

~~A Bill~~

For an Ordinance to secure
 record and foreclose liens in favor
 of the City of Albany upon real
 property taxed for Street improvements
 and to repeal Section 4 of the
 Ordinance relating to making and
 repairing Streets passed May 2^d 1873

Be it Ordained by the Common
 Council of the City of Albany

Sec 1 That from and after this Ordinance shall take effect, all grading, graveling, paving, plankling or otherwise improving of the Street Crossings, or the building or repairing of any Cross walks at any Street Crossings within the Corporate limits of the City of Albany, shall be done at the expense of the owners of the real property fronting on the Street approaching such Street Crossing for half the block each way therefrom in proportion to the frontage of such real property on such Street

Sec 2 Whenever the Common Council shall Order any Street Crossing to be graded, paved, plankled or otherwise improved; or Cross walks built at any Street Crossings within said City, it shall be the duty of the City Marshal, within such time as the Council shall prescribe to notify the owners

of the properties to be affected by such improvements, or if the owners are non residents, their agents or the occupants of the premises of such order with a statement of the character of the improvements to be made and an estimate of the probable cost to each owner of the real property so affected, and the time within which the same is to be completed, and if the owners of such property fail or refuse to make the required improvements within the time specified, or such further time as the Council may by order allow, the Council shall let such work by contract to the lowest responsible bidder and when the cost thereof is ascertained, shall proceed to assess a tax for such improvements upon such lot or part thereof as provided for in Section one of this Ordinance, and the City Recorder is hereby required when such tax is levied as aforesaid to enter the same in a Record of City liens as provided for in the next Section

Sec 3

The City Recorder shall keep in his Office a well bound book to be known as the record of City liens, in which he shall record all taxes levied for street improvements, including side walks by virtue of any existing City Ordinance. Said Record must show

1st The Number or Letter of the lot assessed and the Number or letter of the Block in which it is situated, and if a separate assessment is made upon a part of a lot a description of such part.

2^d The name of the owner, or that the owner is unknown.

3^d The Sum assessed upon each lot or part thereof, and the date of the Entry.

From and after the date of such Entries, said record of liens shall have the force and effect of a judgement lien upon the real property described therein until the same be paid. To satisfy this record lien, the City Recorder shall, when ordered to do so by the Common Council issue his warrant to the City Marshal commanding him to sell the property therein described or so much thereof as may be necessary to pay the tax assessed thereon and the expenses of such lien and sale, and such warrant shall have the force and effect of an execution issued out of a Court of Record for the sale of real property.

Sec 11 Upon the receipt of the warrant provided for in Section 3 of this Ordinance, the City Marshal shall endorse thereon the date the same came to his hands, and

And deliver to the owner if known, or the occupant of the premises named in said Warrant, or if the same be not occupied, post a Copy of said Warrant in some conspicuous place on the premises taxed and thereby avoid upon, and thereafter proceed to execute said Warrant by advertising and selling the property described therein (unless the tax and expense be sooner paid) in the manner provided by the laws of the State of Oregon for the Sale of real property upon execution and after deducting all expenses that have accrued, pay the proceeds of such Sale into the City Treasury as other taxes are paid in provided that if there is any surplus in his hands the Marshal ~~pay~~ shall pay such surplus to the City Treasurer and take separate receipts therefor and report the same to the Common Council at the next meeting thereof, and the Council shall thereupon order a warrant drawn upon the Treasurer in favor of the person or persons owning said property, if known, and if not known then as soon as the owners name can be ascertained for the amount of such surplus money

Sec 5 The Officer executing the Warrant provided for in Sections 3 and 4 of this Ordinance shall on demand and the payment

On tender of a reasonable fee therefor by the purchaser of the property sold by ^{virtue of} said warrant execute to him or them a deed therefor stating therein that the same is made subject to redemption as provided for in this Ordinance. And within three years from the date of such sale, the owner or his Successor in interest, or any person having a lien, by judgment, decree or mortgage, or a valid lien for work done or material furnished to or upon such property, or any part thereof Separately sold may redeem the same upon the terms and conditions provided for in the next Section

Sec 6 Any person having the right to redeem real property sold by the provisions of this Ordinance may do so by paying to the purchaser thereof the amount of the purchase money, and twenty five per cent additional thereon together with interest at legal rates and the amount of any tax which the purchaser may have paid thereon and the expenses of a deed if one is required, such redemption shall, if made by the owner or his Successor in interest discharge the property from the effects of the Sale for the tax

Sec 7 The City Recorder shall be allowed to receive the sum of fifty Cents for recording each lien upon real property as provided for in this ordinance and charge the same against the property taxed as part of the expense of such recording

Sec 8 That Section four of the Ordinance entitled an ordinance relating to making and repairing Streets" passed May 2^d 1873 be and the same is hereby repealed

Sec 9 The provisions of Section two of Ordinance No 13 as last published" relating to the building of Side Walks and Cross Walks" shall and the same is hereby made to apply, repairing and keeping in repair all Crosswalks at the several Street crossings within the City

Sec 10 All Ordinances, and parts of Ordinances in conflict with this Ordinance be and the same is hereby repealed

Passed the Council
July 25th 1879
and on said day
approved
The Honorable
Mayor

Attest
O. C. Harper
City Recorder