

ORDINANCE NO. 564, SERIES 1911.

AN ORDINANCE providing for the issuance and sale of improvement bonds for bonded assessments in Improvement District Nos. 9, 16 and 17 in the time and manner provided by Chapter 5, Title 26 of Lord's Oregon Laws for the purpose of paying for the improvement of Fourth street between O avenue and Depot street, Jefferson avenue from the north curb line of Greenwood street to the south curb line of Fir street, and Sixth street along lot five (5) in block sixty (60) Chaplin's addition to the city of La Grande, and between the east line of Washington avenue to the north curb line of N avenue in the city of La Grande, Oregon.

WHEREAS, the city of La Grande by resolutions duly passed by the council deemed it expedient and necessary to improve Sixth street, Jefferson avenue and Fourth street by laying thereon cement sidewalks; and

WHEREAS, Standard plans and specifications have been heretofore duly passed and adopted for the construction of said cement sidewalks; and

WHEREAS, notice of the intention of the council to improve said streets has been duly given to the property owners, who property abutts upon upon said streets respectively and which is specially benefited by said improvement; and

WHEREAS, a hearing was duly granted to any person feeling aggrieved before said council; and

WHEREAS, the council of the city of La Grande met at the council chambers in the city of La Grande on the respective days at the hours specified for the respective hearings on said proposed improvements and at each of said meetings there were no objections, remonstrances, or other claims of any person feeling aggrieved; and

Whereas, such proceedings were by the council that proposals were invited for the construction of said cement sidewalks, and within said respective times bids were received and one of them accepted; and

Whereas, such proceeding were thereafter duly had in the premises that ordinances were duly and regularly passed authorizing the mayor and recorder to enter into contracts for the improvement of said streets heretofore mentioned by laying cement sidewalks in accordance with said plans and specifications; and

Whereas, the work provided for in said contracts was completed and accepted by the city of La Grande, and the council by resolution determined the cost of making such improvements and duly met and considered and completed the assessments to cover the cost of proposed improvements and did apportion the costs cost and expenses of such improvement upon and among the several parcels of property affected and benefited thereby, and in no wise did such assessments exceed such benefits; and

Whereas, the council, after having apportioned the costs and expense of such improvement upon the property abutting to such improvement declared the same by ordinance and directed the recorder of the city of La Grande to enter a statement thereof in the docket of city liens, and which ordinances are ordinances Nos. 473, 489

and 503, series 1910, and

Whereas, the recorder of the city of La Grande did thereafter enter a statement of such assessments in the docket of city liens of the city of La Grande, and gave notice thereof to all property owners whose property is assessed by publication thereof in the manner prescribed by the charter of said city, proof of the giving of which notices is now on file in the office of the recorder of said city; and

Whereas, among other parcels of property especially benefited by said improvement and included within said assessment district, together with the names of the owners thereof, and the amount apportioned against each lot or part thereof or other parcel of land within such assessment district, is the following, to-wit:

SIXTH STREET.
Chaplin's Addition to the city of La Grande.

First Baptist Church of La Grande, lot 8, block 102 ... \$28.35
First Baptist Church of La Grande, lot 9, block 102 ... 29.40
M. Rosenbaum, lot 5, block 60 135.70

FOURTH STREET.
Chaplin's Addition to the City of La Grande.

M. H. Kirtley, lots 5, 6 and N. 25 feet of lot 7, block 97 ... \$112.04

JEFFERSON AVENUE.
Chaplin's Addition to the City of La Grande.

Lucy C. Woods, lot 5, block 111 \$ 84.60
Lucy C. Woods, lot 6, block 111. 84.60
Lucy C. Woods, N 1/2 of lot 7, block 111. 42.30

John Wilson, lots 8, 9, 10, 11, 12 and 13, block 111 ... 465.30

Jennie Masterton, lots 14 and 15, block 111 ... 181.20

Peter Pengruber, lots 16 and 17, block 111 ... 217.65

O. V. Shafer, N 1/2 of lot 8 and S 1/2 of lot 7, block 111 ... 84.60

And, whereas, each of the above named owners within ten days after such notice of such assessments were first published duly filed with the recorder of the city of La Grande a written application to pay in installments said assessments so assessed against his respective parcel of property, each and all of which said applications stated that the said applicant and property owner did thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street for which said assessment was levied, and the apportionment of the cost thereof. Each of said applications also contained a provision that said applicant and property owner agreed to pay said assessment in ten annual installments with interest thereon at the rate on all of said installments which have not been paid as that expressed in the bond issued to pay for such improvement, to-wit, at the rate of six per cent per annum. Said application also contained a statement by lots or blocks or other convenient description of the property of the applicant assessed for such improvement; and

Whereas, said applications are separate and are now on file in the office of said recorder of the city of La Grande and in a book kept for that purpose under separate heads for each street improvement, the said recorder has entered the date of the filing of each application, the name of the applicant, a description of the property and the amount of the assessment shown in the application; and

Whereas, immediately after the expiration of the time for filing applications for the payment of said assessments by installments, the said recorder entered in the bond lien docket of said city under separate heads, for each street, each name or number, a description of each lot or parcel of land or other property against which such assessment is made or which bears or is chargeable for the cost of such improvement with the name of the owner and the amount of such unpaid assessment; and

Whereas, the amount of such unpaid assessments aggregate the sum of \$1,474.77.

