

ORDINANCE NO. 2745

AN ORDINANCE TO DETERMINE THE COST OF CERTAIN IMPROVEMENTS WHICH THE COUNCIL OF THE CITY OF ALBANY HAS DETERMINED IN RESOLUTION NO. 372, ADOPTED BY THE SAID COUNCIL ON THE 31ST DAY OF MAY, 1956, AND RESOLUTION NO. 374, ADOPTED BY THE SAID COUNCIL ON THE 11TH DAY OF JULY, 1956, FOR THE IMPROVEMENT OF THE FOLLOWING DESCRIBED AREA BY THE CONSTRUCTION OF CERTAIN STREET IMPROVEMENTS AND DECLARING AN EMERGENCY:

**BURKHART STREET IMPROVEMENT
EAST FIRST AVENUE IMPROVEMENT**

to ascertain, assess, determine and declare the proportionate share of such cost of such improvement of said street or streets, that is assessed upon each lot or part thereof adjacent to said part of street improved; 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 said streets, and for the estimates of work to be done on said portion of said streets, and the probable costs thereof, and requiring that such plans, specifications, and estimates be filed in the Recorders Office of said City, said Resolution being endorsed Resolution No. 372, and filed said plans, specifications, and estimates in the Recorders Office of said City on the 31st day of May, 1956.

WHEREAS, the Council on the 31st day of May, 1956, by Resolution No. 372, and on the 11th day of July, 1956, by Resolution No. 374, determined and resolved that it deemed it expedient, and that said Council proposed to make the improvements in the above stated manner.

WHEREAS, no remonstrances were filed after notice was given as provided by law, and the Council of the City of Albany on the 11th day of July, 1956, duly passed Ordinance No. 2667, 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 streets in the manner heretofore deemed by the Council of the City of Albany, Oregon, and by Resolution No. 372, Resolution No. 374, and Ordinance No. 2667 to be paid by the owners of the real property adjacent to said streets and particularly benefitted thereby is hereby declared to be the sum of \$9,817.06, of which the City shall pay as its share for the construction of streets in the sum of \$936.47, leaving a balance of \$8,880.59 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 streets assessed upon each lot or part thereof adjacent to said streets, 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>
Clifford L. & Bertha Joseph 2038 E. Front	Lot 4, Block 10, Burkhart Park	91.5	\$ 318.96
Clifford L. & Bertha Joseph 2038 E. Front	North 10' of Lot 5, Bl. 10 Burkhart Park	10	34.86
Geo. E. Jr. Joyce Rhodes	S.81.5' of Lot 5, Block 10, Burkhart Park	81.5	284.10
Otto A. & Esta Schmidt 1st & Burkhart	E½ of Block 11 Burkhart Park	187	651.86
Wm. & Anna Bagley 2030 E. 1st	N.100' of Lot 4, Bl. 12 Burkhart Park	100	348.59

ORDINANCE NO. 2745, cont'd.

