

WHEREAS, the Modesto City School District of Stanislaus County, California, a public corporation, has heretofore presented to and filed with the Council of the City of Modesto its application and petition asking that a certain alley, in the City of Modesto described as follows: The alley through Block 39 of the Maze Addition to the City of Modesto, Stanislaus Co., California, as laid down and delineated upon the map thereof on file and of record in the office of the County Recorder of Stanislaus County, California, in Vol. 1 of Maps, at page 19, for the entire width of said alley through said block and for the distance only of said block, be vacated and abandoned for the reasons therein set forth; and,

WHEREAS, the said Modesto City School District is the owner of all the property adjacent to said alley within the limits in which it is proposed to close and abandon the same; and,

WHEREAS, this Council deems it for the best interest of all parties concerned that said portion of said alley as therein described be vacated and abandoned.

NOW, THEREFORE, BE IT RESOLVED by said Council of the City of Modesto that the alley through Block 39 of the Maze Addition to the City of Modesto, Stanislaus County, California, as laid down and delineated upon the map thereof on file and of record in the office of the County Recorder of Stanislaus County, California, in Vol. 1 of Maps, at page 19, for the entire width of said alley through said block and for the distance only of said block, be abandoned and vacated, saving and reserving only to the City of Modesto the right through the entire length of the vacated portion of said alley such water mains as may now be laid therein and to maintain, care for and operate its present water mains and to go upon said premises for any purpose connected therewith, and also the right to remove such hydrants, if any, as may now be on said premises to such other point or points as may be convenient for the use of the water or fire departments of the City of Modesto, and also reserving the right, if it be so desired, to use, operate and maintain said water hydrants, if any, at their present locations.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk of the said City of Modesto be and they are hereby authorized and empowered to deliver to the Modesto City School District of Stanislaus County, California, a deed conveying the alley herein abandoned and vacated to the owners of the property adjacent to the vacated and abandoned portions thereof, to-wit: the Modesto City School District of Stanislaus County, Calif.

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I hereby certify that the foregoing Resolution of Intention was duly and regularly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 10th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan, O'Connor and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

RESOLUTION NO. 324 N. S.

A RESOLUTION ACCEPTING BITULITHIC LICENSE MIXTURE AGREEMENT OF WARREN BROTHERS FOR THE PAVING OF CERTAIN STREETS IN THE CITY OF MODESTO.

The City Council of Modesto do resolve as follows:

That the Bitulithic License Mixture Agreement of Warren Brothers Company for the paving the following streets in the City of Modesto, to-wit:

Sixteenth Street from the northwest property line of "I" Street northwesterly to the south property line of Needham Street; Tenth Street from the northwest Property line of "L" Street northwesterly to south property line of Needham Street, and "L" Street from property line of Ninth Street northeasterly to the southwest property line of Tenth Street with Bitulithic pavement be accepted, and the City Clerk be and he is hereby directed to file the same in this office.

Passed and approved at an adjourned regular meeting of the City Council of the City of Modesto on the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan, and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

STATE OF CALIFORNIA, ( )  
COUNTY OF STANISLAUS, ( ) SS.  
CITY OF MODESTO. ( )

I, W. O. Thompson, City Clerk of the City of Modesto, do hereby certify that the foregoing Resolution was duly passed by the City Council of the City of Modesto, and approved by the Mayor at an adjourned regular meeting thereof, held on the 17th day of January, 1917, and it was passed by the following vote; to-wit:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

W. O. Thompson,  
City Clerk of the City of Modesto.

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RESOLUTION NO. 325 N.S.

RESOLUTION ORDERING PLANS, AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, it is contemplated that certain improvements be made upon Sixteenth Street from the northwest property line of "I" Street northwesterly to the south property line of Needham Street within the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvements.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and estimate of the proposed cost and improvement to be made in the paving of said street with a cement concrete base and an bitulithic wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 17th day of January, 1917.

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 326 N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of Sixteenth Street from the northwest property line of "I" Street northwesterly to the south property line of Needham Street within the City of Modesto, as prepared by the City Engineer of said city, and submitted this seventeenth day of January, 1917, be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

## RESOLUTION OF INTENTION NO. 65.

RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City to-wit:

That Sixteenth (16th) Street from the northwest boundary line of "I" Street northwesterly to the south boundary line of Needham Street, Modesto, Stanislaus County, California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting, however, from all of the aforescribed work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon,

be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half ( $5\frac{1}{2}$ ) inches in thickness, and a wearing surface of Bitulithic one and one-half ( $1\frac{1}{2}$ ) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, guttering, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit, said Council hereby makes the expense of said work and improvement chargeable upon a district, which district said Council hereby declares to be the district benefitted by said work and improvement, and to be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows:

Beginning at the corner of Block Number 122 where the northwest boundary line of "I" Street intersects the southwest boundary line of Sixteenth (16th) Street

Thence southwesterly along and parallel to the northwest boundary line of "I" Street one hundred forty (140) feet to the northeast boundary line of alley through Block number 122.

Thence at right angles northwesterly along and parallel to the northeast boundary line of said alley three hundred and twentyfive (325) feet to the southeast boundary line of lot number three(3) Block number 122

Thence at right angles northeasterly along and parallel to the southeast boundary line of lot number 3 Block number 122 seventy (70) Feet

Thence at right angles northwesterly one hundred and fifty five (155) feet to the northwest boundary line of "J" Street

Thence at right angles northwesterly seventy (70) feet along and parallel to the northwest boundaryline of "J" Street to the northeast boundary line of alley through Block number 123

Thence at right angles northwesterly along and parallel to the northeast boundary line of said alley two hundred and seventy five (275) feet to the southeast boundary line of lot number 5 Block number 123

Thence at right angles northeasterly along and parallel to the southeast boundary line of lot number 5 Block number 123 seventy (70) feet

Thence at right angles northwesterly one hundred and twenty five (125) feet to the southeast boundary line of "K" Street

Thence at right angles northeasterly along and parallel to the southeast boundary line of "K" Street seventy two (72) feet to the south boundary line of Needham Street

Thence easterly along and parallel to the south boundary line of Needham Street three hundred and seven (307) feet to the southwest boundary line of alley through blocks number 124 and 125

Thence southeasterly along and parallel to the southwest boundary line of said alley six hundred and sixty four and two tenths (664.2) feet to the northwest boundary line of "I" Street

Thence at right angles southwesterly along and parallel to the northwest boundary line of "I" Street two hundred and twenty (220) feet to the point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

"Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date".

The fourteenth day of February, 1917, at the hour of 7.30 o'clock P.M., and the Council Chamber of said Council at the City Hall in the Said City of Modesto, is hereby fixed as the time and place where any and all persons having any objections to said proposed work and improvement may appear before the City Council and show cause why said improvement should not be carried out in accordance with this resolution.

The City Clerk shall cause this resolution of intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City, and hereby designated for that purpose by the Council.

Attention is called to the Bitulithic license mixture agreement of Warren Bros. Company, dated Nov. 20th, 1916, on file in the office of the City Clerk of the City of Modesto. the Contractor will be required to produce the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The Street Superintendent shall immediately cause to be conspicuously posted along the line of said contemplated work or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described, notices of the passage of this Resolution of Intention in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act, of the legislature of the State of California, designated the "Improvement Act of 1911 approved April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at an adjourned regular meeting of said Council held on the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan, and Mayor Wren.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

RESOLUTION NO. 329 N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of Tenth Street between the curb lines from the northwest property line of "L" Street northwesterly to the south property line of Needham Street within the City of Modesto, as prepared by the City Engineer of said City, and submitted this 17th day of January, 1917, be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 328 N. S.

