## TARTER AMENDMENTS. Owned by him within such time after the passage of the ordinance there-the passage of the ordinance there-the passage of the Common Council may the margin of the street to be im-

Is order to cure a number of defects in the present and it Charter and provided for the present floating in made by the owner within such time, the Common Council may thereupon charter the city, the Council have had the City proceed to provide for the same by government discount of the charcontract or otherwise as hereinbefore horeer that a general discussion of the matter be had and anyone who wishes may offer sugges, shall desire to have such improve- ing within the district lying between before the amendments are voted on, the Council the familiang of materials therefor reordered these published and the amendments pro-reordered these published and the amendments pro-duced the Resolution for their publication, are pub-ion not for less than three publicated in the following :

adred by the City Council of measure to amend article 7. se to amend acticle 8, a measand article (2, a measure to measure to add arthe Charter of the city of & prepared and submitted of in conformity with the cil, and the date of its adoption, to his nerventy, he published sact of the Tithonook Heeand that the legal d taxpayers of Titl meited to make and Reporter, within sixty and suggestions in passage threent. sofuriation to the votera rejection; and the Linearium for paid out

LLION

A MEASURE SETTLE VII OF HARTER OF TILLA-

OK CITY, OREGON. Emerted by the People of a City, thergon, as follows a Activity VII of the Charsmooth City, Oregon, in ded on that the extre

"street" as TEXTRE shaff by conas any street, avenue, you have or any public to in may hereafter testicated to public use the term "improve" anatoned to exclude all re-grading paying or resking or re planking, our or macadamizing to graveling, and all day work and residuces or repair, and all man-acting and repairing as walks, gutters, gurlis, verts, newers, deniera nion any of the streets tilly, or cary part of

my drem it expedient Storierd and enpowered while or any part of the be City to be improved, the character, kind and sh museovement, to leve n macanisms apon al dy at fand specially bensch improvement, to de ole or any portion of the one thereof, and to dethe limits bereinsfter hat lands are specially y such improvement, and a which each parcel or is benefitted. Provided, whenever the owners som which the improve making of such if said owners of said proporof and property shall in and by printing agree upon the charimprovement which they de-

of upon petition presented in the Common

the improvements desired, and any street has been established, ame and shall determine the bounds impose such terms and conditions et shall be final and conclusive hereupon the ball, by resolution, declare its pur-less of making such improvement, the work to be done. at thereof, and also defining the ndaries of the assessment district to be benefited thereby and assessed herefor, which district shall be desenated as "Local Improvement Dis-lict No..." The action of the nict No to improve any street or taking of all material for the sking of such improvements, and instering publication thereof, approvements performed under the sking publication thereof, approvements performed under the mon Council in declaring its in-

the district benefited and to be assessed thereby, may all be done in one by its purpose to make such improvements shall be kept of record in the owner of any part of the property office of the City Recorder, and shall be published for three consecutive publications in the city official news.

paper. The City Engineer, within three days from the first publication of said resolution, shall cause to be conspicuously posted at each cut of line of the contemplated improvement a notice which shall contain in legible characters a copy of the resolution of the Common i

within which objections and remonstrances thereto may be filed, and the resolution published in the city suc-spaper shall also have published in connection therewith a unties giving the information stated in the notice to be posted by the City Engineer Print of the publishing of said notices shall be made by the affidivit of the City Engineer, as to the metices proved by him and of the pointer of the newspaper in which such notice is published, as to the publication thereof, which affidayit shall be filed with the City Recorder. All engineering expenses, cost of adverticement, cost of superintendency and other juddental cutts and expenses accessive to carry into effect may determine the resolutions, and ordinances and Section 9. St. the resolutions, and ordinances and Section 9. Such contract or con-theorising the improvement, shall be tracts shall only be let to the lowest included in the estimate of the entire temporable bid, for either the whole of cost and an the assessment upon the "aid improvements or such part there." property benefitted by such improvement, except as to such part thereof the completion of the remainder as the Common Council may in thereof, but the said Common Council resolution and ordinances pro. sil shall have the right to reject any vide shall be paid out of the general funds of Tillamook City Section 3. Within 20 days from

