

ORDINANCE NO. 2135

AN ORDINANCE to determine the probable cost of certain improvements which the council of the City of Albany has determined to make in Resolution No. 75 adopted by said council on the 13th day of April, 1949 to improve Elm Street from the south intersection of Modoc Street to the north intersection of Queens Avenue 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 said street from the south intersection of Modoc Street to the north intersection of Queens Avenue, in the following manner, to-wit:

1. By grading said street to the proper sub-grade.
2. By paving with suitable hard surface.
3. By constructing concrete curbs.
4. By laying and constructing concrete gutters.
5. By sidewalks where necessary.
6. By installing a proper drainage system.

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. 68" and adopted on the 13th day of April, 1949.

WHEREAS, the City Engineer of said City of Albany pursuant to said Resolution No. 68 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. 68 and filed said plans, specifications and estimates in the Recorder's office of said City on the 12th day of April 12, 1949.

WHEREAS, the Council on the 13th day of April, 1949 by Resolution No. 75 duly adopted by said council, determined and resolved that it deemed it expedient and that said council proposed to improve Elm Street from the south intersection of Modoc Street to the north intersection of Queen Avenue in the manner provided in said Resolution No. 75, and

WHEREAS, in and by said Resolution No. 75 adopted as afore-said 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 as 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. 75 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. 75 to be the sum of \$5,273.18.

T H E R E F O R E

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN as follows:

Section 1. That Elm Street from the south intersection of Modoc Street to the north intersection of Queen Avenue in the City of Albany, Oregon be improved as follows:

1. By grading said street to the proper sub-grade.
2. By paving with suitable hard surface.
3. By constructing concrete curbs.
4. By laying and constructing concrete gutters.
5. By sidewalks where necessary.
6. By installing a proper drainage system.

All in accordance with said Resolution No. 75 and the plans and specifications for said improvement filed by the City Engineer with the Recorder of said City of Albany, Oregon on the 12th 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. 75 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 \$4,962.81.

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. 75 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

LINHMONT ADDITION:

M. L. and D. M. DeWitt	
Block 9, Lot 23	451.65
Block 9, Lot 22	351.79
J. E. and Grace Louise Hyatt	
Block 9, Lot 2	351.80
C. L. and A. L. Leever	
Block 9, Lot 1	351.80
L. C. and M. M. Carpenter	
Block 8, Lot 24	244.32
Block 8, Lot 23	292.76
Minnie P. Howard	
Block 8, Lot 2	351.80
Block 8, Lot 1	351.80

ROSEMONT ADDITION:

Chas. and V. L. Roler	
Block 4, Lot 11	247.32
Block 4, N. 1/2 Lot 14	123.65
C. L. and Pearl Monroe	
Block 4, S. 1/2 Lot 14	123.66
Block 4, Lot 15	247.32
Harold A. and R. N. Zuhlke	
Block 4, Lot 18	247.32
Herman O. and M. Zuhlke	
Block 4, Lot 19	247.32
G. W. and M. A. Engeman	
Block 9, Lot 2	247.32
Block 9, Lot 3	247.32
G. P. and N. B. Reid	
Block 9, Lot 6	247.32
Block 9, Lot 7	236.54

Section 4. 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 this ordinance together with the names of the respective owners of such lots or parts thereof hereinabove described in the Docket of City Liens of the said City of Albany, Oregon, as provided in the Charter of said City.

Passed by the council 10/26/49

Approved by the Mayor 10/26/49

James W. Savage
Mayor

ATTEST:

E. J. [Signature]
Recorder