ORDINANCE NO. 478

AN ORDINANCE TO AMEND ORDINANCE NO. 470 BY AMENDING SECTIONS 10 and 18 THEREOF; AND THEREBY MODIFYING THE RESTRICTION THEREBY IMPOSED ON THE AMOUNT OF THE ASSESSMENT THAT MAY BE IMPOSED ON ANY PARCEL OF LAND BENEFITTED BY THE PROPOSED IMPROVEMENT.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:—

Sec. 1. That Section 10 of Ordinance No. 470 be amended to read as follows:—

Each lot or parcel of land shall be deemed to be benefitted by the proposed improvement to the full amount of the assessment levied thereon; PROVIDED: however, that no assessment shall be levied or imposed against any lot or parcel of land to pay the cost of said improvement, which together with any unpaid portion of a previous assessment shall exceed in amount of double the valuation of said lot or parcel of land, as shown by the latest tax roll of Clackamas County, Oregon.

Sec. 2. That Section 18 of Ordinance No. 470 be amended to read as follows:—

Whenever the Council of the City of Milwaukie shall have proceeded to improve any street or streets or any part or parts thereof, or to construct, reconstruct or repair or relay any sewer, drain, curb or sidewalk within the corporate limits of the City of Milwaukie, Oregon, and shall have assessed the cost of such improvement to the property benefitted thereby and liable therefor, according to the Charter and this Ordinance, it shall be lawful for the owner of any property so assessed for such improvement or sewer at any time within 10 days from the entry of said assessment in the Docket of City Liens to file with the City Recorder a written application to pay said assessment in installments, and such written application shall state that said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise in the proceedings to make the improvements for which said assessment is levied and in the apportionment of the cost thereof. Said application shall contain a provision that said applicant and property owner agrees to pay said assessment in ten annual installments, with interest at the same rate on all said assessments which have not been paid, as that expressed in the bond issued to pay for such improvement. Said application shall also contain a statement by lots or blocks or other convenient description, of the property of the applicant assessed for such improvement or sewer. No application as aforesaid, shall be received and filed by the Recorder, if the amount of said assessment does not exceed the sum of $25.00, or if the amount of such assessment with any previous assessment for street improvements, curb, sidewalks or sewers, assessed against the same property and remaining unpaid, shall equal or exceed the valuation of said property, as shown by the latest tax roll of Clackamas County, Oregon;

Provided, that application for such bonding shall be received by the Recorder, in cases where the amount of the assessment together with previous assessments for prior improvements, and remaining unpaid shall exceed the valuation of said property as shown by the latest tax roll of Clackamas County, Oregon, if the owner shall before making such application pay in cash into the treasury of the City of Milwaukie such excess of unpaid assessments over the valuation as shown by such tax roll.

Passed by the Co[illegible] day of March, 1946.

Approved by the Ma[illegible] day of March, 1946.

FRED [illegible]

ATTEST:

ELLE[illegible]