RESOLUTION ORDERING PLANS, AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, it is contemplated that certain improvements be made upon 10th Street between the curb lines from the northwest property line of "L" Street northwesterly to the south property line of Needham Street within the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvements.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and estimate of the proposed cost and improvement to be made in the paving of said street with a cement concrete base and an Bitolithic wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 17th day of January, 1917.

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

RESOLUTION NO. 330 N.S.  
RESOLUTION OF INTENTION NO.66

RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City to-wit:-

That Tenth Street from the northwest property line of "L" Street northwesterly to the south property line of Needham Street, Modesto, Stanislaus County, California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting however, from all of the afore described work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon.

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a bitulithic wearing surface five and one-half ( $5\frac{1}{2}$ ) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half ( $1\frac{1}{2}$ ) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, guttering, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit said Council hereby makes the expense of said work and improvement chargeable upon a district which said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows;

Beginning at the corner of Block numbered 59 City of Modesto, where the northwest boundary line of "L" Street intersects the southwest boundary line of Tenth Street, thence southwesterly one hundred and forty (140) feet along and parallel to the northwesterly boundary line of "L" Street to the northwesterly boundary line of alley between Ninth Street and Tenth Street.

Thence at right angles northwesterly one thousand eight hundred thirty seven and six tenths (1837.6) feet, along and parallel to the northeasterly boundary line of said alley to the south boundary line of Needham Street.

Thence easterly five hundred eleven and fifty two hundredths (511.52) feet along and parallel to the south boundary line of Needham Street to the southwesterly boundary line of alley between Tenth Street and Eleventh Street.

Thence southeasterly one thousand four hundred eighty one and two tenths (1481.2) feet along and parallel to the southwesterly boundary line of said alley to the northwesterly boundary line of "L" Street.

Thence at right angles southwesterly two hundred twenty (220) feet along and parallel to the northwesterly boundary line of "L" Street to the point of beginning.

Saving, excepting and excluding from the aforesaid district all public Streets and alleys included and contained therein.

"Notice is hereby given that serial bond is to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date."

The Fourteenth day of February 1917 at the hour of 7.30 o'clock P.M., and the Council Chamber of the said Council at the City Hall in the said City of Modesto, is hereby fixed as the time and place where any and all persons having objections to said proposed work may appear before the City Council and show cause why said improvement and improvement/should not be carried out in accordance with this Resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City, and hereby designated for that purpose by the City Council .

Attention is called to the Bitulithic license mixture agreement of Warren Brothers Company dated Nov. 20th, 1916, on file in the office of the City Clerk in the City of Modesto, the contract will be required to produce the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The Street Superintendent shall immediately cause to be conspicuously posted along the line of said contemplated work or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described , notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act of the Legislature of the State of California, designated the "Improvement Act of 1911 approved April 7, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at an adjourned regular meeting of said Council held on the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Noss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 331 N. S.

RESOLUTION ORDERING PLANS AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, it is contemplated that certain improvement be made upon "L" Street between the curb lines from the northeast property line of Ninth Street northeasterly to the southwest property line of Tenth Street within the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvement.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and estimate of the proposed cost and improvement to be made in the paving of said Street with a cement concrete base and a Bitulithic wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 332 N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of "L" Street between the curb lines from the northeast property line of Ninth Street northeasterly to the southwest property line of Tenth Street within the City of Modesto, as prepared by the City Engineer of said City, submitted this 17th day of January, 1917, be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 17th day of January 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes. Councilmen None.

Absent: Council Moss and O'Connor.

Attest: W. O. Thompson,  
City Clerk.

W. O. Thompson,

D. W. Morris,  
Mayor of the City of Modesto.

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RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City to-wit:

That "L" Street from the northeast property line of Ninth Street northeasterly to the southwest property line of Tenth Street, Modesto, Stanislaus County, California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting, however, from all of the aforesaid work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon,

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half ( $5\frac{1}{2}$ ) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half ( $1\frac{1}{2}$ ) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, gutter, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit, said Council hereby makes the expense of said work and improvement chargeable upon a district, which district said Council hereby declares to be the district benefitted by said work and improvement, and to be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows:

Beginning at a point where the northeast boundary line of Ninth Street intersects the center line of "L" Street

Thence northeasterly one hundred forty (140) feet along and parallel to the center line of "L" Street to a point where the center line of "L" Street intersects the southwesterly boundary line of alley between Ninth Street and Tenth Street

Thence at right angles southeasterly ninety (90) feet along and parallel to the southwesterly boundary line of said alley to southeast boundary line of lot numbered 2 Block numbered 58.

Thence at right angles northeasterly one hundred sixty (160) feet along and parallel to the southeast boundary line of Lot numbered 2 Block numbered 58 to the southwest boundary line of Tenth Street.

Thence at right angles northwesterly one hundred eighty (180) feet along and parallel to the southwesterly boundary line of Tenth Street to the northwest boundary line of lots 15 and 18 of Block numbered 59,

Thence at right angles southwesterly three hundred (300) feet along and parallel to the northwest boundary line of lots numbered 15 and 18 Block numbered 59 to the northeast boundary line of Ninth Street

Thence at right angles southeasterly ninety (90) feet along and parallel to the northeasterly boundary line of Ninth Street to the center line of "L" Street the point of beginning.

Saving and excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years

from the second day of July next succeeding nine months from their date."

The Fourteenth day of February, 1917, at the hour of 7.30 O'Clock P.M., and the Council Chamber of said Council at the City Hall in the said City of Modesto is hereby fixed as the time and place where any and all persons having any objections to said proposed work and improvements may appear before the City Council and show cause why said improvement should not be carried out in accordance with this resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City, and hereby designated for that purpose by the City Council.

Attention is called to the Bitulithic license agreement of Warren Brothers Company, dated Nov. 20th, 1916, on file in the office of the City Clerk of the City of Modesto, the Contractor will be required to procure the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The Street Superintendent shall immediately cause to be conspicuously posted along the line of said contemplated work or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described, notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act, of the Legislature of the State of California, designated the "Improvement Act of 1911 approved April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at an adjourned regular meeting of said Council held on the 17th day of January, 1917, by the following vote:

Ayes: Councilmen Gum, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen Moss and O'Connor.

Attest:

W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 334 N. S.

WHEREAS, the Clerk of the City Council of the City of Modesto has given notice, in pursuance of section 5 of the act of the legislature of the State of California, designated as the "Improvement Bond Act of 1915", as required by said act that this, the 24th day of January, 1917, at the hour of 7.30 o'clock P. M., being that of a regular meeting of said Council, has been fixed as the time, and the Council Chamber of the City Council of the City of Modesto, at the City Hall, No. 717 Tenth Street, in said City, has been fixed as the place when and where interested persons may appear before the City Council of said City and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the list heretofore filed by the Street Superintendent with said City Clerk in connection with the work ordered to be done under Resolution of Intention No. 56 of the City Council of the City of Modesto; and,

WHEREAS, this is the time and place fixed for hearing objections presented against the assessments therein referred to; and,

WHEREAS, no objection has been filed; and,

WHEREAS, the Council has heard evidence in relation to said assessments,

NOW, THEREFORE, be it resolved that the said City Council finds that all proceedings for the doing of the work under said Resolution of Intention No. 56 have been regular; that notice of this hearing has been given as required by law; that the Council does hereby find and determine that the following assessments shown on the list so filed with said Clerk by said Street Superintendent, being assessment or diagram No. 54, are unpaid.

Assessment or Diagram Numbers 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, and 14, and that the aggregate amount of the assessments so unpaid is the sum of \$2954.97, reference being hereby made to the list so filed by said Street Superintendent with said Clerk for greater particularity.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Modesto, California, on the 24th day of January, 1917.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 335 N. S.

