie Tumlin Route 3 Box 922, Albany, Oregon	Schultz Front, Lot 7 Block 4	51.42 Ft. @ .0353887	181.06
James L. & Elsie Tumlin Route 3 Box 922, Albany, Oregon	Schultz Front, Lot 8 Block 4	51 Ft. @ .0353887	179.58
Lewis C. & Mary Carpenter 935 W. 21st Ave. Albany, Oregon	Schultz Front, Lot 9 Block 4	51 Ft. @ .0353887	179.58
Lewis C. & Mary Carpenter 935 W. 21st Ave. Albany, Oregon	Schultz Front, Lot 10 Block 4	51 Ft. @ .0353887	179.58
B. W. Prinsen & V. V. Ernstson 2129 W. 17th Ave. Albany, Oregon	Schultz Front, Lot 11 Block 4	51 Ft. @ .0353887	179.58
B. W. Prinsen & V. V. Ernstson 2129 W. 17th Ave. Albany, Oregon	Schultz Front, Lot 12 Block 4	51 Ft. @ .0353887	179.58
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 1 Block 2	111.17 Ft. @ 0.02634094	292.83
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 2 Block 2	87.5 Ft. @ 0.02634094	230.48
Wesley R. & Ruth E. Wheaton 1910 E. 5th Avenue Albany, Oregon	Liberty Addition, Lot 3 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 4 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 5 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 6 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 7 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 8 Block 2	87.5 Ft. @ 0.02634094	230.48

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Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 9 Block 2	87.5 Ft. @ 0.02634094	230.48
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 10 Block 2	87.24 Ft. @ 0.02634094	229.80
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 1 Block 1	96.37 Ft. @ 0.02634094	253.85
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 2 Block 1	85 Ft. @ 0.02634094	223.90
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 3 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 3 Box 934 Albany, Oregon	Liberty Addition, Lot 4 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 5 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 6 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 7 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 8 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 9 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 10 Block 1	81.12 Ft. @ 0.02634094	213.68
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 11 Block 1	80.63 Ft. @ 0.02634094	212.39
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 12 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 13 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 14 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 15 Block 1	78 Ft. @ 0.02634094	205.46
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 16 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 17 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 18 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 19 Block 1	90 Ft. @ 0.02634094	237.07
Roy A. Finch & Alice Route 1 Box 934 Albany, Oregon	Liberty Addition, Lot 20 Block 1	113.64 Ft. @ 0.02634094	299.34

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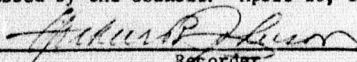
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 1 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 2 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 3 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 4 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 5 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 6 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 7 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 8 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 9 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 10 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 11 Block 2	66.15 Ft. @ .018974046	111.08
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 12 Block 2	66.15 Ft. @ .018974046	111.08
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 13 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 14 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 15 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 16 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 17 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 18 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 19 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 20 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 21 Block 2	66.5 Ft. @ .018974046	111.67

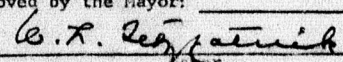
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Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 22 Block 2	66.5 Ft. @ .018974046	111.67
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 1 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 2 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 3 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 4 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 5 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 6 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 7 Block 5	69.5 Ft. @ .018974046	116.70
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 8 Block 5	76.98 Ft. @ .018974046	129.26
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 9 Block 5	66.65 Ft. @ .018974046	111.91
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 10 Block 5	72.75 Ft. @ .018974046	122.16
Earl A. Pollock 1106 Washington Albany, Oregon	Hillway Addition, Lot 11 Block 5	72.75 Ft. @ .018974046	122.16
Bauer-Lesser of Oregon 1608 S.E. Ankeny Portland, Oregon	Hillway Addition, Lot 12 Block 5	72.75 Ft. @ .018974046	122.16
Bauer-Lesser of Oregon 1608 S.E. Ankeny Portland, Oregon	Hillway Addition, Lot 13 Block 5	72.75 Ft. @ .018974046	122.16
Bauer-Lesser of Oregon 1608 S.E. Ankeny Portland, Oregon	Hillway Addition, Lot 14 Block 5	72.75 Ft. @ .018974046	122.16
Bauer-Lesser of Oregon 1608 S.E. Ankeny Portland, Oregon	Hillway Addition, Lot 15 Block 5	72.75 Ft. @ .018974046	122.16
Bauer-Lesser of Oregon 1608 S.E. Ankeny Portland, Oregon	Hillway Addition, Lot 16 Block 5	72.75 Ft. @ .018974046	122.16

Section 3: That the Recorder of the City of Albany, Oregon, is hereby ordered and directed to immediately enter a statement of the assessments made and declared by the Ordinance together with names of the respective owners of such lots or parts thereof herein above described in the docket of City Liens of said City of Albany, Oregon, as provided in the Charter of said City and to give notice thereof as provided by law.

Passed by the Council: April 10, 1957


Recorder

Approved by the Mayor:

Mayor

Effective Date: May 10, 1957