

A BILL FOR AN ORDINANCE To re-ascertain, re-determine, and re-assess the cost of making the improvement upon Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, Oregon; to re-ascertain, re-assess, re-determine and re-declare the proportionate share of the cost of such improvement of said portion of Eleventh Street that is re-assessed upon each lot or parcel thereof adjacent to said part of Eleventh Street so improved and to direct the Recorder of the City of Albany, Oregon, to enter a statement of such re-assessments in the docket of city liens as provided by the charter of the City of Albany, Oregon and to repeal Ordinance No. 1089 passed by the Council of the City of Albany on the 25th. day of July, 1923 and approved by the Mayor on the 26th. day of July, 1923, and to repeal Ordinance No. 1101 passed by the Council on the 10th. day of October, 1923, and approved by the Mayor on the 10th. day of October, 1923, and directing the Recorder of the City of Albany, Oregon, to cancel the assessments heretofore made and entered in the docket of City liens under and by virtue of Ordinance No. 1089 and Ordinance No. 1101.

WHEREAS, Heretofore to-wit: such proceedings have been had by the Common Council of the City of Albany, Oregon, that Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany has been improved by grading and graveling said portion of said above described street, said improvement having been made in accordance with plans and specifications prepared therefor, and now on file in the office of the Recorder of the City of Albany, Linn County, Oregon, and

WHEREAS, The Council of the City of Albany, Oregon, in pursuance of the charter and ordinances of said City, did in and by Ordinance No. 1089 and Ordinance No. 1101 levy upon the real property adjacent to said improvement and especially and particularly benefited thereby certain assessment for the purpose of defraying the cost of said improvement to be paid by the owners of the real property adjacent to said improvement and especially and particularly benefited thereby, and

WHEREAS, The Council of the City of Albany, Oregon, has determined, in its best judgment, that the said assessments so made as heretofore designated and each of them, were invalid and of no force or effect and were not made in accordance with the provisions and requirements of the charter of the City of Albany, Oregon, and

WHEREAS, The Council determined in and by said Resolution No. 42 passed by the Council on the 14th. day of November, 1923, that said assessments and each of them, were invalid and erroneous by reason of the fact that the dimensions of the various lots and parcels of property at the time the assessments were heretofore made, were erroneously represented to the Council of the City of Albany and that there was and is vital and unmistakable errors in such assessments and each of them, and

ORDINANCE No. 1108

WHEREAS, The Council in and by said Resolution No. 48, 1923 declared said assessments so made, and each of them, invalid and of no force or effect, and fixed Wednesday, the 12th. day of December, 1923, in the Council Chambers of the City of Albany, Linn County, Oregon, at the hour of 8:00 o'clock P.M. of said date, as the time and place of meeting of the Council of the City of Albany, Oregon, for the purpose of making a re-assessment upon the real property especially and particularly benefited by reason of the improvement of Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, and

WHEREAS, in and by said Resolution No. 42, 1923 the Recorder of the City of Albany, Oregon, was authorized and directed to give notice to all property owners within said above described area of the time and place fixed by the Council for making such re-assessment, by mail, addressed to each of said persons at their respective postoffice addresses if known to the Recorder and if such addresses be unknown, then addressed at Albany, Oregon, and

WHEREAS, Said Resolution No. 42, 1923 further provided that any and all persons interested in the re-assessment of the property especially and particularly benefited by said improvement should have full and complete opportunity at the time and place fixed for the re-assessment of said property, for the purpose of paying the property owners' portion of said improvement, of being heard upon any matter pertaining thereto, either in person or by counsel, and

WHEREAS, The Recorder of the City of Albany, Oregon, in pursuance of said Resolution No. 42, 1923 did on the 20th. day of November, 1923, give notice to each and every person interested in said re-assessment as required in and by said resolution, due proof of which said notice being heretofore made and filed herein, and said notice was so given by the said recorder of the City of Albany, Oregon, more than twenty days prior hereto, and

WHEREAS, The Council in regular session assembled on the 12th. day of December, 1923, at the hour of 8:00 o'clock P.M., after announcement by the Mayor, that they would then and there take up the matter of the re-assessment for the purpose of paying the property owners' portion of the cost of the improvement of that portion of Eleventh Street hereinabove described, and there, then and there being present, no person or persons, who objected to the making of any re-assessment, either in person, or by counsel, and

WHEREAS, The Council then and there proceeded to consider the matter of re-assessment for the purpose hereinabove described in accordance with the provisions of the charter of the City of Albany, Oregon, and

WHEREAS, The final cost of the improvement of Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany was determined by the Council to be the sum of Eight Hundred Eighty-eight and Eighty-two hundredths Dollars (\$888.82).