A Resolution modifying and thereupon adopting the report in writing of the City Planning Commission of the City of Modesto on the proposed improvement as described in Resolution of Intention No. 63 of the Council of the City of Modesto as to the property hereinafter described:

WHEREAS, on the 22nd day of November, 1916 the City Council of the City of Modesto passed and adopted its Resolution of Intention No. 63 declaring its intention to order the planting of shade trees, together with the protection and care of existing trees, on certain streets, avenues, lanes, alleys, courts and places within the said City of Modesto in said Resolution of Intention No. 63 named, designated and described, and which said Resolution of Intention No. 63 is hereby referred to for a particular description thereof, and in said resolution did refer the proposed improvement to the City Planning Commission and directed it to make and file with the Clerk of the City Council a report in writing, all in pursuance with the provisions of that certain act of the legislature of the State of California, known, designated and referred to as the "Tree Planting Act of 1915"; and,

WHEREAS, on the 23rd day of December, 1916, the said Planning Commission of said City of Modesto pursuant to said Resolution of Intention No. 63 made and filed with the Clerk of said City Council a report in writing on the aforesaid proposed improvement setting forth the matters required by Section 3 of said Tree Planting Act of 1915; and,

WHEREAS, upon the filing of said report, said clerk of the City Council presented the same to said City Council of the City of Modesto, and thereafter, to-wit: on the 27th day of December, 1916, the said City Council did accept the same, and thereafter and on the same day did by a resolution appoint the 28th day of January, 1917, at 7.30 o'clock P.M. thereof as the time and the Council Chamber of the City of Modesto in the City Hall of Modesto, California, as the place for hearing protests in relation to said proposed improvement, and directed the said City Council to give notice of said hearing as required by law, and designated the Modesto Evening News as the newspaper in which such notice should be published; and,

WHEREAS, thereafter and pursuant to said last named resolution and at least ten days before the date set for hearing said protests, the superintendent of streets of the City of

Modesto caused to be conspicuously posted along all Streets, avenues, lanes, alleys, courts, places and pathways, or portions thereof, included in said Resolution of Intention, at not more than 300 feet in distance apart, but not less than three in all upon each such street, avenue, lane, alley, court, place and pathway, notices of the passage of said Resolution of Intention and of the filing of said report, as required by Section 6 of said Tree Planting Act of 1915, and caused a notice similar in substance to be published for two days in a daily newspaper published and circulated in said municipality and designated by said City Council for that purpose at least ten days before the date set for hearing said protests as required by law; and,

WHEREAS, no person filed a written protest with said Clerk of said City Council at or before the time set for hearing protests and no protest or objection to said improvement or to the proposed assessment has been made or filed; and,

WHEREAS, the said City Council of the City of Modesto desire to modify said report by eliminating therefrom a portion of the territory included within said Resolution of Intention,

NOW, THEREFORE, be it resolved that the report in writing of the said Planning Commission on the aforesaid proposed improvement described in said Resolution of Intention No. 63 made and filed with said City Clerk of said City Council by said City Planning Commission, as aforesaid, be and the same is hereby modified by eliminating from the district embraced within the same the following described portions of the hereinafter public streets and avenues, to-wit:

The south side of Rose Street between Franklin Street and Madison Street;

The east side of Franklin Street between Paradise Avenue and Rose Avenue;

The northwest side of Paradise Avenue between Franklin Street and Madison Street;

The west side of Madison Street between Paradise Avenue and Rose Avenue;

And by eliminating also the assessments levied against the property fronting on said eliminated streets by striking out from the diagram accompanying said report the separate lots, pieces or sub-divisions of land shown thereon fronting on said eliminated streets and that as so modified, the said report be and the same is hereby adopted and the proposed assessments therein contained and as therein set forth is hereby confirmed and levied; and

BE IT FURTHER RESOLVED that the City Council of said City of Modesto hereby orders said proposed improvement, to-wit: the planting of shade trees, together with their protection and care, and care of existing trees, within the sidewalk areas of Washington Street between Paradise Avenue and Eighth Street; Jefferson Street between Paradise Avenue and Elm Street; Madison Street between Rose Avenue and Elm Street, Franklin Street between Rose Avenue and Elm Street, Paradise Avenue, or "H" Street, between Rose Street and Washington Street, north side of Rose Street between Franklin Street and Madison Street, Ruberto Street between Franklin Street and Jefferson Street, California Avenue between Franklin Street and Washington Street, Walnut Street between Franklin Street and Washington Street, Vine Street between Franklin Street and Washington Street Spruce Street between Franklin Street and Washington Street, Pine Street between Franklin Street and Washington Street, Oak Street between Franklin Street and Washington Street, Maple Street between Franklin Street and Washington Street, Stanislaus Street between Franklin Street and Washington Street, Locust Street between Franklin Street and Washington Street, Linden Street between Franklin Street and Washington Street, Laurel Street between Franklin Street and Washington Street, Elm Street between Franklin Street and Washington Street of the City of Modesto, in conformity with said resolution of intention (No, 63) and said report of said city Planning Commission, to be made, and that said shade trees be planted, protected, and cared for within said areas in accordance with said resolution of intention and said report; and be it further

RESOLVED:

That said City Council does hereby declare the foregoing to be its action upon said

report and assessment; and be it further

RESOLVED:

That said assessment be and the the same is hereby levied upon the lots, parts of lots, and lands fronting upon the Streets, avenues, lanes, alleys, courts, and places, or parts thereof, along and in which said improvement is to be made.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Modesto, California, on Twenty-fourth day of January 1917.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 356 N. S.

RESOLUTION APPOINTING TIME AND PLACE FOR HEARING PROTESTS IN RELATION TO THE PROPOSED IMPROVEMENT, AS DESCRIBED IN RESOLUTION OF INTENTION NO. 62, OF NEEDHAM STREET, BETWEEN NINTH STREET AND McHENRY AVENUE; ALICE STREET, BETWEEN LATERAL NO. 4 OF THE MODESTO IRRIGATION DISTRICT AND McHENRY AVENUE; WRIGHT STREET, BETWEEN LATERAL NO. 4 OF THE MODESTO IRRIGATION DISTRICT AND McHENRY AVENUE; STODDARD AVENUE, BETWEEN LATERAL NO. 4 OF THE MODESTO IRRIGATION DISTRICT AND McHENRY AVENUE; NELLIE AVENUE, BETWEEN NEEDHAM STREET AND LATERAL NO. 4 OF THE MODESTO IRRIGATION DISTRICT; MYRTLE AVENUE, BETWEEN NEEDHAM STREET AND LATERAL NO. 4 OF THE MODESTO IRRIGATION DISTRICT; OLIVE AVENUE, BETWEEN NEEDHAM STREET AND WRIGHT STREET; ORANGE AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; VIRGINIA AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; HACKBERRY AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; POPLAR AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; PARK AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; SYCAMORE AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; MAGNOLIA AVENUE, BETWEEN NEEDHAM STREET AND STODDARD AVENUE; ELLWOOD AVENUE BETWEEN NEEDHAM STREET AND STODDARD AVENUE; McHENRY AVENUE, BETWEEN NEEDHAM STREET AND THE NORTH CORPORATE LIMITS OF THE CITY OF MODESTO; ALSO DIRECTING THE CLERK OF THIS CITY COUNCIL TO GIVE NOTICE OF SAID HEARING AND DESIGNATING THE NEWSPAPER IN WHICH SUCH NOTICE SHALL BE PUBLISHED.

