

JOINT RESOLUTION

WHEREAS, for many years past, road funds created by taxation in Linn County, have been designated upon information distributed to the taxpayers as being general road funds and as special road district funds, and

WHEREAS, the City of Albany has heretofore filed in the Circuit Court of the State of Oregon for the County of Linn, a claim against Linn County in the sum of \$53,724.29 in the proceedings bearing clerk's Registry No. 28681, contending in effect that the principal part of the sums received by it from Linn County for road purposes were special road district funds due it, and that it had not received its legal share of the funds due it from the general road tax funds during the period from 1938 to 1956, and

WHEREAS, such claim was denied by Linn County, and a counterclaim was alleged by it against the City of Albany in the sum of \$41,500.08, wherein it also contained in effect that any and all funds raised by taxation for road purposes during the mentioned period were properly to be considered as general road funds, and that in Linn County there are no legally constituted special road districts for which any valid taxes could be levied, and further contended that the City of Albany had been paid during said period more than its full share of road funds, and

WHEREAS, the City of Albany and the County of Linn have agreed that the aforementioned actions and counterclaim should be dismissed, with prejudice and without costs to either party, and that the necessary funds for road purposes for the City and County should hereafter be provided, subject to all legal and constitutional limitations by a general road fund tax, proceeds of which will be divided in the

proportion which the assessed valuation of the property in each city therein bears to the assessed valuation of all the property in Linn County, that is to say, as illustration, at present valuations and conditions a proper general road fund tax will be levied this coming year to raise approximately \$120,000.00 to be divided in the proportion 16,665,772, representing the total valuation of all the cities, with 9,128,891, representing the total valuation of the City of Albany, and 49,858,202 the remainder of the County.

NOW, THEREFORE, IT IS HEREBY JOINTLY RESOLVED that the foregoing agreement shall be and it is hereby fully confirmed, ratified, and approved as the fair, just and proper settlement and compromise of pre-existing differences, and adopted as an equitable, satisfactory, and sound policy to be followed in the future.

5-13-59

THE CITY OF ALBANY

BY:

W. F. Schmitt

Mayer

William D. Bolman

City Manager

Attest:

Conrad M. Johnson
City Recorder

LINN COUNTY, OREGON

BY:

E. G. Arnold

Judge

Floyd D. Jones

Commissioner

Burt Johnson

Commissioner

*Attest:
Conrad M. Johnson*