the date of the first publication of said notice required to be pubof this Acticle, the pioners of two thirds or more of the krea of the property within such improvement listrice may make and fife with the Remarket a written objection to, or, remonstrance against said improve ment, and said objection and remostrance shall be a bur to any further proceedings in the making of such improvements for a period of six nthe Provided, that if any such objection or remonstrance shall be surred by the agent or attorney of filed with the recorder within the time provided for such objection, or committeence, the written authority for the signing of each objection or remonstrative, and otherwise such signatures shall be disregarded. Section 6 It no such objection or

remonstrance properly signes as aferid be made and filed with the City Recorder within the time designated, the Common Council shall be deem have argued jurisdiction to order the improvement to be made, and it may be thereafter, and within three months from the date of the final publication of its previous resolution, by ordinance provided for the making of said improvement, which shall conform in all particulars to the thirds or more of the plans and specifications previously reperty upon which an adopted. When the Common Counsperty upon which an adopted. When the Common Coun-improvement will be all shall have an provided for the and, Tillamonk City shall be deemed s of the atrects of the to have appropriated and acquired og the particular por convership of all earth shows grade, and within the street lines for said ommon Council to pro- ship shall thereafter be claimed in said earth. The Common Council Article. Provided further, providing for any street improvement also to provide for placing in the street where said improvement is to be made, all necessary surface pipes for water, gas, heat, power, sourrage to have made and the material or any other purpose, and all conused therein, the Common duits for electric wires and other purso made and in causing plans necessary. The Council may also specifications and estimates of provide a certain time after any but thereof to be made the state. be made to be made, the same atrect improvement is made during If he made upon the basis of the which it shall not be torn up or dis affecter of improvement so select- turbed, and shall also have power and authority to provide that no opening Whenever the Common of any street shall be made without wal shall deem it expedient, it first obtaining permit therefore, and Council shall have staits with Section 3 of this Ar- power to prescribe and enforce all the it must provide as in this Artiprescribed for the improvement surfaces in all streets of the city any street by proceeding in the which it may deem necessary to se It shall require the City Engineer good condition. And the Common prepare and present to said Com- Council shall further have the power. Council plans and specifications and authority, whenever the grade of of the top-rovements desired, and the probable cost thereof, and the probable cost thereof, and the property thereon to ent down or fill property the cost of the hes, of the district benefitted and may be necessary to secure the deassessed for such improvement, posit of earth or other matter excaand the action of the Common Coun-is in creating such assessment disand to charge fees for such permits Common Council to cover any expense incurred by the City in the survey and inspection of

estimate of the probable total Common Council shall have determined by ordinance to proceed with any improvement or work as herein-before provided, the City Council may proceed to make the whole or any part of such improvements, may proceed to let by contract the furnishing of all material for the

ing the plans and specifications and direction and control of the City the district hopefited and determining the district hopefited an may cause all or any part of such imand the same resolution. The resolution of the Common Council declaring its purpose to make such is declaring its purpose Council may, in its discretion, permit

deem proper, not excreding to days, such improvements be not

Section 8: If the Common Council ments or any part thereof made, or tions in the eny official paper, inviting proposals for making said improvements, or furnishing said materinls, and may give such other notice. inviting such proposals as it may dress expedient, provided that not less than so days time shall be given from the date of the first publication. of said notice for the submission of proposals thereunder. The Common Council shall have the power to award the contract or contracts for said suprement, and to conditions upon the hidders in regard to bonds and accornics and guirantees of the good faith and responsibility of hidden for insuring the faithful completion of the work in strict secondance with the specifications therefor, and to make all rules and regulations in the letting of contracts that may be considered by the monor Council as advantageous to the tity, and as a part of said regulations they may require that the contractor, or contractors, agree to main tain and keep in repair all improve ments made under said contract for such period of time Inot exceeding to years) as the Common Council.