RESOLVED: That this City Council hereby appoints wednesday, the Fourteenth day of February, A. D. 1917 at thirty minutes after seven o'clock P. M. thereof as the time and the Council Chamber of the City of Modesto in the City Hall, Modesto, California, as the place for hearing protests in relation to the proposed improvement, as described in resolution of Intention No. 62 of this Council, of Needham Street between Ninth Street and McHenry Avenue; Alice Street, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Wright Street, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Stoddard Avenue, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Nellie Avenue, between Needham Street and Lateral No. 4 of the Modesto Irrigation District;

Myrtle Avenue, between Needham Street and Lateral No. 4 of the Modesto Irrigation District; Clive Avenue, between Needham Street and Wright Street; Orange Avenue, between Needham Street and Stoddard Avenue; Virginia Avenue, between Needham Street and Stoddard Avenue; Hackberry Avenue, between Needham Street and Stoddard Avenue; Poplar Avenue, between Needham Street and Stoddard Avenue; Park Avenue, between Needham Street and Stoddard Avenue; Sycamore Avenue, between Needham Street and Stoddard Avenue; Magnolia Avenue, between Needham Street and Stoddard Avenue; Elmwood Avenue, between Needham Street and Stoddard Avenue; McHenry Avenue, between Needham Street and the north corporate limits, and

BE IT FURTHER RESOLVED: That the Clerk of this City Council is hereby directed to give notice of said hearing, as required by law, and that the Modesto Evening News, a daily newspaper published and circulated in said City of Modesto, is hereby designated as the newspaper in which such notice shall be published.

I certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Modesto, Calif., on January 24th, 1917.

W. O. Thompson.  
City Clerk.

.....

RESOLUTION NO. 337 N. S.

RESOLUTION ORDERING PLANS, AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, it is contemplated that certain improvement be made upon Thirteenth Street from the northwesterly boundary line of "K" Street northwesterly to the southeasterly boundary line of "L" Street within the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvement.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and estimate of the proposed cost and improvement to be made in the paving of said Street with a cement concrete base and a Bitulithice wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 24th, day of January 1917.

Ayes: Councilmen Gum, O'Connor, Swan, and Mayor Morris.

Noes: Councilmen None. Absent Councilman Moss.

Attest: W. O. Thompson,  
City Clerk of the City of Modesto.

D. W. Morris  
Mayor.

RESOLUTION NO. 338 N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of Thirteenth Street from the Northwesterly boundary line of "L" Street northwesterly to the southeasterly boundary line of "L" Street within the City of Modesto, as prepared by the City Engineer of said City, submitted this 24th, day of January, 1917, be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 24th, day of January 1917, by the following vote:

Ayes: Councilmen, Gum, O'Connor, Swan and Mayor Morris.  
Noes: Councilmen None. Absent: Councilman Moss.

Attest:

W. O. Thompson  
City Clerk.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 339 N. S.

RESOLUTION OF INTENTION NO. 68.

RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City, to-wit:

That Thirteenth Street from the northwesterly boundary line of "K" Street northwesterly to the southeasterly boundary line of "L" Street, Modesto, Stanislaus County, California, except all the intersections of Streets and alleys and also excepting there from any of said work already done to the official grade, also excepting however, from all of the aforescribed work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon.

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half (5½) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half (1½) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, guttering, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit, said Council hereby makes the expense of said work and improvement chargeable upon a district which district said Council hereby declares to be the district benefited by said work

and improvement, and to be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows:

Beginning at a point where the southwesterly boundary line of Thirteenth Street intersects the northwesterly boundary line of "K" Street.

Thence southwesterly along and parallel to the northwesterly boundary line of "K" Street one hundred and forty (140) feet to the northeasterly boundary line of alley through block numbered ninety-one

Thence at right angles northwesterly along and parallel to the northeasterly boundary line of said alley four hundred (400) feet to the southeasterly boundary line of "L" Street

Thence at right angles northeasterly along and parallel to the southeasterly boundary line of "L" Street two hundred ninety (290) feet

Thence at right angles southeasterly seventy five (75) feet to the southeasterly boundary line of lot numbered thirty (30) Block numbered one hundred and eight (108)

Thence at right angles northeasterly along and parallel to the southeasterly boundary line of lot numbered thirty (30) Block numbered one hundred and eight (108) seventy (70) feet to the southwesterly boundary line of alley through Block numbered one hundred eight (108)

Thence at right angles southeasterly along and parallel to the southeasterly boundary line of said alley three hundred twenty five (325) feet to the northwesterly boundary line of "K" Street

Thence at right angles southwesterly along and parallel to the northwesterly boundary line of "K" Street two hundred twenty (220) feet to point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

"Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum. will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date."

The fourteenth day of February 1917 at the hour of 7.30 o'clock P. M. and the Council Chamber of said Council at the City Hall in the said City of Modesto, is hereby fixed as the time and place where any and all persons having any objections to said proposed work and improvement should not be carried out in accordance with this resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City and hereby designated for that purpose by the City Council.

Attention is called to the Bitulithic license mixture agreement of Warren Brothers Company, dated Nov. 20th, 1916, on file in the office of the City Clerk of Modesto, the Contractor will be required to procure the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The Street Superintendent shall immediately cause to be conspicuously posted along the line of said contemplated work or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described, notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act, of the Legislature of the State of California, designated the Improvement Act of 1911 approved

April 7th, 1911 and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 24th, day of January 1917, by the following vote:-  
Ayes: Councilmen Gum, O'Connor, Swan and Mayor Morris.  
Noes: Councilmen None.                      Absent: Councilman Moss.

Attest:

W. O. Thompson  
City Clerk.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 340 N. S.

RESOLUTION ORDERING PLANS, AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, it is contemplated that certain improvement be made upon Eleventh Street from the northwesterly boundary line of "K" Street northwesterly to the southeast boundary line of "L" Street within the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvement.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and estimate of the proposed cost and improvement to be made in the paving of said Street with a cement Concrete base and a Bitulithic wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 24th, day of January 1917.

Ayes: Councilmen Gum, O'Connor, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilman Moss.

Attest:

W. O. Thompson  
City Clerk.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 341 N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of Eleventh Street from the northwesterly boundary line of "K" Street northwesterly to the southeast boundary line of "L" Street within the City of Modesto, as prepared by the City Engineer of said City, submitted this 24th, day of January, 1917, be and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 24th, day of January 1917, by the following vote:

Ayes: Councilmen Gum, O'Connor, Swan and Mayor Morris.

Noes: Councilman None. Absent: Councilman Moss.

Attest:

W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO, 342 N. S.

RESOLUTION OF INTENTION NO. 69

RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City, to-wit:-

That Eleventh Street from the northwesterly boundary line of "K" Street northwesterly to the southeast boundary line of "L" Street, Modesto, Stanislaus County, California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting however, from all of the aforescribed work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon,

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half (5½) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half (1½) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, guttering, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of

the Council of the City of Modesto, is of more than local or ordinary public benefit, said Council hereby makes the expense of said work and improvement chargeable upon a district which district said Council hereby declares to be the district benefited by said work and improvement, and be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows:

Beginning at a point where the northwesterly boundary line of "K" Street intersects the southwesterly boundary line of Eleventh Street

Thence southwesterly along and parallel to the northwesterly boundary line of "K" Street seventy (70) feet

Thence at right angles northwesterly fifty (50) feet to the northwesterly boundary line of Lot numbered fifteen (15) Block numbered sixty-six (66)

Thence at right angles southwesterly along and parallel to the northwesterly line of Lot numbered fifteen (15) Block numbered sixty-six (66) seventy (70) feet to the northeasterly boundary line of alley through Block numbered Sixty-six (66)

Thence at right angles northwesterly along and parallel to the northeasterly boundary line of said alley three hundred and fifty (350) feet to the southeasterly boundary line of "L" Street

Thence at right angles northeasterly along and parallel to the southeasterly boundary line of "L" Street three hundred and Sixty (360) feet to the southwesterly boundary line of alley through Block numbered eighty six (86)

Thence at right angles southeasterly along and parallel to southwesterly boundary line of said alley four hundred (400) feet to the northwest boundary line of "K" Street

Thence at right angles southwesterly along and parallel to the northwesterly boundary line of "K" Street two hundred and twenty (220) feet to point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

"Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum. will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date."