# ORDINANCE NO. 1106

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

Section 1. The Council hereby re-ascertains, re-determines and re-declares that the cost of the improvement of Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, Linn County, Oregon, is the sum of Eight Hundred Eighty-eight and Eighty-two hundredths Dollars (\$868.82) and the Council further determines that the City's portion for the cost of the improvement of the intersections of said street is the sum of Sixty-five and Seventy-seven hundredths Dollars (\$65.77); and the Council further determines that the portion of the cost of said improvement to be re-assessed against the lots and parts of lots adjacent to said improvement and especially and particularly benefited thereby is the sum of Eight Hundred Twenty-three and five hundredths Dollars (\$823.05) and that there is hereby re-assessed against the several lots and parcels of lots, whose owners, or reputed owners, together with the description of the property assessed, as owned by each of them respectively with the amount of such assessment charged to each of them respectively, as follows:

DESCRIPTION OF EACH LOT OR PARCEL THEREOF ADJACENT TO SAID  
ELEVENTH STREET FROM THE WEST LINE OF ELM STREET WEST  
TO THE CORPORATE LIMITS OF THE CITY OF ALBANY, OREGON.

<u>Albers, Henry</u>	Lot No. 6, in Block No. 2, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Albers, Henry</u>	Lot No. 7, in Block No. 2, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Catlin, Mary L.</u>	Lot No. 8, in Block No. 2, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Catlin, Mary L. and John (Mary Wright, Agt.)</u>	Lot No. 9, in Block No. 2, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Erwin, R. A. &amp; Nettie</u>	Lot No. 10, in Block No. 2 in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Dow, Florence A. (Mrs. Cotner)</u>	Lot No. 4, in Block No. 3 in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Dow, Florence A. (Mrs. Cotner)</u>	Lot No. 5, in Block No. 3, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Dow, Florence A. (Mrs. Cotner)</u>	East 1/2 of Lot No. 3, in Block No. 3, in Wright's Addition to the City of Albany. 25 feet on Eleventh Street	Assessed at	\$10.76
<u>Dawson, Stowell</u>	Lot No. 1, in Block No. 3 in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50

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<u>Dawson, Stowell</u>	Lot No. 2, in Block No. 3 in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Dawson, Stowell</u>	West 1/2 of Lot No. 3, in Block No. 3, in Wright's Addition to the City of Albany. 25 feet on Eleventh Street	Assessed at	\$10.76
<u>Wright, Etta</u> (A. Hale Smith & Charlet Smith, Agt.)	Lot No. 1, in Block No. 4, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Wright, Etta</u>	Lot No. 2, in Block No. 4, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Wright, Etta</u>	Lot No. 3, in Block No. 4, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Wright, Etta</u>	Lot No. 4, in Block No. 4, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Wright, Etta</u>	Lot No. 5 in Block No. 4, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Kerber, Lee &amp; Thresia</u>	Lot No. 6, in Block No. 5, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Kerber, Lee &amp; Thresia</u>	Lot No. 7, in Block No. 5, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Kerber, Lee &amp; Thresia</u>	Lot No. 8, in Block No. 5, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Benson, Frances M.</u>	Lot No. 9, in Block No. 5, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Benson, Frances M.</u>	Lot No. 10, in Block No. 5, in Wright's Addition to the City of Albany. 50 feet on Eleventh Street	Assessed at	\$21.50
<u>Traver, Arthur E. &amp; Hattie A.</u>	Lot No. 4, in Block No. 4 in Mountain View Addi- tion to the City of Albany. 56 2/3 feet on Eleventh Street	Assessed at	\$24.38
<u>McClain, L. F. &amp; Albina</u>	Lot No. 5, in Block No. 4, in Mountain View Addition to the City of Albany. 56 2/3 feet on Eleventh Street	Assessed at	\$24.37
<u>McClain, L. F. &amp; Albina</u>	Lot No. 6 in Block No. 4, in Mountain View Addition to the City of Albany. 56 2/3 feet on Eleventh Street	Assessed at	\$24.37
<u>McClain, L. F. &amp; Albina</u>	Lot No. 1, in Block No. 5, in Mountain View Addition to the City of Albany. 56 2/3 feet on Eleventh Street	Assessed at	\$24.37
<u>Wright, Etta</u>	Lot No. 2 in Block No. 5, in Mountain View Addition to the City of Albany. 56 2/3 feet on Eleventh Street	Assessed at	\$24.37