and all proposals received by it is they shall be deemed unreasonable or excessive, or which do not con-Council relative to the matter of reteiring proposals and letting con-tracts for street work, and provided further, that no such contract shall he les for a price in excess of the City Engineer's estimate of the cost

thereof plus a per cent. Section to It shall be the duty of pection to the Common Council to fix the time which every such improvement tend and time should the circum stances warrant. The Common Countil shall have power and authority to make all written contracts, to receive and approve all bonds authorized by Section. to provide for The полужени

supervision of all work done under the provisions of this Article, and to do any other act necessary to secure the faithful carrying out of all con-tracts and the making of improvements in strict compliance with ordinances and specifications there-Section tre Whenever any street

improvement is completed in whole in part to the satisfaction of the Engineer, he shall file a certificate of the completion and his approval of such work so completed with the Recorder, who shall therestating therein when the acceptance shall not be less than 15 days of the same will be considered by more than 30 days, from the distribution of the same will be considered by any interest in, or the agent of any property within the assessment disacceptance of said improvements, and be considered objections shall and the merits thereof determined by the Common Council, and if it appears that said work or improvement has not been completed in accordance with the specifications and contracts, the Common Council shall require the same to be completed before accepting it. Whenever any work or improvement is accepted by the Common Council the Recorder shall endorse the approval of the Common ouncil on the certificate of the City Engineer, and after the assessment therefore is made and docketed, the Mayor and Recorder shall draw warrants on the fund created for said imrovements in favor of the parties on-When any work or titled thereto. improvement shall have been let or formed by contract, the same shall be paid out of the funds receivedfrom assessments made as in this Article provided, or out of funds derived from the sale of bonds issued upon application of the owners of assessed for said improvement, and no payments shall be made upon any such contract except out of the funds provided by assessment and bonds issued in conformity with the provisions of this article.

Section 12: When the whole of the improvements covered by any one ordinance therefor shall have been fully completed and accepted by the Common Council, the Common Council shall then cause the cost of such work or improvement to be apportioned to the property affected thereby within the improvement district established therefor as required by the ordinance authorizing the same, in the manner following:

Each lot, or tract, or part thereof, within the limits of said improvement district abutting upon any street improved, shall be liable for the full cost, or the proportion thereof hereinafter mentioned, or making said improvement upon half of the street in front of and abutting upon said lot, tract or part thereof, and also for a proportionate share of the cost of improving intersections of two of bounding the block or tract in which such lot, tract or part thereof is situated, but the said total cast shall be apportioned in accordthe streets

ance with the following plan: shall, for the purpose of ascertaining the amount to be assessed against each seperate lot, tract or parcel of land, which lien shall have priority over all other liens or incumbrances thereon, except taxes imposed under Said local improvement district

proved. Said aubdivisions to be num-hered respectively First, Second and Third. The First subdivision shall include all the lands within the district lying between the street margin and lines drawn parallel therewith and 15 feet therefrom. The Second subdivision shall include all lands lylines drawn parallel with and 35 and 70 feet respectively, from said street margin. The Third subdivision shall othede all lands within the district ying between lines drawn parallel with and 70 and 105 feet respectively from such atrect margins. Provided, towever, that should the property butting upon the street or streets to improved be divided into blocks less than 210 feet, the improvement istrict shall not unless specially revided by resolution establishing same, extend further back than the center of any such block, and e said subdivisions shall be prortionately reduced in size as to part of said improvement discrict, unless the resolution establishng said district shall provide that said subdivision shall be of the full cidth herein originally provided for rovided further, that in case of the struction or repair of sidewalks te Common Council may in estabrict there for provide that the total cost thereof shall be assessed to and charged against the lots or tract imroved fronting and abutting upon that portion of said streets where or repaired, in which case no part of the cost shall be charged or assessed against any other property than that a lot or part thereof, or tract or par-immediately fronting and abutting cel of land, remains unpaid, and such pon said street so improved.