The fourteenth day of February 1917 at the hour of 7.30 o'clock P. M., and the Council Chamber of said Council at the City Hall in the said City of Modesto, is hereby fixed as the time and place where any and all persons having any objections to said proposed work and improvement may appear before the City Council and show cause why said improvement should not be carried out in accordance with this resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City, and hereby designated for that purpose by the City Council.

Attention is called to the Bitulithic license mixture agreement of Warren Brothers Company, dated Nov. 20th, 1916, on file in the office of the City Clerk of the City of Modesto, the Constructor will be required to procure the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The Street Superintendent shall immediately cause to be conspicuously posted along the line of said contemplated work or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described, notices of the passage of this Resolution of Intention, in the manner and form required by law.

All of the herein proposed work shall be done in pursuance of an act, of the Legislature of the State of California, designated the "Improvement Act of 1911 approved April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 24th, day of January 1917, by the following vote:-

Ayes: Councilmen Gum, O'Connor, Swan and Mayor Morris.  
Noes: Councilmen None. Absent: Councilman Moss.

Attest:

W. O. Thompson  
City Clerk.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 344 N. S.

A resolution overruling certain protests, correcting and modifying an assessment and thereupon adopting as a whole the report in writing of the City Planning Commission of the City of Modesto on the proposed improvement as described in Resolution of Intention No. 62 of the Council of the City of Modesto as to the property hereinafter described:

WHEREAS, on the 22nd, day of November 1916 the City Council of the City of Modesto passed and adopted its resolution of intention No. 62 declaring its intention to order the planting, protection by suitable guards, coverings or gratings and the care of shade trees and ornamental shrubs and the removal and changing of the same for a period of five years within the sidewalk areas of certain streets, avenues, lanes, alleys, courts and places within the said City of Modesto in said resolution of intention No. 62 named, designated and described, and which said resolution of intention No. 62 is hereby referred to for a particular description thereof, and in said resolution referred the proposed improvement to the City Planning Commission and directed it to make and file with the Clerk of the City Council a report in writing, all in pursuance with the provisions of that certain act of the legislature of the State of California known, designated and referred to as the "Tree Planting Act of 1915 "; and,

WHEREAS, on the 24th, day of January 1917, the said Planning Commission of the said City of Modesto pursuant to said resolution of intention No. 62 made and filed with the Clerk of said City Council a report in writing on the aforesaid proposed improvement setting forth the matters required by section 3 of said Tree Planting Act of 1915 to be presented; and

WHEREAS, upon the filing of said report, said Clerk of the City Council

present the same to said City Council of the City of Modesto, and thereafter to-wit: on or about the 24th, day of January, 1917, the said City Council did receive and thereupon accept and adopt the said report, and thereafter and on the same day did by a resolution appoint the 14th day of February, 1917 at 7:30 o'clock P. M. thereof as the time and the Council Chambers of the City Council in the City Hall at Modesto, California as the place for hearing protests in relation to said proposed improvement, and directed the Clerk of said City Council to give notice of such hearing as required by law, and designated the Modesto Evening News, as the newspaper in which such notice should be published; and,

WHEREAS, thereafter and pursuant to said last named resolution and at least 10 days before the date set for hearing said protests, the superintendent of streets of the City of Modesto caused to be conspicuously posted along all streets, avenues, lanes, alleys, courts, places and pathways, or portions thereof, included in said resolution of intention at not more than 300 feet in distance apart, but not less than three in all, upon each such street, avenue, lane, court, place and pathway, or portion thereof, notices of the passage of said resolution of intention and of filing of said report, and caused a notice similar in substance to be published for two days in a daily newspaper published and circulated in said municipality and designated by said City Council for that purpose, at least 10 days before the date set for hearing said protests, all as required by section 6 of said Tree Planting Act of 1915; and,

WHEREAS, this is the time and place fixed for hearing protests against said improvement and against the said proposed assessments; and,

WHEREAS, certain protests have been filed by persons interested objecting to said improvement, and the Council has found and does hereby find that the said protests in the aggregate are not signed by the owners of a majority of the frontage of the property fronting on streets or parts of streets within said assessments district, and having heard the same find that such protests should be denied; and,

WHEREAS, a protest has been filed by persons interested objecting to the proposed assessment specified in said report and the Council after hearing the same finds and declares that the said protest should be allowed and the said report corrected and modified to meet said protest.

NOW, THEREFORE, be it resolved that the Council does hereby find and declare that all matters and things recited in the foregoing preambles are the facts; that the protests heretofore filed objecting to said improvement are not signed by the owners of a majority of the frontage of the property fronting on streets or parts of streets within the assessment district and that said protests should be and they are hereby denied, disallowed and overruled; that the protest against the proposed assessment be sustained and the assessment corrected and thereupon confirmed and levied as hereinafter ordered, and that with said assessment so corrected and confirmed, the said report in writing of said City Planning Commission on the aforesaid proposed improvement described in said resolution of intention No. 62 made and filed with the City Clerk of the City Council by said City Planning Commission, as aforesaid, be and the same is hereby adopted.

Be it further resolved in the matter of said assessment that in lieu of the levying and collection of the same at one time or in one year at the rate of 7¢ per front foot of the property fronting on the streets and avenues within said assessment district, the collection of the same shall be spread over a period of five years, and the said assessments of 7¢ per front foot shall be collected, namely: over a period of five years, in the following ratio or proportion, to-wit: for the first year 5/7 of said assessment of 7¢ per front foot; for the second year 1/7 of said assessment of 7¢ per front foot; for the third year 1/7 of said assessment of 7¢ per front foot; for the fourth year 1/7 of said assessment of 7¢ per front foot;

for the fifth year 1/7 of said assessment of 7, per front foot;

Be it further resolved that said City Council of said City of Modesto does hereby order said proposed improvement, to-wit: the planting, protection, by suitable guards, coverings or gratings and the care of shade trees and ornamental shrubs, and the removal and changing of the same for a period of five years within the sidewalk areas of the following streets and avenues:

Needham Street, between Ninth Street and McHenry Avenue; Alice Street, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Wright Street, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Stoddard Avenue, between Lateral No. 4 of the Modesto Irrigation District and McHenry Avenue; Nellie Avenue, between Needham Street and Lateral No. 4 of the Modesto Irrigation District; Myrtle Avenue, between Needham Street and Lateral No. 4 of the Modesto Irrigation District; Olive Avenue, between Needham Street and Wright Street; Orange Avenue, between Needham Street and Stoddard Avenue; Virginia Avenue, between Needham Street and Stoddard Avenue; Hackberry Avenue, between Needham Street and Stoddard Avenue; Poplar Avenue, between Needham Street and Stoddard Avenue; Park Avenue, between Needham Street and Stoddard Avenue; Sycamore Avenue, between Needham Street and Stoddard Avenue; Magnolia Avenue, between Needham Street and Stoddard Avenue; Elmwood Avenue, between Needham Street and Stoddard Avenue; McHenry Avenue, between Needham and the north corporate limits.

Excepting, however, from all of the foredescribed improvement, the sidewalk areas on the north side of Stoddard Avenue between Lateral No. 4 of the Modesto Irrigation District, and McHenry Avenue.

The sidewalk area on the west side of McHenry Avenue between Stoddard Avenue and Lateral No. 4 of the Modesto Irrigation District. The sidewalk area on the west side of Sycamore Avenue between Needham Street and Stoddard Avenue. The sidewalk area on the east side of Park Avenue between Needham Street, and Stoddard Avenue.

