

CITY NOTICES.

ORDINANCE NO. 248.

An ordinance declaring the assessment on the property benefited for the cost of laying a water main on Clark street and directing the Recorder to enter a statement thereof in the water main lien docket.

The city of Medford doth ordain as follows:

Section 1. Whereas, the city council did heretofore by resolution declare its intention to lay a 6-inch water main on Clark street, West, throughout its entire length to west corporation boundary and to assess the cost thereof on the property fronting on said portion of said street in proportion to the frontage of said property, and did fix a time and place for hearing protests against the laying of said water main on said portion of said street and the assessment of the cost thereof as aforesaid; and

Whereas, said resolution was duly posted and published as required by section 116 of the charter of said city; and

Whereas, a meeting of the council was held at the time and place fixed in said resolution for the purpose of considering any such protests, but no protests were at such time or at any time made to or received by the council to the laying of said water main or to the assessment of the cost thereof as aforesaid, and said council having considered the matter, and deeming that said water main was and is of material benefit to said city and that all property to be assessed therefor would be benefited thereby to the extent of the probable amount of the respective assessments to be levied against said property, did order said water main laid; and

Whereas, the cost of said water main has been and hereby is determined to be the sum of \$2715.27.

Now, therefore, it is hereby further determined that the proportionate share of the cost of laying said water main of each parcel of the property fronting on said portion of said street is the amount set opposite the description of each piece or parcel of land below and that each such piece or parcel of land is benefited by the laying of said water main to the full extent of the amount so set opposite the description of such piece or parcel, and that the respective amounts represent the proportional benefits of said water main to said respective parcels of property and also the proportional frontage thereof on said portion of said street, and the council does hereby declare each of the parcels of property described below to be assessed and each of the same hereby is assessed the amount set opposite each respective description for the cost of laying said water main:

ASSESSMENT FOR A SIX-INCH WATER MAIN ON CLARK STREET, WEST, THROUGHOUT ITS ENTIRE LENGTH TO CORPORATE LIMITS.

Assessment No. 1—William Bain, commencing at a point 30 feet north and 8.02 chains west of the southeast corner of lot 5, in block 2, Mings sub-division in section 24, township 37 south, range 2 west of the W. M. and running thence north 6.45 chains to center of the county road, thence south 42 degrees and 42 minutes west along said county road 8 and 73 chains, more or less, to a point situated 30 feet north of the south line of said lot 5, thence east parallel with and 30 feet north of said south line of said lot 5, 5.48 chains to place of beginning, and containing 1.88 acres, more or less, frontage 385.44 feet on north side Clark street, West, described Vol. 49, page 175, county recorder's records of Jackson county, Oregon; 385.44 feet; rate per foot 72-2-10 cents; amount due, \$278.28.

Assessment No. 2—A. W. Sturgis, commencing at a point 30 feet north and 3 chains, 80 links west of the southeast corner of lot 5, block 2, Mings sub-division in section 24, township 37 south, range 2 west of W. M. and running thence west 4 chains, 22 links, thence north 6 chains, 45 links to the center of county road, thence north 42 degrees, 15 minutes east along the center line of said county road, 6 chains, 30 links, more or less, to a point situated north of the place of commencing, thence south 11 chains, 7 links, to the place of commencing, containing 3.52 acres, more or less, frontage 278.52 feet on north side Clark street, West, described Vol. 59, page 195, county recorder's records of Jackson county, Oregon; 278.52 feet; rate per foot, 72-2-10 cents; amount due, \$201.09.

Assessment No. 3—J. T. Eads, commencing 30 feet north of the southeast corner of lot 5, block 2, Mings sub-division section 24, township 37 south, range 2 west to W. M., Jackson county, Oregon, and running thence west parallel with south line of said lot 3 chains, 80 links, thence north parallel with east line of said lot 11 chains, 7 links, more or less, to the center of county road along the northwest side of said

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lot, thence northeasterly along center line of said county road to a point north of northeast corner of said lot, thence south to and along east line of said lot 15 chains, 25 links, more or less, to beginning, containing 5 acres, more or less, frontage 250.8 feet on north side Clark street, West, described Vol. 62, page 456, county recorder's records of Jackson county, Oregon; 250.8 feet; rate per foot, 72-2-10 cents; amount due, \$181.07.