The rate of assessment per square not in each subdivision shall be fixed n the basis that the special benefits outerred on a square foot of land in rant for the collection of the same respectively are related to each other as are the numbers \$5, 30 and 15 re- City. Whenever such asses spectively, and shall be ascertained shall have been paid to the the following manner:

oquare feet in subdivision First, Sectaken, which sum shall be divided in- shall upon receiving said duplicate to the total cost and expense of such receipt immediately cancel said lien improvement. The products of the upon said docket of city liens by en-resultant quotient and the numbers tering upon the face thereof an entry separate rates of assessment per signed by himself in his official ca-square foot for subdivisions. First, pacity. Second and Third respectively. The total assessment thus ascertained the purpose of making sale of such against each separate lot, or part of real property upon which assesslot, tract or parcel of land, or other ments are delinquent and unpaid, he suit or proceeding. Provided further, property within such district, shall deemed and held as an execution, that the person claiming title under be apportioned as the amount to be against said real property for levied and assessed against each amount of said assessment with in-separate lot or part of lot, tract, par-cel of land or other property respec-shall, within 60 days from the receipt Common Council may, in its discretherein described. Such sale shall be local improvement distribution at the time of establishing any at public auction to the sale shall be improvement district. provide that any portion of the cost of the making of such improvements. or any specified part thereof, shall paid out of the general fund of

Tillamook City. Section 13: After such apportionment shall have been made of the entire cost and expense of such improvement, the Common shall give notice of the time and not less than three public places in after publish notice of such comple- by publication for two consecutive place for hearing objections thereto. tion for not less than two puplica-tions in the city official newspaper, lished in Tillamook City, which time shall not be less than 15 days nor the same is situated, that the same more than 30 days, from the date of is to be sold for said delinquent asthe Common Council, which time such notice, and at the time and place shall be not less than ten days from fixed in such notice, or at such other the date of the first puplication of time as the hearing may be adjournany time prior thereto, any owner of and determine all objections to the and determine all objections to the apportionment of the cost of such street improvements, and upon such trict of said improvement may appear hearing may make such changes and file, or make objections to the therein as shall be necessary to make such apportionment equitable and

Section 14: After the hearing pro-vided for in Section 13 in this Article, and after making such changes in the apportionment as are therein provided for, and when the same shall have been fully determined by the Common Council, the Common Council shall declare and assess the same by ordinance upon the property benefit-ed, which shall be described therein, and each lot, part of lot, of parcel of ground shall be assessed with its proportionate share of such cost as here-inbefore provided, and said assess-ment shall be final and conclusive, and the said ordinance shall further direct the Recorder to enter a statement of the said assessed cost in the docket of city liens as provided for in this Article.

The docket of city Section 15: liens is a book in which must be entered by the Recorder the following matters in relation to assessments for the improvement and repair of streets, and the construction and repair of sewers and drains, and the benefits and damages assessed for opening, widening, straightening, and extending streets, and changing the grades thereof: First, the number or letter of the lot assessed, and the letter or number of block in which it is situated, and if a separate assessment is made upon a part of a lot, or tract of land, a particular description of such part of lot of tract; Second, the name of the owner thereof, or the owner is unknown if such be the case: Third, the sum assessed upon each lot or part thereof, or tract of land or part thereof, and the date of the entry thereof; Provided, however, that a failure to enter the name of the owner, or a mistake in the name of the owner in such entry, or the entry of a name other than the true owner, shall not render void or vitiate such assessment or in any way effect the lien of Tillamook City or the property described in such lien docket.

Section 16: The docket of city liens is a public writing, and from the date of the entry therein of an assessment upon a lot, or part thereof, or a tract or parcel of land, or a part thereof, the same so entered is here-by declared to be a tax levied upon, and a lien upon and against such lot,

money assessed for improvement or repair of a street, or benefit assessed for opening, widening, straightening or extending any street, or for a change of the grade thereof, or for the construction or repair of a sewer or drain, entered upon such lien docket shall be collected in the manner here-

inafter prescribed. Notice shall be given Section 17: Notice shall be given by the City Recorder to the owner or owners of any such lot or part thereof, or tract or parcel of land, of the entry of such assessment in said lien docket, specifying the amount thereof, within five days after the entry thereof in said docket, which notice shall be given by mail if the postoffice address of the owner or his agent is known, and if unknown by addressing the same in the name of the owner at Tillamook City, Oregon, and also by publishing the notice thereof in one issue of a weekly newspaper published in Tillamook City.

