ORDINANCE NO. 151409

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An Ordinance authorizing payment of \$1,219.14 to Mr. Frank Bitar and Mr. Robert Bitar, owners of Lots 1 through 9, Block 26, Railway Addition, from the 1980-81 budget of the Bureau of Street and Structural Engineering, as repayment for an overcharge for work constructed under an LID street improvement, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- The property of Mr. Frank Bitar and Mr. Robert Bitar was assessed for part of the LID improvement of NE Brazee Street.
- Only after the assessments were entered on the lien docket was it determined the owners of that property had previously improved the frontage to City standards, at their own expense, and should not, therefore, have been required to share in the cost of additional street excavation and paving work of similar nature.
- 3. The property should be assessed only a portion of the cost of construction of a sump and manhole, said portion amounting to \$1,809.94, including progress payment interest and interest on the amount actually owed.
- 4. The property owner has already paid the full assessment of \$3,029.08.
- 5. Funds are available in the 1980-81 budget of the Bureau of Street and Structural Engineering.
- 6. Repayment of the overcharge has been recommended and approved by the Commissioner in charge.

NOW, THEREFORE, the Council directs:

a. The Mayor and the Auditor are hereby authorized to draw and deliver to Mr. Frank Bitar and Mr. Robert Bitar, 2929 E. Burnside Street, Portland, Gregon 97214, a warrant in the amount of \$1,219.14, chargeable to the 1980-81 budget of the Bureau of Street and Structural Engineering, BUC No. 15900300, Project No. 0031, Object Code .490.

ORDINANCE No.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily deprive Mr. Frank Bitar and Mr. Robert Bitar of an equitable, prompt settlement of this matter; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

APR 1 5 1981

Commissioner Mike Lindberg Terrence Bray:mh April 8, 1981 BUC 15900300

Attest:

Auditor of the City of Portland

Page No. 2

THE COMMISSIONERS VOTED AS FOLLOWS:			
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Calendar No. 1182

ORDINANCE No. 151409

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APR 9 1981

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND Jordon Crine Deputy

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