Assessment No. 4—Gertrude E. Weeks, commencing at the northwest corner of lot 3, block 2, Mings sub-division section 24, township 37 south, range 2 west of W. M. in Oregon, and running thence 2 chains, 87 links, thence south 6 chains, 37 1/2 links to within 30 feet of the south line of said lot, thence west 2 chains, 87 links, thence north on west line of said lot 6 chains, 37 1/2 links to place of commencing, containing 1.83 acres, more or less, frontage 189.42 feet on north side Clark street, West, described Vol. 63, page 524, county recorder's records of Jackson county, Oregon; 189.42 feet; rate per foot, 72-2-10 cents; amount due, \$136.76.

Assessment No. 5—W. M. Erskine, commencing at a point on north line of lot 3, block 2, Mings sub-division section 24, township 37 south, range 2 west of W. M., situated 2 chains 87 links east of the northwest corner of said lot and running thence east on said north line 4 chains, 70 links, thence south 6 chains, 37 1/2 links to within 30 feet of south line of said lot, thence west parallel with and 30 feet north from said south line 4 chains, 70 links, thence north 6 chains, 37 1/2 links to place of beginning and containing 3 acres, more or less, excepting and reserving from the above a piece of land 100 feet square off southeast corner of the described land heretofore sold and marked Z on plat, frontage 210.2 feet on north side Clark street, West, described Vol. 65, page 195, county recorder's records of Jackson county, Oregon; 210.2 feet; rate per foot, 72-2-10 cents; amount due, \$151.76.

Assessment No. 6—J. C. Emerick, commencing at a point on the north line of lot 3, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., situated 3 chains, 13 links west of the northeast corner of said lot 3 and from said point running thence south to within 30 feet of south line of said lot 3, thence west parallel with the said south line 3 chains, 93 links, thence north to north line of said lot 3, thence east on said north line 3 chains, 93 links, to place of beginning, containing 2 1/2 acres, more or less, frontage 258.72 feet on north side Clark street, West, described Vol. 61, page 331, county recorder's records of Jackson county, Oregon; 258.72 feet; rate per foot, 72-2-10 cents; amount due, \$186.79.

Assessment No. 7—Paul Krutzler, commencing at a point on east line of lot 3, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., situated 30 feet north of southeast corner thereof and running thence north on said east line to the northeast corner of said lot, thence west on north line of said lot 3, 3 chains, 13 links, thence south to within 30 feet of the south line of said lot and thence east 3 chains, 13 links to place of commencing, containing 2 acres, more or less, frontage 206.58 feet north side Clark street, West, described Vol. 47, page 158, county recorder's records of Jackson county, Oregon; 206.58 feet; rate per foot, 72-2-10 cents; amount due, \$149.15.

Assessment No. 8—Geo. A. Donher, commencing at a point 30 feet south of the northeast corner of lot 2, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., running thence south 100 feet, thence west at right angles with aforesaid line 3 chains, 13 links, thence north parallel with east line 100 feet, thence east to place of beginning, frontage 206.58 feet on north side Clark street, West, described Vol. 70, page 132, county recorder's records of Jackson county, Oregon; 156.58 feet; rate per foot, 72-2-10 cents; amount due, \$113.05.

Assessment No. 9—John Haertle, commencing at a point in Mings sub-division, section 24, township 37 south, range 2 west of W. M., 206.6 feet west and 220 feet north of the southeast corner of lot 2, block 2, in said sub-division, and running thence north 200 feet to the south line of the street, thence west 100 feet thence south 200 feet, thence east 100 feet to beginning point, frontage 100 feet on south side Clark street, West, described Vol. 58, page 243, county recorder's records of Jackson county, Oregon; 100 feet; rate per foot, 72-2-10 cents; amount due, \$72.20.

Assessment No. 10—Frances A. Bliss, commencing at a point on south line of lot 2, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., 3 chains, 13 links west of the southeast corner of

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said lot and running thence north parallel with east line of said lot to within 30 feet of north line thereof, thence west parallel with and 30 feet distance south from said north line 3 chains, 13 links, thence south to south line of said lot, thence east to place of beginning, containing 2 acres, in Jackson county, Oregon, frontage 106.58 feet on south side Clark street, West, described Vol. 36, page 233, county recorder's records of Jackson county, Oregon; 106.58 feet; rate per foot, 72-2-10 cents; amount due, \$76.95.

