

RESOLUTION NO. VIII

RESOLUTION DETERMINING THE PROBABLE COST OF CITY SEWER IMPROVEMENTS; DETERMINING THE PROBABLE ASSESSMENTS FOR THE BENEFITTED PROPERTIES AND SETTING A TIME FOR HEARING OBJECTIONS THERE-TO.

WHEREAS, the plans and specifications for the Canby Sewer Improvement project together with the estimates of the costs of said proposed improvement having been presented to the Council and placed on file and of record in the office of the City Recorder and said plans and specifications having been approved by the Council, and

WHEREAS, the Proposed Sewer Improvement project has heretofore been divided in to two districts for administrative purposes and the boundaries of the first district were published in the Canby Herald, a newspaper printed and published in Canby, Oregon, on the 1st, 8th and 15th days of March, 1956, under the legal notice entitled "NOTICE TO THE OWNERS OF REAL PROPERTY WITHIN THE PROPOSED CANBY SEWER IMPROVEMENT DISTRICT"; and the boundaries of the second sewer improvement district were published in the Canby Herald under the heading "NOTICE TO THE OWNERS OF REAL PROPERTY WITHIN THE PROPOSED CANBY SEWER DISTRICT No. 2" published on the 23rd and 30th days of August, 1956, and

WHEREAS, the names of the owners of the property to be specially benefitted by said improvement and lying within each of the respective districts were published in full and in each of the newspaper publications above referred to, and

WHEREAS, said notices as published set a date for hearing remonstrances against said improvements and the proposed projects and all pursuant to City Ordinance No. 393; and the time for hearing remonstrances against the proposed improvement as outlined in the Notice to the Owners of Real Property Within the Proposed Canby Canby Sewer Improvement District as published by the Canby Herald in the month of March, 1956, as aforesaid, was duly and regularly

held at the Canby City Hall at 8:00 o'clock P. M., Standard Oregon Time, on March 19th, 1956, and the time for hearing remonstrances to the Proposed Sewer Improvement project as outlined in the Notice to the Owners of Real Property Within the Proposed Canby Sewer District No. 2 as published in the Canby Herald in August, 1956, was duly and regularly held at the Canby City Hall at 8:00 o'clock P. M., Standard Oregon Time on September 4th, 1956; and

WHEREAS, there was not at either of said public remonstrance meetings any valid remonstrance presented and the City Council, after each said meeting, indicated its intention as recorded in the record of the Council meetings, to proceed with said improvements; and

WHEREAS, a contract for the construction of said sewer improvement project and all work incidental thereto has been let to the A. L. and A. Construction Company of Portland, Oregon;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

I

That the total cost of all necessary engineering charges and the proportional expenses of the service of the City Engineer and his assistants and all necessary and proper clerical expenses incurred or to be incurred in connection with the Sewer Improvement project as well as all legal costs, including attorney's fees, publications of notices and other expenses incidental thereto and necessary therefor and as more particularly set forth in the Engineer's Report to the City Council made on the 20th day of February, 1956, and the 15th day of August, 1956, respectively and filed in the office of the City Recorder, be included in ascertaining the probable cost of said sewer improvement project;

II

BE IT FURTHER RESOLVED that the probable cost of the said improvement project which is now under construction and in that area of the City of Canby, North of the Southern Pacific Railroad

tracks and lying within the boundaries of either of the proposed sewer improvement districts, be ascertained and determined at this date to be the sum of \$112,023.71 and that the said sum be assessed upon each lot and part thereof and tract of land in the respective amounts set opposite the description of each said lot or part thereof and tract of land, in the assessment roll hereunto annexed and marked "EXHIBIT A" and made a part hereof, and said assessment roll is hereby adopted and approved as the assessment for said sewer improvement project within the boundaries of the districts heretofore referred to, but not including any area lying South of the Southern Pacific tracks in the City of Canby, the assessment for which said area shall be determined and made by separate resolution.

### III

BE IT FURTHER RESOLVED that said assessment roll, as hereto annexed, is hereby adopted and approved as the assessment for the sewer improvement project within the area above described, said assessment and apportionment based upon the special benefits derived by the owners of the properties affected thereby and which said assessments are to be made to the respective parcels of land as described in said assessment roll.

### IV

BE IT FURTHER RESOLVED that the Common Council will meet on the 8th day of October, 1956, at the hour of 8:00 o'clock P. M., at the Council Chambers in the City Hall in said city as a Board of Equalization to equalize and adjust said assessment and apportionment thereof and at which said meeting all persons interested therein shall be invited and notified to appear and show cause, if any exist, wherein the said assessments are unjust or inequitable to the end that the same be properly equalized and adjusted;

### V

BE IT FURTHER RESOLVED that the Recorder, and he is hereby directed, to give ten (10) days notice of said assessment and

apportionment thereof and the meeting of the Equalization Board to consider objections thereto as above provided, by posting notices thereof in three (3) public and conspicuous places within the corporate limits of the City of Canby and shall at least ten (10) days prior to the time set for the apportionment of said assessment and said meeting to consider the same, deposit in the United States mail a copy of said notice postpaid to each of those designated as the owner of any lot or part thereof, or tract of land assessed for the sewer improvement and as shown by the reports of the Title and Trust Company, Oregon City Branch, engaged to furnish the same, and which said reports are on file with the City Recorder under date and order number as follows:

February, 1956, Order No. B - 47-551 and July 24th, 1956, Order No. B -49 - 359.

Adopted by the Canby City Council at a regular meeting of said council held on the 17th day of September, 1956.

R B Eversole  
H. B. Eversole - Mayor

Attest:

H B Evans  
H. B. Evans - City Recorder