



**This Week's Meat Special**  
**BACON** Sliced, Swift's Oriole lb. **69c**

**CHRISTMAS PACK**  
**OREGON PRUNES**  
 Wooden Boxes For Mailing  
**5 lbs \$1.19 10 lbs \$2.35**

**HOLLY WREATHS**  
 Loose Holly Christmas Corsages  
 Potted Plants -- Cut Flowers

WATCH THIS AD WEEKLY FOR TIMELY MEAT VALUES!



Beaverton 3661 We Give S & H  
 Broadway 7960 Green Stamps  
**Miller's QUALITY FOODS**

**LEGAL NOTICE**

**ORDINANCE NO. 263**  
 AN ORDINANCE DEFINING THE PROCEDURE FOR THE ESTABLISHMENT OF SEWER DISTRICTS; CONSTRUCTION OF SEWER SYSTEMS THEREIN; ASSESSING AND COLLECTING THE COST THEREOF BY THE BENEFIT METHOD; AND DECLARING AN EMERGENCY. WHEREAS, the people of the City of Beaverton have amended their charter providing for the creation of sewer districts and the construction of collection systems or lateral sewer within the district, and authorizing the costs thereof to be collected by assessment against the benefitted property; and

WHEREAS, It is necessary for the City of Beaverton to establish a procedure to accomplish said result.

NOW, THEREFORE, THE CITY OF BEAVERTON DOES ORDAIN AS FOLLOWS:

**Section 1.** The City Council of the City of Beaverton shall, when in its discretion it is necessary or advisable so to do, lay out and establish sewer districts in the city and cause to be constructed and laid down, lateral sewers or collection systems therein, with the necessary man-holes, catch basins, laterals and branches, to make said system an efficient unit to collect the sewage within the district and convey the same to the main trunk sewers of the city.

**Section 2.** In the construction of the sewer and the appurtenances set forth in Paragraph 1, the city shall have the right to lay the same upon the streets, avenues, lanes and alleys within the district, and in and upon private property therein, and in and upon property without the district or without the corporate limits of the City of Beaverton, where necessary to make the system within the district an efficient unit. All private property outside the city limits necessary to use for this purpose may be condemned by the city for public use in the manner provided by the General Laws of the State of Oregon.

**Section 3.** Whenever the City Council deems it necessary or advisable to create a sewer district within the city and to construct a sewer collection system therein, the cost of which is to be assessed to the property benefitted, the City Council shall pass a Resolution of its intention so to do, which Resolution shall state with convenient certainty, the location of said sewer or drain, the outlet thereof, and said Resolution shall describe with convenient certainty the boundaries

**LEGAL NOTICE**

of the district proposed to be assessed for the cost of the construction of said sewer or drain, which boundary shall be determined by the City Council, and which Resolution shall describe the character of the sewer or drain to be constructed, laid, re-laid, or repaired, and the time and place for hearing objections thereto, which hearing shall not be less than 14 days from the date of passage of such Resolution. Notice of said Resolution of intention and notice of the passage of said resolution of intention, together with a description of the boundaries of the district, shall be published for 2 consecutive issues in a weekly newspaper published in the City of Beaverton prior to the date of hearing, and 3 copies of the said notice shall be posted within the proposed district not less than 10 days prior to the date of the hearing, by the Recorder of the City.