Assessment No. 11—L. O. Howard, commencing at a point 20 feet south and 6 chains, 26 links west of the northeast corner of lot 2, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M. and running thence south 6 chains, 37 1/2 links to the south line of said lot 2, thence west on said south line 2 chains, 11 links, thence north 6 chains, 37 1/2 links to within 30 feet of the north line of said lot 2, thence east parallel with said north line 2 chains, 11 links to place of commencing, containing 1.34 acres, more or less, frontage 139.26 feet on south side Clark street, West, described Vol. 50, page 623, county recorder's records of Jackson county, Oregon; 139.26 feet; rate per foot, 72-2-10 cents; amount due, \$100.54.

Assessment No. 12—Earnest Richter, et. ux., commencing at the southwest corner of lot 2, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., and running thence north on the west line of said lot 2 within 30 feet of said west corner thereof, thence east parallel with and 30 feet distant from said north line 6 chains, 26 links, thence south to the south line of said lot, thence west on said south line 6 chains, 26 links to place of commencing, containing 4 acres, more or less, frontage 413.16 feet on south side Clark street, West, described Vol. 48, page 552, county recorder's records of Jackson county, Oregon; 413.16 feet; rate per foot, 72-2-10 cents; amount due, \$298.30.

Assessment No. 13—Earnest Richter, et. ux., beginning at a point 30 feet south of the northeast corner of lot 6, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M., and running thence west 1 chain, 56 1/2 links, thence south to the south line of said lot 6, thence east 1 chain, 56 1/2 links to southeast corner of said lot 6, thence north on east boundary line thereof to place of beginning, containing 1 acre, more or less, frontage 103.29 feet on south side Clark street, West, described Vol. 53, page 583, county recorder's records of Jackson county, Oregon; 103.29 feet; rate per foot, 72-2-10 cents; amount due, \$74.57.

Assessment No. 14—Richard F. Antle, commencing at a point 30 feet south 1 chain, 56 1/2 links, west of northeast corner of lot 6, block 2, Mings sub-division, section 24, township 37 south, range 2 west of W. M. and running thence west 1 chain, 56 1/2 links, thence south to south line of said lot 6, thence east 1 chain, 56 1/2 links, thence north to place of beginning, containing 1 acre, more or less, and being the west half of the 2 acre tract in lot 6 above mentioned, frontage 103.29 feet on south side Clark street, West, described Vol. 72, page 355, county recorder's records of Jackson county, Oregon; 103.29 feet; rate per foot, 72-2-10 cents; amount due, \$74.57.

Assessment No. 15—L. L. Hamilton, commencing at a point on south line of lot 6, block 2, Mings sub-division section 24, township 37, south, range 2 west, W. M., and situated 3 and 13 chains west of the southeast corner of said lot and from said point running thence west on the south line of said lot 2.09 chains, thence north 6.37 1/2 chains to within 30 feet of north line of said lot, thence east 2.09 chains, thence 6.37 1/2 chains to place of beginning, containing 1.34 acres, more or less, frontage 137.94 feet on south side Clark street, West, described Vol. 40, page 160, county recorder's records of Jackson county, Oregon; 137.94 feet; rate per foot, 72-2-10 cents; amount due, \$99.59.

Assessment No. 16—Mathies Demmer, commencing at the southwest corner of lot 6, block 2, Mings sub-division, section 24, township 37 south, range 2 west, W. M., Jackson county, Oregon, and running thence east on south line of said lot 9 chains and 41 links, thence north at right angles to said south line to within 30 feet on north line of said lot, thence west parallel with 30 feet distance south from north line of said lot to southerly line of county road, crossing northwest corner of said lot, thence south 42 degrees, 15 minutes west on said southerly line of said county road to west line of said lot, thence south on said west line of said lot to place of beginning, containing 6 acres, frontage 621.06 feet north side Clark street, West, described Vol. 31, page 590, county recorder's records of Jackson county, Oregon;

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621.06 feet; rate per foot, 72-2-10 cents; amount due, \$448.40.

Assessment No. 17—M. A. Broker, commencing at a point situated 30 feet north and 7 chains, 6 links west of the southeast corner of lot 3, block 2, Mings sub-division, section 24, township 37 south, range 2 west, W. M. and running thence west 100 feet, thence north 100 feet, thence east 100 feet, thence south 100 feet to place of beginning, frontage 100 feet north side Clark street, West, described Vol. 62, page 213, county recorder's records of Jackson county, Oregon; 100 feet; rate per foot, 72-2-10 cents; amount due \$72.20.