<u>Wright, Etta</u>	Lot No. 3, in Block No. 5, in Mountain View Addition to the City of Albany. 66 2/3 feet on Eleventh Street	Assessed at \$24.37
<u>Morgan, Wm. &amp; Leona B.</u>	Lot No. 7, in Block No. 12, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Morgan, Wm. &amp; Leona B.</u>	Lot No. 8, in Block No. 12, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Davis, D. S. &amp; Frances</u>	Lot No. 5, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Davis, D. S. &amp; Frances</u>	Lot No. 6, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Wint, Matt &amp; Elizabeth</u>	Lot No. 7, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Crawford, R. K.</u>	Lot No. 8, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Kean, Warren</u>	Lot No. 3, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Kean, Warren</u>	Lot No. 4, in Block No. 18 in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Hart, Nevada L. (H. L. Smith, Agt.)</u>	Lot No. 1, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Hart, Nevada L. (H. L. Smith, Agt.)</u>	Lot No. 2, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39
<u>Balton, W. L. &amp; Ruth</u>	Lot No. 1, in Block No. 19, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39
<u>Montith, M. J.</u>	Lot No. 2, in Block No. 19, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39

Section 2. That Ordinance No. 1089 passed by the Council on the 25th. day of July, 1923, and approved on the 26th. day of July, 1923, be and the same is hereby repealed.

Section 3. That Ordinance No. 1101 passed by the Council on the 10th. day of October, 1923, and approved by the Mayor on the 10th. day of October, 1923, be and the same is hereby repealed.

Section 4. That the Recorder of the City of Albany, Oregon, is hereby authorized and directed to forthwith cancel the assessments heretofore made and entered in the Decket of City Taxes under and by virtue of Ordinance No. 1089

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<u>Wright, Etta</u>	Lot No. 3, in Block No. 5, in Mountain View Addition to the City of Albany. 66 2/3 feet on Eleventh Street	Assessed at \$24.37
<u>Morgan, Wm. &amp; Leona B.</u>	Lot No. 7, in Block No. 12, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Morgan, Wm. &amp; Leona B.</u>	Lot No. 8, in Block No. 12, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Davis, D. S. &amp; Frances</u>	Lot No. 5, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Davis, D. S. &amp; Frances</u>	Lot No. 6, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Wint, Matt &amp; Elizabeth</u>	Lot No. 7, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Crawford, R. E.</u>	Lot No. 8, in Block No. 13, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Keen, Warren</u>	Lot No. 3, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Kean, Warren</u>	Lot No. 4, in Block No. 18 in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Hart, Nevada L. (H. L. Smith, Agt.)</u>	Lot No. 1, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.38
<u>Hart, Nevada L. (H. L. Smith Agt.)</u>	Lot No. 2, in Block No. 18, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39
<u>Dalton, W. L. &amp; Ruth</u>	Lot No. 1, in Block No. 19, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39
<u>Monteith, M. J.</u>	Lot No. 2, in Block No. 19, in City View Addition to the City of Albany. 66 feet on Eleventh Street	Assessed at \$28.39

Section 2. That Ordinance No. 1089 passed by the Council on the 25th. day of July, 1923, and approved on the 26th. day of July, 1923, be and the same is hereby repealed.

Section 3. That Ordinance No. 1101 passed by the Council on the 10th. day of October, 1923, and approved by the Mayor on the 10th. day of October, 1923, be and the same is hereby repealed.

Section 4. The Recorder of the City of Albany, Oregon, is hereby ordered and directed to forthwith cancel the assessments heretofore made and entered in the Docket of City Liens under and by virtue of Ordinance No. 1089

ORDINANCE NO. 1106

and Ordinance No. 1101.

Section 5. The Recorder of the City of Albany, is hereby ordered and directed to immediately enter a statement of re-assessment against the above described lots and parcels of property in the Docket of City Liens of the City of Albany, Oregon, as provided in and by the charter of said City.

Passed by the Council, December 12th. 1923.

Approved by the Mayor, December 13th. 1923.

F. A. Young,

Mayor

Attest: D. H. Bodine,

Recorder of the City of Albany.

STATE OF OREGON, )

) ss

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. 1106 has been by me carefully compared with the original Ordinance Bill No. 1204 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1204 passed by the Council, December 12th. 1923, and approved by the Mayor, December 13th. 1923.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

*D. H. Bodine*

Recorder of the City of Albany.