

Designated by Ord. 2763

ORDINANCE NO. 2746

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 SAID COUNCIL ON THE 31ST DAY OF MAY, 1956, AND RESOLUTION NO. 387, ADOPTED BY THE COUNCIL ON THE 12TH DAY OF SEPTEMBER, 1956, FOR THE IMPROVEMENT OF THE FOLLOWING STREET AND DECLARING AN EMERGENCY:

S. DAVIDSON STREET FROM THE EXISTING PAVEMENT OF U. S. HIGHWAY 99E TO THE N. M. OF E. 8TH AVENUE.

to ascertain, assess, determine and declare the proportionate share of such cost of such improvement of said street that is assessed upon each lot or part thereof adjacent to said parts of said 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 Resolution No. 372, requiring the City Engineer of said City to make plans and specifications and estimates of cost for the improvement of the following streets; by improvement in the following manner:

S. DAVIDSON STREET FROM THE EXISTING PAVEMENT OF U. S. HIGHWAY 99E TO THE N. M. OF E. 8TH AVENUE.

- ASPHALTIC CONCRETE PAVING
- LEVELLING COURSE
- BASE COURSE
- CURB AND GUTTER
- GRADING AND DRAINAGE

and for the estimates for the work to be done on said portions of said street and the probable cost thereof, and requiring that such plans, specifications and estimates and probable cost be filed in the Recorder's Office in the said City.

WHEREAS, the City Engineer of the said City of Albany, pursuant to said Resolution No. 372 made plans, specifications and estimates as directed by said Resolution and filed said plans, specifications and estimates in the Recorder's Office of said City on the 22nd day of August, 1956.

WHEREAS, the Council on the 12th day of September, 1956, by Resolution No. 387, duly adopted by the said Council determined and resolved that it deemed it expedient and that the said Council proposed to improve the above named street 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 10th day of October, 1956, duly passed Ordinance No. 2692 establishing the time and manner of making said improvements.

WHEREAS, the said improvement assessed, has 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 improvements of said street in the manner heretofore determined by the Council of the City of Albany, Oregon, in and by Resolution Numbers 372 and 387 and in Ordinance No. 2692 to be paid by the owners of the real property adjacent to said portions of said street and particularly benefitted thereby is hereby declared to be the sum of \$7,091.94 of which the City of Albany shall pay the sum of \$639.49 for intersections and drainage and the balance of \$6,452.45 shall be paid by the owners of the real property adjacent to said streets and particularly benefitted thereby.

Section 2: The proportionate share of said costs of the improvement of said street assessed upon each lot or part thereof adjacent to said street improved 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>BLOCK</u>	<u>AMOUNT</u>
Safeway Stores, Inc.	Supplemental Plat of Burkhart Add.	11	\$ 1,259.79
Safeway Stores, Inc. Albany, Oregon	That tract of land bordering on the West side of Davidson from the Pacific Hwy. South to the North line of Lot 6, Blk. 11 of the Supplemental Plat of Burkhart Addition in the City of Albany, Oregon	11	1,868.91
Lermond E. & June W. Stout 2410 E. Hwy. 99E	Supplemental Plat of Burkhart Add.	12	3,323.75

ORDINANCE NO. 2746, cont'd.

<u>OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>BLOCK NO.</u>	<u>AMOUNT</u>
City of Albany	That portion of the Street Improvement between the existing pavement on the Pacific Hwy. to the property line being 40'.		\$ 639.49

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 the names of the respective owner 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.

Section 4: Inasmuch as the passage of this Ordinance is necessary for the immediate preservation of the peace, health and safety of the citizens of the City of Albany, Oregon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and its approval by the Mayor of the City of Albany, Oregon.

Passed by the Council: June 26, 1957

Approved by the Mayor: June 26, 1957

W. R. Fitzgerald

Mayor

ATTEST:

Richard J. Hoover

City Recorder