Section 18: Whenever the ownst of any such lot or part thereof, or tract or parcel of land upon which an assessment has been levied and docketed as herein provided provided for, shall desire, he may within thirty days after notice of such assessment is first published apply to the City Recorder of Tillamook pay said assessment in installments as hereinafter provided, and thereafter no warrant to enforce the collection of such assessment shall issue or he enforced, except as provided by this article in such cases.

Section to If within 30 days from the date of the entry of such assessment in said lien docket the whole or any portion of the sum assessed upon title in the grantee. owner shall not have applied for for the recovery of any lands sold for ments as bereinafter to install-lany assessment under the ments as the me order of the Common Council a war rected to the marshal of Tillamook City, Whenever such assessment Treasurer, who is hereby authorized The product of the number of and designated as the person to reccive the same, the Treasurer shall nd and Third respectively, and the issue a duplicate receipt for said paynumbers 55, 30 and 15 respectively, ment and file one copy thereof with the City Recorder, and the Recorder is, 30 and is respectively shall be the of the satisfaction of such assessment

> Section 20: Such warrant shall, for place at the front door of the build-ing in which the Common Council holds its sessions, and the Marshal shall give notice of such sale by publication thereof once a week for four consecutive and successive weeks in a weekly newspaper published in Till-amook City, and by posting such notice for a like period of time in said city. Such notice of sale shall contain a description of the lot, or lots, or parts thereof, tracts of parts thereof, naming the block in which part thereof, together with the name that the owners are unknown as the lots, or parts thereof, of tracts of land described therein will be offered for sale to satisfy the assessments, interest and costs due upon each tract, lot or parcel of land, or part thereof and each lot, tract or parcel of land or part thereof shall be sold separat Providing however, that all de linquent assessments assessed in one ordinance may be included in one notice, and all such sales shall be made between the hours of 6 o'clock m. and 4 o'clock p.m. Provided further that said sale may be postponed in like manner as now provided the laws of Oregon for the adjourn ment of sales of real property upon

> execution. Section 21: The Marshal executing such warrant shall immediately issue a certificate of sale to the purchaser for the property sold, stating therein that the sale is made sub-ject to redemption, and that a deed issued thereon at the expiration of the time for redemption if no redemption be made prior to said Within one year from the date of the sale the owner, or his successor, or any person having a lien by judgment, decree or mortgage the property sold, or any part there-of, may redeem the same by the payment of purchase money and twenty per cent thereon, with interest upon the purchase money from the date of the sale to the time of redemption at the rate of 6 per cent per annum, and the amount of any taxes which the purchaser his heirs or assigns may have paid upon said property, with interest thereon at the legal rate rom the date of such assessment, to be paid to the CityRecorder for the purchaser. Notice of redemption shall be given as now provided for by the laws of the State of Oregon for the redemption of real property rom sale upon execution.

Section 22: A redemption as pre-scribed in the foregoing Section disfrom the ef charging the property fect of sale upon such assessment, and if made by the owner or his successor in interest, the ownership of said property is thereby restored to such owner or his successor in interest, but if made by a lien creditor the amount paid for the redemption shall thereafter be deemed to be a part of judgment, decree, mortgage or other lien as the case may be, and shall bar interest, and may be inforced and collected as a part thereof.
Section 23: After the expiration

of the owner is unknown, the date of doceketing the lien, and that the property was sold for delinquent assessment for street improvements, or for opening, laying out, widening, straightening, extending or changing grade of structs, or construction of sewers, or drains, as the ease may be and that said assessment was due unpoid at the time of sale, and that no redemption had been madeed shall de executed conformably to the laws of the State of Oregon so as to make it legible for record, and the same shall operate to convey to the purchaser a fee simple title to the said property free and clear of all incumbrances, except for taxes as mentioned in Section 16 of this Upon the delivery of such deed the Marshal shall file a certificate of sale with the Recorder, and it shall be a public record. Upon delivery of such deed all of the proceedings required or directed by this Article in relation to the making, levying and docketing of such assessments and the sale of the property for the satisfaction thereof, shall be presumed to be reg-ular, and such deed shall be prima facie evidence of the regularity of all proceedings required to be had under the provisions of this Article and of