Section 2. The recorder of the city of Medford is hereby directed to enter a statement of said several assessments in the water main lien docket of said city as required by the city charter.

The foregoing ordinance was passed by the city council of the city of Medford on the 22nd day of October, 1909, by the following vote: Merrick, ay; Welsh, ay; Eifert, ay; Emerick, absent; Wortman, ay; Demmer, ay.

Approved October 23rd, 1909.

W. H. CANON, Mayor.
ROBT. W. TELFER, Recorder.

ORDINANCE NO. 249.

An ordinance granting to E. C. Sharpe, his associates, his successors or assigns, the right to construct, erect, maintain and operate in the city of Medford, county of Jackson, state of Oregon, and in the streets, alleys, avenues and thoroughfares thereof, subject to the approval of the city council, wires, conductors and other appliances for the transmission of electricity for telephones, telegraph and messenger service, for the purpose of carrying on a telephone, telegraph and messenger business in said city.

The city of Medford doth ordain as follows:

Section 1. The rights and privileges are hereby granted to E. C. Sharpe, his associates, his executors, administrators, successors or assigns, subject to the approval of the city council, to construct, lay, maintain and operate in the city of Medford, county of Jackson, state of Oregon, including all the streets, alleys, avenues and thoroughfares thereof, poles, wires and other conductors and cables necessary excavations, construct and build and maintain a telephone, telegraph and messenger service and to do a telephone, telegraph and messenger service business in said city, such wires, poles and other fixtures and appliances commonly used in such work and construction, are to be placed in proper places and at proper distances above and below ground as the case may require, and such other apparatus may be used as may be necessary or proper to maintain and operate the same, but such poles and other apparatus shall be set in place and maintained so as not to interfere with the free use of said streets, alleys, avenues and thoroughfares.

Section 2. It shall be lawful for said grantee, his associates, his executors, administrators, successors or assigns to make needful and convenient repairs and excavations in any of said streets, alleys, avenues and thoroughfares in said city of Medford, for the purpose of erecting poles, placing wires, cables and other appliances and fixtures, and to maintain the same for the purpose aforesaid, when done in accordance with the resolution and ordinances of the said city of Medford.

Section 3. Whenever said grantee, his associates, his executors, administrators, successors or assigns shall disturb any of said streets, alleys, avenues and thoroughfares thereof for the purpose aforesaid, they shall restore the same to as good order and condition as when before disturbed as soon as possible, and without unnecessary delay, and failing to do so, the city council or other governing body of said city of Medford shall have the right to fix by resolution a reasonable time within which such repairs and restoration of streets shall be completed, and if repairs are not complete at expiration of time fixed by council, then the city can cause such repairs to be made (by resolution of council) and make a reasonable charge and collect same from said grantee, his associates, etc.

Section 4. The grantee, his associates, his executors, administrators, successors and assigns shall at the time of construction, as aforesaid and set forth therein, file with the city council a plat showing the location of such streets, alleys, avenues and thoroughfares as is to be so occupied, and the same shall be presented to the city council for approval.

Section 5. The maximum rate of telephone rentals to be charged for each telephone service shall be as designated in the following table

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showing the various kinds of service with their respective rates:

\$3.00 per month for individual main line business service.

\$2.00 per month for individual main line residence service.

\$2.50 per month for two party selective ringing business service.

\$1.50 per month for two party selective ringing residence service.

\$1.25 per month for four party selective ringing residence service.

It is hereby understood and agreed that the above table of rates shall be maintained as a permanent agreement until said grantee shall have installed and operate through said exchange not less than one thousand connected telephones within the city limits of the city of Medford. When the actual number of operating telephones shall have exceeded one thousand connected telephone services then said grantee, his associates, his executors, successors or assigns shall have the right to increase the above mentioned monthly rates not to exceed fifty cents per month for each telephone service so connected in service.

Section 6. Nothing in this ordinance shall be construed as in any wise to prevent the proper authorities of said city of Medford from sewerage, grading, paving, repairing, or altering any of the streets on which said grantee, his associates, his executors, etc., are operating on.

Section 7. The grantee, his associates, his executors, administrators, successors or assigns shall after receiving notice from the proper authorities of said city of Medford, remove, raise or lower his wires, cables, etc., on any of the streets of said city, to admit free passage of any house or houses which are being moved upon said streets by the authority given by said city, said notice to be served upon said grantee, his associates, his executors, etc., not less than thirty-six hours before such removal of said wires, cables or other fixtures is required.

