

ORIGINAL

ORDINANCE NO. 1727

AN ORDINANCE PROVIDING FOR THE BUILDING, CONSTRUCTION, IMPROVEMENT AND REPAIR OF SIDEWALKS WITHIN THE CORPORATE LIMITS OF THE CITY OF COTTAGE GROVE, STATE OF OREGON, AND FOR ENFORCING THE SAME AND MAKING THE SAID IMPROVEMENTS A LIEN UPON THE ABUTTING OR ADJACENT PROPERTY AND ENFORCING SAID LIEN, AND REPEALING ALL ORDINANCES, OR PARTS OF ORDINANCES OF THE CITY OF COTTAGE GROVE IN CONFLICT HEREWITH.

THE COMMON COUNCIL OF THE CITY OF COTTAGE GROVE DOES ORDAIN  
AS FOLLOWS:

Section 1: Any person or persons owning any lot or block or fractional lot or block of land within the corporate limits of the City of Cottage Grove shall, when required by an order of the Common Council of said city made at the regular meeting thereof, build, construct, repair or improve any sidewalk or sidewalks in front of or adjacent to or abutting on any said lot, block or fractional part of any such lot or block, along the line of any street or streets, adjacent to or abutting on any such lot, block or fractional part thereof in the manner herein-after provided.

Section 2: All sidewalks hereafter built, constructed or rebuilt whether by order of the Council or otherwise, shall be built and constructed of concrete and cement; such walk to be not less than 6 feet in width and slope one-fourth inch to the foot from the inside thereof to the outside, such walk to conform to the grade of the street. All filling shall be of good clean dirt or gravel. Concrete shall be proportioned four parts gravel, three parts sand and one part cement, well tamped. Top dressing shall be two parts clean sand and one part cement troweled down to a smooth surface. Cement shall be of good standard grade of Portland cement. All walks shall be constructed under the supervision of the City Engineer.

Section 3: In case the owner or owners of any lot or block, or fractional part thereof, shall refuse or neglect to build, construct, improve or repair any such sidewalk or sidewalks within the time prescribed by the order of the Council, after having been duly notified by the City Marshal or City Engineer, said sidewalk may be built, constructed, improved or repaired by the City Engineer, and the expense of said improvement shall attach to and become a lien upon the property abutting on or adjacent to said improvement, which said lien shall be enforced in the manner hereinafter provided.

Section 4: After the cost of such improvement or repairs have been ascertained and the proportionate share thereof to each lot, block or fractional part thereof (if more than one) has been determined, the Common Council of the said city shall declare the same by an order entered upon their minutes and direct the Recorder of said city to enter in the docket of city liens a statement thereof containing:

- a. A description of the lot or block or fractional part thereof, or (if more than one) of each lot or block or fractional part thereof liable for such improvement, sufficient for identification.
- b. The name of the owner or owners or reputed owner or owners, or that the name of the owner or owners of the same is unknown.
- c. The sum assessed upon such property, and the date of the entering the same on the docket of city liens. For the purpose of this ordinance any number of lots or blocks or fractional parts thereof, if owned by any one person or persons in common, may be assessed together, and each part shall be liable for the whole.

Section 5: Any assessment levied in pursuance of this ordinance not having been paid within twenty days after the same shall have been entered in the docket of city liens, it shall be the duty of the City Recorder of said city to issue a warrant for the collection of the same which said warrant shall be directed to the City Marshal of said city or to such other person as may be authorized to collect taxes due the city.

Section 6: Such warrant shall require the person to whom it is directed to forthwith levy upon the property against which said assessment was made and upon which said assessment is a lien, and to sell the same or such portion thereof as in his opinion can be sold separately to advantage, sufficient to pay such assessment, together with interest and costs and disbursements, and return the proceeds of said sale together with his proceedings endorsed upon the said warrant to the City Recorder.

Section 7: Such warrant shall have the same effect as an execution, against real property, and shall be executed in the same manner, except as herein provided.

Section 8: The person executing the said warrant shall immediately make a deed for the property sold thereon to the purchaser, stating therein that the same is made subject to redemption as provided in Sections 15, 16, 17, 18 and 19 of Chapter XI of the Charter of the City of Cottage Grove, and in making a deed to property sold under the provisions of this ordinance it shall not be necessary to recite or set forth the facts occurring before the sale of the premises conveyed thereby, but it shall be sufficient if said deed contains the recital that the property was sold by virtue of a warrant from the City of Cottage Grove, and the date thereof, for a delinquent assessment or tax and the amount paid therefor by the purchaser thereof.

Section 9: The style of the warrant for the collection of delinquent taxes shall be "In the name of the City of Cottage Grove."

Section 10: Property sold under the provisions of this ordinance may be redeemed within one year from the date of the sale thereof, by the owner thereof or his successor or successors in interest or by any person having a judgment or lien against the same in the manner provided in Sections 15, 16, 17, 18 and 19 of Chapter XI of the Charter of the City of Cottage Grove, approved January 24, 1899.

Section 11: All ordinances or parts of ordinances of the City of Cottage Grove in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Common Council this 12th day of October, 1964.

ATTEST:

  
\_\_\_\_\_  
City Recorder

APPROVED:

  
\_\_\_\_\_  
Mayor

County of Lane )  
City of Cottage Grove ) ss.

I, W. E. White, Recorder of the City of Cottage

Grove, do certify that I posted three copies of Ordinance No. 1727, one of which said copies I posted at City Hall, 28 S. 6th St., the second of which copies I posted at Masonic Temple, Corner of H & Main St., the third of which copies I posted at Safley Residence, Corner of E. Main & 12th St.; that all of said places and postings are public, and in full view of the traveling public, in said city limits, and that said copies were posted by me on the 4<sup>th</sup> day of December A. D. 1964.

Signed



Recorder and Ex-officio Clerk of  
the Common Council