The sidewalk area on the north side of Needham Street between Park Avenue and Sycamore Avenue. The sidewalk areas on the north and south sides of Alice Street between Park Avenue, and Sycamore Avenue. The sidewalk area on the south side of Stoddard Avenue, between Park Avenue and Sycamore Avenue. The sidewalk area on the south side of Needham Street between "E" Street and Fourteenth Street. The sidewalk area on the east side of Poplar Avenue, fronting on Lots No. 12 and 13 Block 10; in conformity with said resolution of intention No. 62 and the said report of said City Planning Commission so made as aforesaid, and that said shade trees and ornamental shrubs be planted and protected by suitable guards, coverings or gratings and be removed or changed in accordance with said resolution of intention and said report.

Be it further resolved that the said City Council does hereby declare the foregoing to be its action upon said report and assessment.

Be it further resolved that said assessment of 7¢ per front foot of the property fronting on the streets or parts of streets and avenues or parts of avenue within said assessment district be levied as set forth in said report of the City Planning Commission, and that the Clerk of said City Council be instructed and directed to transmit to the tax collector of the City of Modesto the diagram and assessment provided for in sub-division 3 and 4 of section 2 of said Tree Planting Act of 1915, together with the modification and correction thereof hereinbefore made, and that thereupon the said tax collector shall annually enter said assessments upon said assessment roll upon which other taxes of said City are entered, and that the same shall be annually collected in the same manner as such other taxes are collected and at the following rate: for the fiscal year 1917-18 three cents for each front foot of the property fronting on the streets or parts of streets and avenues or parts of avenues within said assessment district hereinbefore described; for the fiscal year 1918-19 one cent for

each such front foot; for the fiscal year 1919-20 one cent for each such front foot; for the fiscal year 1920--21 one cent for each such front foot; for the fiscal year 1921--22 one cent for each such front foot; and that said entry and collection of said assessments shall be made at the same time and by the same officers of other city taxes.

Adopted by the City Council of the City of Modesto on February 14, 1917 by the following vote:

Ayes: Councilmen, Gum, O'Connor, Swan and Mayor Morris;  
Noes: Councilmen, None. Absent: Councilmen Moss.

I hereby certify that the foregoing is a true and correct copy of the resolution passed by the City Council of The City of Modesto on the 14th day of February, 1917.

Attest:  
W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 345 N. S.

WHEREAS, on the 14th, day of June 1916, the City Council of the City of Modesto passed and adopted its resolution of Intention No. 56 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in and by which resolution of intention the said City Council declared and determined that serial bonds should be issued to represent the expense of the work and improvement therein proposed, which said resolution of intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto, is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of the work in said resolution specified was awarded and entered into by said City Council and the work therein ordered was performed in accordance with the conditions of said contract and said resolution of intention, and a warrant issued to the contractor therefor, and no appeal taken from any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of the warrant, and after the Street Superintendent recorded the return, and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts, the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and,

WHEREAS, at the time and place so fixed by said Clerk in said notice in

accordance with section 5 of the "Improvement Bond Act of 1915", to-wit: The 24th day of January, 1917 at the hour of 7:50 o'clock P. M. and at the Council Chamber of the City Council of the City of Modesto, at the City Hall No. 717 Tenth Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and there being no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessments which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$2954.90.

NOW, THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known and designated as the "Improvement Bond Act of 1915" issue in the sum of \$2954.90 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

It is further ordered that the said bonds shall be ten in number, shall each and all be dated the 14th day of February, 1917 shall each and all be for the principal sum or denomination of \$295.49, and shall be numbered and payable as follows;

- No. 1 July 2nd, 1918
- No. 2 July 2nd, 1919
- No. 3 July 2nd, 1920
- No. 4 July 2nd, 1921
- No. 5 July 2nd, 1922
- No. 6 July 2nd, 1923
- No. 7 July 2nd, 1924
- No. 8 July 2nd, 1925
- No. 9 July 2nd, 1926
- No. 10 July 2nd, 1927

and that interest thereon shall be payable semi-annually on the 2nd days of January and July of each year, except that the first payment of interest shall not become due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit: \$10.34, except that the interest coupon payable on the 2nd day of January, 1918 shall be for the sum of \$18.27.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND.

City of Modesto, Stanislaus County, Calif.

\$295.49

Under and by virtue of an act of the legislature of the State of California entitled: "Improvement Bond Act of 1915", the City of Modesto (a municipal corporation) will on the 2nd day of July, 19\_\_\_\_ out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on McHenry Avenue in or owned by said municipality, more fully described in the certain resolution of intention passed by the City Council of said municipality on the 14th day of June, 1916 pay to the bearer

the sum of \$295.49, with interest at the rate of 7% per annum, all as is hereinafter specified, and at the office of the treasure of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in maturities, issued by said municipality under said act for the purpose of providing means for paying for the work and improvements described in said resolution of intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July of each year hereafter; upon presentation of the proper coupon therefor; provided, that first of said coupons is for the interest from date to the next 2nd day of January and thereafter the said coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity. This bond may be redeemed and paid in advance of maturity upon the 2nd day of July of any year by giving notice of publication provided in this act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix thereto its corporate seal, all on the \_\_\_\_ day of \_\_\_\_\_, 1917.

(SEAL)

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
City Clerk.

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form, to-wit:

INTEREST COUPON

No. \_\_\_\_\_ \$ \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the 2nd day of \_\_\_\_\_, 19\_\_\_\_ out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer of said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto be and they are hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said Treasurer be and he is hereby authorized to sign the interest coupons attached to said bonds.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

It is further ordered that bids be advertised for, as the law provides, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday the 14th, day of March, 1917, at 7:30 o'clock P. M.

## RESOLUTION OF INTENTION NO. 70.

BE IT RESOLVED by the Council of the City of Modesto, as follows:

That inasmuch as the public interest, and convenience require it, it is hereby declared to be the intention of Council to order under the provisions of the "Tree Planting Act of 1915", the planting, protection by suitable guards, covering or grating, and the care of shade trees and ornamental shrubs, the care of existing trees and the removal and changing of the same for the period of five (5) years, within the sidewalk areas of the following streets and avenues;

Washington Street between Paradise Avenue and Eight Street, Jefferson Street between Paradise Avenue and Elm Street, Madison Street between Rose Avenue and Elm Street, Franklin Street between Rose Avenue and Elm Street, Paradise Avenue, or "H" Street, between Madison Street and Jefferson Street, Rose Street between Franklin Street and Madison Street, Roberto Street, between Franklin Street and Jefferson Street, California Avenue, between Franklin Street and Washington Street, Walnut Street between Franklin Street and Washington Street, Vine Street between Franklin Street and Washington Street, Spruce Street, between Franklin Street and Washington Street, Pine Street, between Franklin Street and Washington Street, Oak Street, between Franklin Street and Washington Street, Maple Street between Franklin Street and Washington Street, Stanislaus Street between Franklin Street and Washington Street, Locust Street between Franklin Street and Washington Street, Linden Street between Franklin Street and Washington, Laurel Street between Franklin Street and Washington Street, Elm Street between Franklin Street and Washington Street.

