

Providing for and assessing the actual cost of improving the west side of Gardner Avenue, that portion of Gardner Avenue which lies in the City of Stayton, Oregon, against the abutting and adjacent property; declaring the proportionate share of the actual cost of improving said Gardner Avenue with curbs and sidewalks to be charged and assessed against each lot, part of lot and parcel of land liable for such assessment, and directing the city recorder to enter such assessment against each lot, part of lot and parcel of land liable therefor in its proportionate share in the lien docket of the City of Stayton; directing the service of notice of said assessment upon the owners of such property, and declaring an emergency.

THE CITY OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. That the Common Council hereby declares that it has been found necessary and expedient to improve the west side of Gardner Avenue. That portion of Gardner Avenue which lies in the City of Stayton, Oregon, with curbs and sidewalks in accordance with the plans, specifications and estimates heretofore duly and regularly adopted by the Common Council, which said plans, specifications and estimates now are on file in the office of the city recorder and the same hereby are referred to and made a part hereof.

Section 2. That the said improvement was made by and through the street improvement department of the City of Stayton, and that the actual cost of making the said improvement has been ascertained and determined, which said total cost hereby is declared to be the sum of FIVE THOUSAND NINE HUNDRED NINE AND 14/100 DOLLARS, and the said amount thereby is assessed against the lots, parts of lots, and parcel of land adjacent to or abutting upon said portion of said street, as such premises are liable under the Charter and Ordinances of the City of Stayton, to pay for such cost and expense.

Section 3. That the proportionate shares of the total cost of the said improvement of the said street have been ascertained and determined and apportioned to each lot, part of lot, or part of land adjacent to or abutting upon said street, which said proportionate shares, together with the names of the owners thereof and descriptions of the property assessed, hereby are set out in section 4, and the said council hereby adjudges and declares that each lot, part of lot and parcel of land in section 4 described is and has been directly benefitted by the making of the said improvement in the full sum of money set opposite the description of each of said lots, parts of lots and parcels of land, and the said lots, parts of lots and parcels of land in section 4 described hereby are declared to be benefitted in the aggregate in the full sum of money specified in section 2 hereof, being the total price and cost of the construction of the improvement on said portion of said street.

Section 4. There hereby is assessed upon and declared to be a lien against each lot, part of lot, or parcel of land in the tabulated statement herein set out the amount set forth in the column opposite the description of each lot or part thereof or parcel of land as per the following statement of names, descriptions and amounts of property, the same being the designated amount of assessment as such lot, part of lot or parcel of land has hereinbefore been found liable for the actual cost of making the said improvement and in the proportion that each such lot, part of lot or parcel of land is liable for the cost of making the said improvement of said portion of said street, to-wit:

1. Tract described in Vol. 521, P. 459, Marion County Deed Records:

1133 N. Gardner Aven.  
Stayton, Oregon

OWNER: E. Dozler  
376 E. Virginia

630 l.f. concrete curb @ \$1.39/l.f.	\$ 875.70
2436 s.f. 4" sidewalk @ \$0.39/s.f.	950.04
218 s.f. 6" sidewalk, driveway @ \$0.58/s.f.	126.44
TOTAL	1,952.18

2. Tract Described as:

Lot 9 Block 1, Westown Park  
1236 Westchester Place, Stayton, Oregon

OWNER: E. Magee  
Address as above

135 l.f. concrete curb @ \$1.39/l.f.	187.65
540 s.f. 4" sidewalk @ \$0.39/s.f.	210.60
TOTAL	398.25

3. Tract described as:

Lot 8, Block 1, Westown Park  
1224 Westchester Place, Stayton, Oregon

OWNER: R. Tegen  
Address as above

125 l.f. concrete curb @ \$1.39/l.f.	173.75
500 s.f. 4" sidewalk @ \$0.39/s.f.	195.00
TOTAL	368.75

4. Tract described as:

Lot 6, Block 1, Westown Park  
1170 Westwood Drive, Stayton, Oregon

OWNER: G. Nokelby  
Address as above

140 l.f. concrete curb @ \$1.39/l.f.	194.60
560 s.f. 4" sidewalk @ \$0.39/s.f.	218.40
TOTAL	413.00

5. Tract described as:

Lot 5, Block 1, Westown Park  
1158 Westwood Drive, Stayton, Oregon

OWNER: R. T. Pharaoh  
Address as above

125 l.f. concrete curb @ \$1.39/l.f.	173.75
500 s.f. 4" sidewalk @ \$0.39/s.f.	195.00
TOTAL	368.75