**Section 4.** That any time prior to the hearing and up to the hour specified therefor in said Resolution, the owner or owners of any property in such district liable for the costs of said sewer or drain, or the repair thereof, as the case may be, may file with the Recorder a written remonstrance against the construction of the same, or against the inclusion of their property within said district, and the City Council at the time of said hearing or at any subsequent date which may be fixed by adjournment, shall hear such remonstrances and may, in its discretion, discontinue proceedings in the matter of such construction of sewer or drain, or may amend the boundaries of the district to exclude any portions of the property found not to be benefitted thereby, but if the City Council shall deem the sewer or drain necessary to the public health or convenience and find that all of the property within the district susceptible of being benefitted by the construction or repair thereof, it may over rule any and all said remonstrances or objections and proceed with the construction, laying down, or repair of such sewer or drain as if no remonstrances or objection had been made; and if no objections shall be filed, or if filed, shall have been over ruled, the City Council shall cause the City Engineer to estimate the total cost and expense of the construction of laying or repairing of such sewer or drain, and to file said estimate with the Recorder within such time as the City Council may prescribe, and may, thereafter, by ordinance, order the construction or repair of said sewer or drain and may in said ordinance, prescribe the time and manner of doing such work, and may thereupon, apportion the whole cost, based upon the estimate of the cost of the construction thereof upon the property benefitted thereby, including the cost of engineering, advertising, superintending, legal expense and any other expenses, and may include in this cost such portion of the cost of constructing a main trunk sewer within the district as shall be determined is the fair amount to be paid toward the cost of the trunk sewer that is also to be used as a portion of the collection or lateral system, and may also include in said cost, the cost of any portion of the collection or lateral sewer extended without the boundaries of the district, but which shall be necessary in order to connect the lateral or connecting system with the main trunk sewer.

The manner of assessing said costs shall be as follows: The entire cost of such lateral sewer or drain, determined as hereinbefore set forth, shall be apportioned upon all of the property within the limits of the sewer or drain district as fixed by the resolution of intention, and the ordinance ordering the construction thereof, upon the basis of benefits received by each tract, lot, or parcel of land, by the construction thereof, taking into consideration the distance of any tract, lot, or parcel of land from the main lateral or collection sewer and the cost of connection therewith.

**Section 5.** Immediately after such apportionment, the City Council shall direct the Recorder to give notice by publication in 2 consecutive issues of a weekly newspaper, published in the City of Beaverton, and by posting 3 copies of said notices in 3 conspicuous places in said sewer district, that the City Council has apportioned and is about to assess upon each lot, tract, or parcel of land benefitted by such sewer or drain, and liable to an assessment, its share of the entire cost and expense thereof, so estimated by the City Engineer, and such notice shall specify the time and place of the meeting of the City Council at which such assessment will be made. At the time specified in such notice or at such other time as may be fixed by adjournment, the City Council shall hear and determine all objections to the entire estimated cost of such sewer or drain and the apportionment thereof, and if objections shall be made and the apportionment thereof shall be found to be inequitable or unjust, the same shall be properly adjusted and apportioned. The City Council shall, by ordinance, then

**LEGAL NOTICE**

assess each lot, tract or parcel of land benefitted, particularly describing the same, with its just share of the cost of the sewer as estimated by the City Engineer, which assessment shall be final and conclusive. All assessments of all the property benefitted by such collection sewer within the district may be made in one ordinance.

**Section 6.** When such assessment for the construction or repair of said sewer or drain has been made, as provided hereinabove, the recorder shall enter the same in the docket of City Liens and notice of said assessment shall be given by the Recorder within ten days after the entry thereof within said docket. The notice shall be given by mail addressed to the owner, or his agent, if the postoffice address is known, and if unknown, be addressed to the owner at Beaverton, Oregon, and said notice shall also be published in one issue of a weekly newspaper published in the City of Beaverton. Proof of the giving of said notice and the publishing thereof, shall be shown by the affidavit of the Recorder and the publisher of the paper respectively. If within 30 days of the docketing thereof, the sum assessed upon any lot, tract or parcel of land, or part thereof, together with the cost of docketing the same be not paid to the Recorder of the city, or if an application has not been made to pay on installment as provided in O. C. L. A. 95-2101 et. seq. and amendments thereof, the City Council may at any time, order a warrant for the collection of such assessments to be issued by the Recorder and the assessments collected in the manner provided by O. C. L. A. 95-2001 et seq. and amendments thereof.

**Section 7.** Upon the approval of the sewer plan mentioned in Section 4 hereof, the City Council shall cause to be prepared and filed, complete specifications and estimates in detail of the amount of work and material required for the construction of the lateral sewer or drain systems. Thereupon, the City Council shall determine whether the construction thereof or any portion thereof shall be let by contract or shall be constructed by the city. If it is decided that the same, or some portion thereof, shall be constructed by contract, the Council shall cause notice to be given by publication for 2 successive issues in a weekly newspaper published in the City of Beaverton, inviting proposals for doing the work so ordered by the City Council, referring to the estimates and specifications on file therefor, and the bids shall be opened and contract or contracts awarded to the lowest responsible bidders for said work.