<u>OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>PROPERTY FRONTAGE AREA & RATE</u>	<u>AMOUNT</u>
Claude R. & Nellie Sumpter 1712 NE Wasco Portland, Ore.	S47.2' of Lot 4, Bl.12 Burkhart Park	47.2	\$ 164.53
Harold E. & Geneva Nemchick 2006 Salem Rd.	Pt. of Lot 7, Bl.12 Burkhart Park (also curb & gutter 79.61)	44	231.99
Richfield Oil Albany, Oregon	Lot 1, Bl. 13 Burkhart Park	119.7	417.26
R. L. Burkhart Maplelawn Place Albany, Oregon	Lot 4, Bl. 13 Burkhart Park	60.5	318.98
Maurice Cox 2105 E. 1st	Lot 14, Bl. 14 Burkhart Park	93.5	325.93
Maurice Cox 2105 E. 1st	Lot S $\frac{1}{2}$ of 1, Bl. 14, Burkhart Park	46.75	162.96
Robert M. & Betty Burkhart 115 N. Burkhart	N $\frac{1}{2}$ of Lot 1, Bl. 14 Burkhart Park	46.75	162.96
Mennonite Board of the Pacific Coast Conference Daniel Gingerich Albany, Oregon	Lot 1, Block 15 Burkhart Park	91.5	318.96
Jessie Maude Zirbel 2105 E. Water St. Frank Eastburn, Agt.	Lot 14, Bl. 15 Burkhart Park	91.5	318.96
Oregon Electric Rail- way Co. Albany, Ore.	Burkhart Park (Water Ave. & R.R. 178.66') (R.R. crossing between 1st Ave. on Burkhart 113.35')	292.01	1,017.91
Southern Pacific R.R. Co. Albany, Oregon	(Main track crossing on Burk- hart St. less 6' for between rails)	119.8	471.12
City of Albany	Intersections	216.8	755.74
Otto A. & Esta Schmidt 1st & Burkhart	Lot 5, Bl. 11 Burkhart Park	50	150.58
Otto A. & Esta Schmidt 1st & Burkhart	Lot 6, Bl. 11 Burkhart Park	50	150.58
Emma Davis Box 31 Jefferson, Ore.	Lot 7, Bl. 11 Burkhart Park	50	150.58
Archie E. & Rosa Horning 1941 E. 1st Ave.	Lot 8, Bl. 11 Burkhart Park	50	150.58
Harold C. & Lavon H. Fryman 2010 E. 1st Albany, Oregon	Lot 1, Bl. 12 Burkhart Park	50	150.58
Carl E. & Margaret J. Engstrom 320 N. Alco Albany, Oregon	Lot 2, Block 12 Burkhart Park	50	150.58
Wm. & Anna Bagley 2030 E. 1st Albany, Oregon	Lot 3, Block 12 Burkhart Park	50	150.58
Wm. & Anna Bagley 2030 E. 1st Albany, Oregon	Lot 4, Block 12 Burkhart Park	50	150.58

ORDINANCE NO. 2745, cont'd.

<u>OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>PROPERTY FRONTAGE AREA & RATE</u>	<u>AMOUNT</u>
Richfield Oil Co. Albany, Oregon	Lot 1, Block 13, Burkhart Park	50	\$ 150.58
Richfield Oil Co. Albany, Oregon	Lot 2, Block 13 Burkhart Park	50	150.58
Richfield Oil Co. Albany, Oregon	Lot 3 WSO', Bl. 13 Burkhart Park	50	150.58
Linn Co. Court House Albany, Oregon	E. 111.7' of Lot 3 Block 13, Burkhart Park	111.7	336.40
Claud M. & Ida Montgomery 2111 E. 1st Albany, Oregon	Lot 8, Block 14 Burkhart Park	50	150.58
Claud M. & Ida Montgomery 2111 E. 1st Albany, Oregon	Lot 9, Block 14 Burkhart Park	50	150.58
C. B. & Alma Culbertson 2109 E. 1st Albany, Oregon	Lot 10, Block 14 Burkhart Park	50	150.58
C. B. & Alma Culbertson 2109 E. 1st Albany, Oregon	Lot 11, Block 14 Burkhart Park	50	150.58
Geo. L. & Grace Judd 2107 E. 1st Albany, Oregon	Lot 12, Block 14	50	150.58
Oliver W. & Charlene T. Seavy 2115 E. 1st	Lot 13, Block 14 Burkhart Park	50	150.58
Myrtle W. Estes 2105 E. 1st Albany, Oregon maurice Cox, Agt.	Lot 14, Block 14 Burkhart Park	50	150.58
Oregon Electric R. R. Co., Albany, Oregon	A strip along the track right of way	94.24	283.82
City of Albany	Intersections		180.73

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 by law.

Section 4: In as much as the passage of this Ordinance is necessary to the immediate preservation of the peace, health and safety of the citizens of the City of Albany, an emergency is hereby declared and this Ordinance shall become effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: June 26, 1957

Approved by the Mayor: June 26, 1957

W. L. Fitzpatrick
Mayor

ATTEST:

[Signature]
City Recorder