Excepting, however, from all of the aforescribed improvement the sidewalk areas on the north side of Walnut Street between Jefferson Street and Washington. The Sidewalk area on the south side of Vine Street between Jefferson Street and Washington Street. The sidewalk area on the south side of Rose Avenue between Franklin Street and Paradise Avenue. The sidewalk areas on the south side of California Avenue between Jefferson Street and Paradise Avenue. The sidewalk areas on the south side of Laurel Street between Madison Street and Jefferson Street. The sidewalk areas on the north side of Linden Street between Madison Street and Jefferson Street. The sidewalk area on the east side of Jefferson Street between Walnut Street and Vine Street. The sidewalk area on the west side of Washington Street between Walnut Street and Vine Street. The sidewalk area on the east side of Madison Street between Linden Street and Laurel Street. The sidewalk area on the west side of Jefferson Street between Linden Street and Laurel Street. The sidewalk area on the west side of Jefferson Street between Linden Street and Laurel Street. The Sidewalk area on the west side of Franklin Street between Paradise Avenue and Elm Street. The sidewalk area on the south side of Paradise Avenue between Franklin Street and Washington Street. The sidewalk areas on the east side of Jefferson Street between Paradise Avenue and California Avenue.

That the foregoing described proposed improvement be, and the same is hereby referred to the City Planning Commission, and it is hereby directed to make and file with the City Clerk a report in writing presenting the following:

1. Plans and specifications for the work required in order to make said improvement, which shall include a specification of the kind of trees or shrubs to be used in and covered by the improvement, their approximate age, size and the general method or manner of making the improvement.

2. An estimate of the cost of said improvement, and of the incidental expenses in connection therewith.

3. A diagram, exhibiting the streets, avenues, lanes, alleys, courts and places, or the parts thereof, along and in which said improvement is proposed to be made, and showing the boundaries and frontage of the lots, parts of lots and lands fronting thereon, each of which subdivisions shall be given a separate number in red ink upon said diagram.

4. A proposed assessment of the total amount of the costs and expenses of the costs and expenses of the proposed improvement ( including all incidental expenses) upon the lots, parts of lots and lands fronting upon the streets, avenues, lanes, alleys, courts and places, or part thereof, along and in which said improvement is to be made, at a rate per front foot sufficient to cover the total expenses of the improvement. Each subdivision shall be separately assessed in proportion to its frontage. Said assessment shall refer to said subdivisions upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown.

Adopted by the Council of the City of Modesto, February 14th, 1917 by the following vote:

Ayes: Councilmen Gum, O'Connor, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilman Moss.

Attest:

W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

WHEREAS, the TIDEWATER SOUTHERN RAILWAY COMPANY, a corporation, has filed with the Council of the City of Modesto its application for a permit to lay down certain spur tracks and to run cars thereon for the purpose of connecting warehouses, manufactories and other industries with a road which does now enter the said City of Modesto, to-wit: the Tidewater Southern Railway Company, upon certain public streets and alleys in said City of Modesto, as follows:

Beginning at a point in the center line of the Tidewater Southern Railway as now located on Ninth Street in the City of Modesto 100 feet more or less north of north line of "E" Street; thence curving to the east across "E" Street to the northwest corner of Block 51 of said City of Modesto, all as shown in yellow on the attached blue print.

NOW, THEREFORE, BE IT RESOLVED:

First: that a permit be and the same is hereby granted to the Tidewater Southern Railway Company, a corporation, to lay down spur tracks and to run cars thereon for the purpose of connecting warehouses, Manufactories and other industries with a line of the Tidewater Southern Railway Company, which now enters the City of Modesto, in accordance with its application and blue print attached thereto and more particularly described as follows:

Beginning at a point in the center line of the Tidewater Southern Railway as now located on Ninth Street in the City of Modesto 100 feet more or less north of the north line of "E" Street; thence curving to the east across "E" Street to the northwest corner of block 51;

Second: That the permit herein granted shall be held and exercised in strict accordance with the terms and provisions of sub-division 10 of Section 4 of the Charter of the City of Modesto;

Third: That the permit granted herein is given upon the express condition, and not otherwise, that prior to its use, the said Tidewater Southern Railway Company shall abandon the passing track on "E" Street for switching purposes absolutely, and abandon and remove the spur track running from its property to the Beard property at or near the corner of Ninth Street and "E" Street in the City of Modesto, and that only a passing track shall be maintained on "E" Street without and switching whatsoever.

.....

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on February 28th, 1917, by Councilman Swan, who moved its adoption, which motion being seconded by Councilman Gum, was put to a vote which carried by the following vote:

Ayes: Councilmen, Gum, Hoes, O'Connor, Swan and Mayor Morris.

Noes; Councilmen None.

Absent: Councilmen None.

Attest February 28th, 1917.

W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....



RESOLUTION NO. 350 N.S.

BE IT RESOLVED, By the Council of the City of Modesto as follows:

WHEREAS, there has been presented to this Council for its approval a certain map entitled "Map of the Griffin Tract, in the N.W. 1/4 of the N.W. 1/4 and the N 1/2 of the S.W. 1/4 of the N.W. 1/4 of Section 36.T.3 #.R.9 E.,M.D.M."

BE IT RESOLVED that said map be approved by this Council, and the City Clerk be and he is hereby instructed to deliver the same to the clerk of the Board of Supervisors of Stanislaus County, with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto. Date Feb. 28th, 1918, by the following vote:

Ayes: Councilmen Gum, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen None.

Attest: W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 351 N.S.

WHEREAS, the City of Modesto is a municipal corporation of and within the state of California; and,

WHEREAS, the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements hereinafter specified; and,

WHEREAS, the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto; and,

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation, and the Mayor of the City of Modesto is the chief executive officer of said City of Modesto;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, at a regular meeting thereof duly and regularly had, held and conducted; ( and the said City Council so determines and declares) that the public interest and necessity of the said City of Modesto and the inhabitants thereof demands the acquisition and construction of the municipal improvements hereinafter specified and named; and that the cost of said improvements and any and all thereof will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the public improvements, the acquisition and construction of which are demanded by public interest and necessity as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

1. The acquisition of the necessary ground for the construction of and thereupon the acquisition and construction of a municipal swimming pool and bath, together with the necessary buildings and other structures to be used in connection therewith, to be thereafter owned by the municipality of the City of Modesto, of the estimated cost of ten (\$10,000.00) thousand dollars,

2. The improvement of the streets of said City of Modesto, by improving the intersections of the accepted streets of the said City of Modesto, by grading and thereupon paving and constructing cement concrete curbs and gutters, and the construction and placing in position of culverts; all upon certain streets intersections in said City of Modesto; all to be in accordance with plans and specifications adopted and on file in the office of the City Clerk of said City of Modesto; of the estimated cost of Forty (\$40,000.00) thousand dollars.

3. The acquisition and construction and completion of system of storm sewers in and for said City of Modesto, to supplement the present sewer system, and in particular to carry off and dispose of the storm waters, in accordance with preliminary plans heretofore prepared therefor by the City Engineer and on file in the office of the Clerk of the City of Modesto, the estimated cost of which will be the sum of thirty (\$30,000.00) thousand dollars.

The foregoing resolution was introduced by Councilman Swan, who moved its adoption; and, vote being taken by roll call on the question of its adoption, it was adopted by the following vote:

Ayes: Councilmen, Gunn, Moss, O'connor, Swan and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilmen, None.

Attest:

W. C. Thompson,  
City Clerk.

Approved February 28th, 1917.

D. W. Morris  
Mayor, City of Modesto.

.....

#### RESOLUTION NO. 352 W. S.

WHEREAS, the City of Modesto is a municipal corporation of and within the State of California; and,

WHEREAS, the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements hereinafter specified; and,

WHEREAS, the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto; and,

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation, and the Mayor of the City of Modesto is the chief executive officer of said City of Modesto;

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Modesto, at a regular meeting thereof duly and regularly had, held and conducted; ( and the said City Council so determines and declares)

That the public interest and necessity of the said City of Modesto and the inhabitants thereof demands the acquisition and construction of the municipal improvements hereinafter specified and named; and that the cost of said improvements and any and all thereof will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the public improvements, the acquisition and construction of which are demanded by public interest and necessity as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

1. The acquisition of the necessary ground for the construction of, and thereupon the acquisition and construction of a municipal swimming pool and bath, together with the

necessary buildings and other structures to be used in connection therewith, to be thereafter owned by the municipality of the City of Modesto, of the estimated cost of Ten Thousand dollars, (\$10,000.00).