made the then acting Marshal shall

execute and deliver to the purchaser,

his heirs or assigns, upon application therefor, a surrender of such certifi-cate a deed of conveyance of the pro-

perty sold, reciting the description of the same as described in the docket of city liens, the amount paid, the

name of the owner, or that the name

the owner as against the holder of the deed from the Marshal, must, with his complaint or answer as the case may be, pay into the court the a-mount of the purchase money for which the particular tract of land or lot sought to be recovered was sold. together with 20 per cent thereof additional, and also interest on said purchase money from the date of sale to the date of the institution of such suit at the rate of six per cent per annum, together with all the costs and expenses of sale and of recording the said deed, and also any and all taxes the purchaser may have paid on said property with the legal Enterest thereon from the date of payment thereof for the benefit of the holder of said deed, his heirs or assigns, in case his or their title under such deed shall fail in said action, suit or proceeding. Provided further, the deed of the Marshal shall have judgment against the party claiming against said deed for such amount as the court may adjudge reasonable for the bringing or defending of any action, suit or proceeding, regardless of the result of such suit, action or proceeding, or whether he be plaintiff or defendant therein.

Section 25: Whenever any lot or tract or part thereof sold for delinquent assessments as herein provided brings more than the amount of the assessment and all costs and charges of collection, the surplus shall be paid to the City Treasurer, and the person executing such warrant shall take a seperate receipt for such surplus and file the same with the Recorder on return of payment of the warrant, and the Common Council shall order such surplus paid to the person or persons entitled to the same, on deis to be sold for said delinquent as- mand, upon receiving satisfactory sessment, with the amount of said proof that such person is the one enassessment, interest and costs to date titled to receive such surplus. Proof sale, including cost of advertise- vided further, that whenever any ment, due upon each lot or tract or property is offered for sale for delinquent assessments as herein providof the owner or reputed owner, or | ed, if a sufficient amount is not paid therefor to pay such assesment tosame appears upon said docket of gether with all costs and expenses of city liens, and shall also specify the time and place of sale, and that the Mayor of Tillamook City is hereby empowered and authorized to bid for and in behalf of said city the amount of such assessment, together with said costs and expenses assessed thereon or charged against said property or each part or parcel thereof, and if there be no higher or better bidder such land, lot or parcel of land or part thereof, shall be sold and become the property of said city, subject to redemption as hereinbefore provided, to be paid for by warrant of the city upon the general funds thereof. Whenever the city shall acthereof. quire title to any such property the same may be sold by order of the Common Council at such price, and on such terms as it may seem proper. Section 26: All of the pro

of Sections 3245 to 3253, both inclusive, of Lord's Oregon Laws, are hereby made expressly applicable to all assessments for street improvements under the provisions of this Article. Provided, however, that in all such cases the application to pay by installments provided for in Section 3245 of Lord's Oregon Laws may be made within 30 days after notice of assessment is first published instead of within 10 days as in said section provided. And provided further, that interest on all unpaid installments shall be paid semi- annually by the property owners, or other persons required to make such payment, instead of annually as provided in Section 3249 of said Lord's Oregon Laws.

Section 27: For all of the purposes of this Article the Surveyor of Tillamook City shall be deemed to be the City Engineer, and the Common Council is authorized to employ such assistants for the Surveyor as may be necessary to enable him to properly perform any and all of his duties arising under this Article or otherwise.

Section 28: The Common Council of Tillamook City is hereby author-ized and enpowered to establish by ordinance the grade of any street within Tillamook City when such grade has not been established, and may require from the City Engineer all maps and data it may deem necssary in relation thereto. After the grade of any street has been established by the Common Council the same may be by the Common Council thereafter changed pursuant to the following provisions

Whenever it shall be deemed expedient to change the grade of any