**Section 8.** If the City Council shall decide that such sewer or drain shall be constructed or repaired by the City of Beaverton, the same shall be ordered by the City Council and the work shall proceed under the direction and superintendence of the City Engineer. In this event the city shall proceed to construct the same by contract or otherwise. After the completion and acceptance thereof, and after the total cost of construction shall be ascertained, the City Council shall apportion and assess said cost upon the same basis as in this ordinance prescribed for apportionment and assessment of benefits where cost has been determined by estimates of the engineer. The cost, as apportioned and assessed shall be docketed in the docket of city liens and notice given and collection thereof made and enforced in the manner as hereinabove provided.

**Section 9:** In the event of the necessity of the laying or relaying any sewer or drain upon or across or through private real property, within the corporate limits of the City of Beaverton, the City Council shall, unless the right can be acquired by purchase or otherwise, proceed to acquire the same by condemnation, under the same procedure as is set forth in Ordinance No. 230 of the City of Beaverton, providing for the establishment of new streets. Three viewers appointed under this procedure to fix and assess the damages sustained by the owner or owners of the property sought to be con-

**LEGAL NOTICE**

demned shall deduct from any damages found to be sustained by the owner, any benefit received by him by the construction of such sewer; provided that whenever such right-of-way so condemned and appropriated across private real property is to be used as a part of the sewer or drain system in any sewer or drain district the damages so assessed and found to be due the owner shall be added as part of the construction cost of the sewer and drain system within such district. The owner or owners shall have the same right of appeal as is provided in the ordinance above referred to but such appeal shall not stay the construction of the sewer or drain if the City of Beaverton shall tender to the owner a warrant of the city for the amount of damages found by the viewers.

**Section 10.** The city council may provide for the creation of as many sewer districts and the construction of lateral systems therein, as may be necessary to properly serve all of the City of Beaverton. Whenever a sewer district has been formed and a sewer constructed therein, the cost shall always be apportioned and assessed to the property benefitted thereby, as provided in this ordinance. This provision shall not be construed as preventing the city from providing for one general trunk sewer system to serve all of the lateral and collection systems in the city, and which general trunk system and the disposal system constructed as a part thereof is to be paid for by general taxation or by sewer service charges against the residences and water users of the city or by both such methods as provided in the amended charter of the city.

**Section 11.** The City Council shall also prescribe the regulations for making sewer connections by the property owner to the sewer, and the expense of all connections or renewals or repairs thereto shall be borne by the property affected, and if not paid, shall be assessed to the property and collected in the manner herein provided for assessing and collecting the proportionate share of the original cost of the lateral or collection system.

**Section 12:** Whenever a lateral or collection sewer system or drain shall have been constructed as herein provided, and the costs thereof have been assessed, based upon an estimate made by the engineer as herein provided, and it shall be found after the construction thereof has been completed, that the funds so derived are or will be insufficient to defray the total cost of the construction of such system, a supplemental assessment may be made upon the property benefitted in the amount of the excess of the actual costs over the estimated costs previously determined by the City Council. This supplemental assessment may be made without notice, upon the same basis as the original apportionment and assessments were made and this supplemental assessment shall be docketed and collected in the same manner as in this ordinance provided for the original assessment, except that the notices herein provided for that was given on the original assessment need not be again given upon the supplementary assessment.

**Section 13.** Whenever, upon the completion of the construction or repair of any lateral, sewer, or collection system it is found the sum assessed therefor upon any lot or part thereof is more than sufficient to pay the cost thereof, the City Council must ascertain and declare the surplus in like manner as in case of deficit, and when so declared the amount of the excess must be entered as in the case of deficiency in the docket of City Liens. Thereafter the person who paid such surplus, or his agents, is entitled to repayment of the same out of the funds raised for such improvement, but in case the property owner has filed an application to pay the assessment by installment, he shall be entitled to such refund only when such installments, together with interest thereon are fully paid. Provided however that if the property owner has neither paid such assessment nor filed an application to pay in installments, the amount of such refund shall be deducted from such assessment and the remainder shall re-

**LEGAL NOTICE**

main a lien on such property until legally satisfied.