Section 8. In consideration of the rights granted, the city of Medford, by its proper authorized officers, shall have the right to suspend upon the poles placed by said grantee, his associates, his successors, executors or assigns, in the streets as aforesaid, any or all the wires which may be required for fire alarm or police, telegraph service and for no other purposes except those mentioned in this section.

Section 9. The grantee shall furnish and maintain free six telephone services to the city of Medford, and one additional telephone service for each additional fire station hereafter maintained by the city. The said services to be placed as may be designated by the city council.

Section 10. Said grantee, his associates, his executors, etc., agree to begin actual work on the things mentioned in this ordinance within four months from its passage and taking effect, and prosecute the same with diligence until substantially complete.

Section 11. Said grantee, his associates, his executors, etc., further agree that to violate any of the conditions herein set forth, time being the essence hereof, will be sufficient cause to annul all privileges herein set forth, mentioned and described.

Section 12. The rights, privileges and franchise herein granted shall continue and be in full force for a period of ten (10) years from the passage of this ordinance and no longer.

Section 13. Said grantee shall, within ten days after the passage of this ordinance file with the city clerk his written acceptance of this franchise.

Section 14. It is further agreed that the style of equipment shall be of the most modern make.

Section 15. The said grantee is to remove and change the location of any pole or poles or appliances when so directed by the city authorities within fifteen days after receiving such notice and such removals or changes to be made in accordance with the resolution of the city council.

Whenever, by reason of concentration of business and traffic on any portion of any street or avenue, it is, in the opinion of the city council essential to the safety of property and the convenience of the public that all poles and overhead wires be removed from said portion of said street or avenue, the city council may by resolution declare such condition to exist, and thereupon said grantee agrees to promptly proceed to cause all poles and overhead wires to be removed from said portion of said street or avenue and place upon some other street, alley or avenue, or to cause said wires to be buried beneath the surface of said portion of said street or avenue as said city council may direct.

Section 16. The style of construction to be of the full multiple type cable system on all outside construction, including the main street of the city and other streets as far as consistent.

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Section 17. This franchise is not to be transferred either directly or indirectly to the American Bell Telephone Company or any subsidiary company thereof, or to any telephone company doing a competitive telephone business.

Section 18. The said grantee further agrees to hold the city free from all harm and damages arising from any negligence or otherwise upon the part of the grantee while constructing and operating the said telephone plant within the city of Medford.

Section 19. Said grantee agrees that he will, at all times, and upon reasonable terms, permit any company, association, person or persons, operating or owning a telephone system or line without the city of Medford to make connections with his said telephone system, and that he will afford such company, association, person or persons connection with his subscribers in the city of Medford.

Section 20. In consideration of the rights granted, the said E. C. Sharpe, his associates, his successors, or assigns, do hereby covenant and agree to make and furnish the said city of Medford, on or before the first day of August of each year, a true and complete statement showing the gross receipts of the telephone, telegraph and messenger service business, and all thereof conducted pursuant to this franchise, for the six months preceding the first day of January and the first day of July, respectively, next before the date of said report. Said report and statement shall be verified by the oath of the person in the active management of said business and having actual knowledge of the facts therein set forth.

And the said E. C. Sharpe, his associates, successors, and assigns, hereby covenant and agree to pay at said time to the city of Medford, as a consideration for the rights herein granted, an amount equal to three per cent. of the gross receipts aforesaid. Said payments to be made on or before the first day of each and every February and August, covering the six months ending on the first day of January and July respectively, immediately preceding the date of said payment.

And the said E. C. Sharpe, his associates, successors, and assigns, also further covenant and agree that they will pay at said times as great a percentage of their gross receipts to said city as is paid to said city by any other person, association or corporation doing a telephone, telegraph or messenger service in said city, for the privilege of using the streets, alleys or thoroughfares of said city for the transaction of such business.

Section 21. This ordinance shall be void and the rights hereby granted shall lapse and terminate absolutely unless the said grantee shall within ten days from this date file with the city recorder of the city of Medford his written acceptance of all terms and conditions hereof, and shall at said time deposit with said city recorder his certified check, drawn upon a bank doing business in the city of Medford, in the sum of one thousand dollars (\$1000), payable to

(Continued on Page 6.)

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