6. Tract described as:

Lot 4, Block 1, Westown Park  
1136 Westwood Drive, Stayton, Oregon

OWNER: L. Creswell  
Address as above

110 l.f. concrete curb @ \$1.39/l.f.	152.90
440 s.f. 4" sidewalk @ \$0.39/s.f.	171.60
TOTAL	324.50

7. Tract described as:

Lot 3, Block 1, Westown Park  
1064 Westwood Drive, Stayton, Oregon

OWNER: Westown Properties, Inc.  
1094 N. 1st. Stayton, Oregon

100 l.f. concrete curb @ \$1.39/l.f.	139.00
400 s.f. 4" sidewalk @ \$0.39/s.f.	156.00
TOTAL	295.00

8. Tract described as:

Lot 2, Block 1, Westown Park  
1032 Westwood Drive, Stayton, Oregon

OWNER: J. D. Davis  
Address as above

100 l.f. concrete curb @ \$1.39/l.f.	139.00
400 s.f. 4" sidewalk @ \$0.39/s.f.	156.00
TOTAL	295.00

9. Tract described as:

Lot 1, Block 1, Westown Park  
1010 Westwood Drive, Stayton, Oregon

OWNER: C. J. Brenna  
Address as above

84 l.f. concrete curb @ \$1.39/l.f.	116.76
274 s.f. 4" sidewalk @ \$0.39/s.f.	106.86
TOTAL	223.62

10. Tract described as:

Lot 9 Block 5, Westown Park No. 3

OWNER: B. Philippi  
Philippi Motor Co.  
1094 N. 1st.  
Stayton, Oregon

68 l.f. concrete curb @ \$1.39/l.f.	94.52
208 s.f. 4" sidewalk @ \$0.39/s.f.	81.12
TOTAL	175.64

11. Tract described as:

Lot 8, Block 5, Westown Park No. 3

OWNER: Westown Properties, Inc.

75 l.f. concrete curb @ \$1.39/l.f.	104.25
300 s.f. 4" sidewalk @ \$0.39/s.f.	117.00
TOTAL	221.25

12. Tract described as:

Lot 7, Block 5, Westown Park No. 3

OWNER: Westown Properties, Inc.

80 l.f. concrete curb @ \$1.39/l.f.	111.20
320 s.f. 4" sidewalk @ \$0.39/s.f.	124.80
TOTAL	236.00

13. Tract described as:

Lot 6, Block 5, Westown Park No. 3  
920 Westwood Drive, Stayton, Oregon

OWNER: J. D. Holland  
Address as above

136 l.f. concrete curb @ \$1.39/l.f.	189.04
544 s.f. 4" sidewalk @ \$0.39/s.f.	212.16
TOTAL	401.20

14. Tract described as:

Lot 1, Block 6, Westown Park No. 4

OWNER: J. M. Rex  
P.O. Box 117  
Terrebonne, Oregon 97760

80 l.f. concrete curb @ \$1.39/l.f.	111.20
320 s.f. 4" sidewalk @ \$0.39/s.f.	124.80
TOTAL	236.00

TOTAL COSTS \$5,909.14

Section 5. That the recorder hereby is directed to enter in the lien docket of the City of Stayton a statement of all the assessments made by the ordinance, the same to be entered in due and regular form as provided by Charter and Ordinances of the City of Stayton.

Section 6. That the ownership of the several lots, parts of lots and parcels of land liable for said assessment is found to be in the person, persons, firm or corporation whose names appear in the apportionate column of descriptions of said lots, parts of lots and parcels of land, and the recorder hereby is directed to prepare and the Chief of Police to serve upon such owners a notice of such assessment and lien, and the recorder further is directed to serve such notice by publication upon such owners upon whom personal service cannot be had within the said City of Stayton, all in accordance with the provisions of the Charter and Ordinances of the City of Stayton.


Section 7. It hereby is adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety; and, owing to the urgent necessity of maintaining the public credit, an emergency is declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage.

PASSED by the Common Council this 3rd day of ~~December, 1971.~~ <sup>January, 1972.</sup>

SIGNED by the Mayor this 3rd day of ~~December, 1971.~~ <sup>January, 1972.</sup>

  
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Marcel Van Driesche, Mayor

ATTEST:

  
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John J. Schroeder, Recorder