**Section 14.** Inasmuch as Beaverton has no sewer system at the present time, and it is necessary for the peace, health and safety of the people of the City of Beaverton that procedure be established for the construction of the sewer at the earliest possible date, an emergency is hereby declared to exist, and this ordinance shall become effective upon its passage by the Council and approval by the Mayor.

Introduced and passed this 6th day of December, 1948.  
 Approved this 6th day of December, 1948.  
**HENRY H. JEFFRIES,**  
 Mayor

Attest: **L. J. BUSSE**  
 Recorder  
 Date of first publication December 10, 1948.  
 Date of last publication December 17, 1948.

**MCKAY BLUEBIRDS**  
 Both groups of McKay Blue Birds held their meeting Thursday December 2 with all members present. Each group made white angels and presented them to the Camp Fire girls who used them in their decorating scheme for the bazaar dinner. Judy Graham was hostess for Mrs. R. S. Payne's group and Gwen Horney and Sally Stark for Mrs. L. W. Strayers group. After the refreshments the girls played several lively games in the play room.

**MINNESOTA VISITOR**  
 Miss Dorothy Lindberg of Minneapolis, Minn, arrived Monday morning to visit her parents, Mr. and Mrs. Victor Lindberg at 446 S. W. Allen Ave.  
 The Lindberg family moved to Beaverton from Minneapolis last July and purchased the log house built by Mr. and Mrs. A. D. George.



**Remember SANTA CLAUS Is Coming To Beaverton DECEMBER 18 With Gifts For All the Kiddies!**



**Noma Bubble-Lites**  
**\$4.25**  
 String of Nine Sparkling, Bubbling Candles of Light  
**GRAUER & ACKERMAN**  
 On Canyon Road  
 Beaverton 4182 or AT 4507

*Open Evenings*

**SHOP TONIGHT and EVERY NIGHT 'TIL 9:00 P. M. through Thursday, December 23rd**

For Your Christmas Shopping Convenience

CLOSING CHRISTMAS EVE 5,30 P. M.

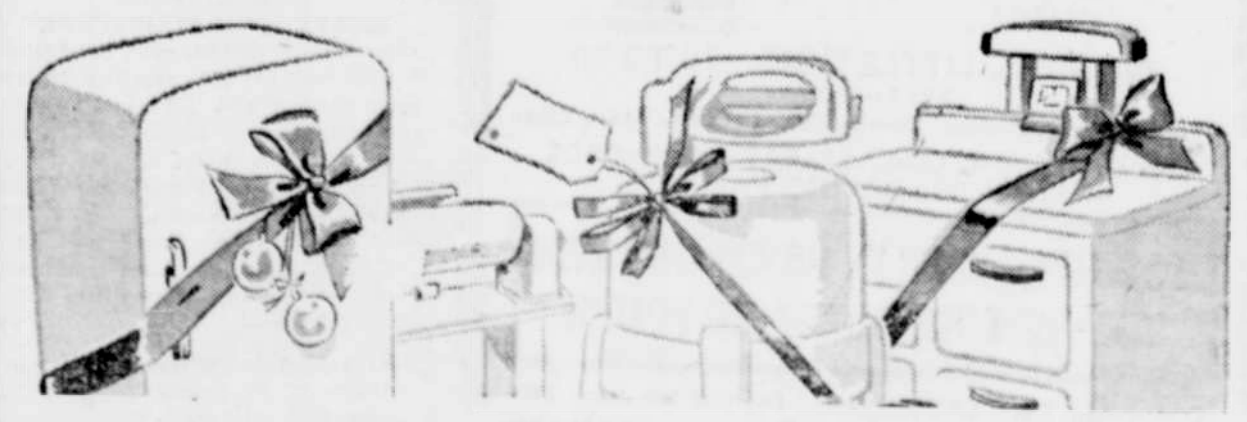


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