Now, therefore, the city of La Grande does ordain as follows:

Section 1. That the city of La Grande issue its bonds in all equal to the total amount of \$1,474.77 being the total amount of unpaid assessments for cement sidewalk improvement in Assessment Districts Nos. 9, 16 and 17 for which application to pay the same have been filed as shown by the bond lien docket of said city, which said bonds shall be numbered from 257 to 259, both inclusive, consecutively, and shall be in denominations of \$500.00 each, except bond No. 259, which shall be for the sum of \$474.77.

Said bonds shall bear date November 1st, 1911, and shall by the terms thereof, mature in ten years from said date thereof, and be payable in gold coin of the United States, and bear interest at the rate of six per cent per annum, payable semi-annually, on the first day of May and November of each year, said interest to be evidenced by coupons attached to said bonds, both principal and interest being available at the office of the city treasurer in La Grande, Oregon.

Said bonds shall be designated "Improvement Bonds" and shall have attached thereto twenty coupons, representing semi-annual interest payments. Such bonds before issuance shall be signed by the mayor of the city, countersigned by the recorder of the city of La Grande, and authenticated by the seal of such city attached thereto, and shall be registered consecutively by number and denomination of each in the improvement bond register of said city. Said bonds shall have distinctly and plainly inscribed or printed on the face thereof, the register number of said bond, and the words "Improvement Bonds" with the name of the city issuing the same.

Said bonds shall be in substantially the following form:

UNITED STATES OF AMERICA.
CITY OF LA GRANDE,
STATE OF OREGON,
IMPROVEMENT BOND.

KNOW ALL MEN BY THESE PRESENTS: That the city of La Grande, in the county of Union, State of Oregon, for value received hereby agrees and promises to pay the BEARER the sum of FIVE HUNDRED DOLLARS, in gold coin of the United States of America on the presentation and surrender of this obligation on the first day of November, in the year of our Lord, One thousand, nine hundred and twenty-one without grace, with interest thereon from the date hereof until redeemed or until the time of the semi-annual interest payment next ensuing the publication of notice by the city of La Grande, that this bond will be taken up and cancelled, and that interest thereon will cease at the interest payment period next following such publication at the rate of six per cent per annum payable semi-annually in like coin on the first day of May and the first day of November, in each year on the presentation and surrender of the proper coupons hereto annexed.

Principal and interest payable at the office of the treasurer of the city of La Grande.

This bond is one of a series authorized by the acts of the legislative assembly of the state of Oregon for the issuance of bonds for the improvement of streets and the laying of sewers in incorporated cities and for the payment of the cost of such improvements by installments and is an obligation of the city of La Grande aforesaid and is not to be redeemed or taken to be within or any part of the limitations by law as to the indebtedness of said city, and it is further certified that all the requirements of law have been fully complied with by the proper officers in issuing this bond and that the total amount of this issue does not exceed the limits prescribed by said acts.

This bond is redeemable at the office of said treasurer at the option of the city of La Grande upon the payment of the face value thereof with accrued interest to the date of payment at any semi-annual coupon period at or after one year from the date hereof as provided in said acts.

For the fulfillment of the conditions of this obligation the faith and credit of the city of La Grande are hereby pledged.

IN WITNESS WHEREOF this bond has been signed by the mayor and attested by the recorder of said city of La Grande, and the corporate seal of the city of La Grande affixed this first day of November, A. D. 1911.

ATTEST:—
Recorder of the City of La Grande.

(Form of coupon to be numbered from one to twenty inclusive with signatures of the mayor and recorder engraved thereon.)

CITY OF LA GRANDE,
STATE OF OREGON.

Will pay to the bearer fifteen dollars in gold coin of the United States of America at the office of the treasurer of said city on the first day of

(May) or (November) being six months interest on improvement bond No. unless said bond is redeemed as therein provided which redemption will render this coupon void.

Mayor.

Recorder of the City of La Grande.

Section 2. Said bonds shall be advertised for sale by the recorder of the city of La Grande by publication thereof in six issues of the La Grande Evening Observer, said publication to appear not less than five days prior to the date fixed in said notice for the sale thereof, and in at least one issue of the Portland Daily Abstract of Portland, Oregon, and in some financial paper published at Denver, Colorado, and shall be sold for the highest price obtainable, but for not less than par and accrued interest.

The proceeds derived from such sale shall be paid by the purchaser to the treasurer of the city of La Grande and shall be placed by him to the credit of funds to be known and designated as "improvement bond sinking fund" and "improvement bond interest fund," respectively, subject to disposition as in Title 26, Chapter V, of Lord's Oregon Laws provided.

Section 3. From and after the passage and taking effect of this ordinance the mayor and recorder of the city of La Grande are hereby authorized, directed and empowered to cause to be issued and printed and duly executed improvement bonds of the city of La Grande, Oregon, in denominations as hereinbefore stated and of the form as herein fully set forth, and in all equal to the total amount of unpaid assessments for said streets and avenues for which applications have been filed as shown by said bond lien docket.

Section 4. This ordinance shall take effect from and after its passage, approval by the mayor and publication in one issue of the La Grande Evening Observer.

Passed the common council of the city of La Grande this 25th day of October, 1911, by five councilmen voting therefor.

Approved this 27th day of October, 1911.

A. L. RICHARDSON,
Mayor.

C. M. HUMPHREYS,
Recorder of the City of La Grande.

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