2. The improvement of the streets of said City of Modesto, by improving the intersections of the accepted streets of the said City of Modesto, by grading and thereupon paving and constructing cement concrete curbs and gutters, and the construction and placing in position of culverts; all upon certain street intersections in said City of Modesto; all to be in accordance with plans and specifications adopted and on file in the office of the City Clerk of said City of Modesto; of the estimated cost of Forty (\$40,000.00) thousand dollars.

3. The acquisition and construction and completion of a system of storm sewers in and for said City of Modesto, to supplement the present sewer system, and in particular to carry off and dispose of the storm waters, in accordance with preliminary plans heretofore prepared therefor by the City Engineer and on file in the office of the Clerk of the City of Modesto, the estimated cost of which will be the sum of Thirty (\$30,000.00) Thousand Dollars.

4. For the improvement, construction, extension and completion of the water system of the said City of Modesto, according to the estimates thereof on file in the office of the City Clerk of said City, of the estimated cost of Five (\$5,000.00) Thousand Dollars.

5. For improvement, construction, extension and completion of a sanitary sewer system in and for the City of Modesto, according to estimates thereof on file in the office of City Clerk of said City, of the estimated cost of Fifteen (\$15,000.00) Thousand Dollars.

The foregoing resolution was introduced by Councilman Swan, who moved its adoption; and, vote being taken by roll call on the question of its adoption, it was adopted by the following vote:

Ayes: Councilmen Gum, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen None. Absent: Councilmen, None.

Attest:

W. C. Thompson,  
City Clerk.

Approved, March 11th, 1917.

D. W. Morris,  
Mayor.

RESOLUTION CARRYING INTO PROTEST. NO. 66  
INTENTION NO. 253 N. S.

WHEREAS, the City Council of the City of Modesto did, on the 17th day of January, 1917 pass Resolution of Intention No. 66, to order the following work to be done and improvements to be made in said City, to-wit:

"That Fifth Street from the northwest property line of 'L' Street northwest to the south property line of Woodham Street, Modesto, Stanislaus County California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting however, from all of the aforesaid work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon,

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a bitulithic wearing surface five and one-half (5½) inches

thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic and gravel half (1/2) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, gut-  
tering, curbing and curbing shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

AND, WHEREAS, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit said Council hereby makes the expense of said work and improvement chargeable upon a district which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and benefits thereof; which said district is bounded and described as follows;

Beginning at the corner of Block numbered 89 City of Modesto, where the north-  
west boundary line of "L" Street intersects the southwest boundary line of Tenth Street, thence  
southwesterly one hundred forty (140) feet along and parallel to the northwesterly boundary of  
"L" Street to the northeasterly boundary line of alley between Ninth Street and Tenth Street.

Thence, at right angles northeasterly one thousand (1007.0) eight hundred  
thirty seven and six tenths feet, along and parallel to the northeasterly boundary line of  
said alley to the south boundary line of Needham Street.

Thence easterly five hundred (511.52) eleven and fifty two hundredths feet  
along and parallel to the south boundary line of Needham Street to the southeasterly boundary  
line of alley between Tenth Street and Eleventh Street.

Thence southeasterly one thousand (1491.2) four hundred eighty one and two  
tenths feet along and parallel to the southwesterly boundary line of said alley to the northw-  
esterly boundary line of "L" Street.

Thence at right angles southwesterly two hundred (220) twenty feet along and  
parallel to the northwesterly boundary line of "L" Street to the point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets  
and alleys included and contained therein."

AND, WHEREAS, certain owners of property liable to be assessed for said work  
made written protest or objections in writing and delivered the same to the clerk not later  
than the hour set for hearing such objections,

AND, WHEREAS, at the time set for hearing protests or objections the Council  
proceeded to hear the same, and all of said protests or objections having been heard and duly  
considered, it is hereby

RESOLVED, by the Council of the City of Modesto, that all of the said protests  
and objections against said proposed work or improvement be, and the same are hereby overruled  
and denied.

I hereby certify that the foregoing Resolution was duly and regularly passed by  
the Council of the City of Modesto at a regular meeting of said Council held the 14th, day of  
March, 1917, by the following vote:

Ayes: Councilmen, Gun, O'Connor, Swan and Major Morris.

Noes: Councilmen, None.

Absent: Councilmen, Moss.

Attest:

W. G. Thompson,  
City Clerk.

D. W. Morris  
Mayor.

RESOLUTION ORDERING THE WORK NO. 66

RESOLUTION NO. 354 N. S.

RESOLVED, that where as the City Council of the City of Modesto did on the 17th day of January, 1917, pass its Resolution of Intention No. 66 to order the hereinafter described work to be done and improvement to be made in said City, which Resolution of Intention was duly and legally published as required by law, as appears from the affidavit of The Modesto Evening News now on file in the Office of the City Clerk of said City; and whereas, notices of the passage of said Resolution of Intention No. 66 headed "Notice of Improvement" were duly and legally posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed therefor, in form and manner required by law, after the passage of said Resolution of Intention, as appears from the affidavit of S. P. Kinnear, Superintendent of Streets, who personally posted the same, and who, upon the completion of the posting of said notices, forthwith filed said affidavit in the office of the City Clerk, making oath that he completed the posting of said notices on the 24th day of January 1917, and whereas, all protests or objections presented have been disposed of in time, form and manner as required by law and the City Council having now acquired jurisdiction to order the proposed improvement, it is hereby

RESOLVED, that the public interest and convenience require the work herein described, and the City Council of the City of Modesto hereby order the following work to be done and improvement to be made inside City, to-wit:-

That Tenth Street from the northwest property line of "L" Street northwesterly to the south property line of Needham Street, Modesto, Stanislaus County, California, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting however, from all of the aforescribed work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon;

Be graded and thereupon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half (5½) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half (1½) inches in thickness, and curbed with cement concrete curbing, and to further construct cement concrete gutters and gutters; all of such grading, guttering, curbing and paving shall be done in accordance with plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the Council of the City of Modesto, is of more than local or ordinary public benefit said Council hereby makes the expense of said work and improvement chargeable upon a district which district said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and benefit thereof; which said district is bounded and described as follows;

Beginning at the corner of Block numbered 59 City of Modesto, where the northwest boundary line of "L" Street intersects the southwest boundary line of Tenth Street, thence southwesterly one hundred forty (140) feet along and parallel to the northwesterly boundary of "L" Street to the northeasterly boundary line of alley between Ninth Street and Tenth Street.

Thence at right angles northwesterly one thousand (1000) eight hundred thirty seven and six tenths feet, along and parallel to the northeasterly boundary line of said alley to the south boundary line of Needham Street.

Thence easterly five hundred (511.52) eleven and fifty two hundredths feet along and parallel to the north boundary line of Needham Street to the southwesterly boundary line of alley between Tenth Street and Eleventh Street.

Thence southeasterly one thousand (1481.2) four hundred eighty one and two tenths feet along and parallel to the southwesterly boundary line of said alley to the northwesterly boundary line of "L" Street.

Thence at right angles southwesterly two hundred (220) twenty feet along and parallel to the northwesterly boundary line of "L" Street to the point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

"Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent per annum, will be issued hereunder in the manner provided by the improvement bond act of 1915, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date."

Attention is called to the Bitulithic license mixture agreement of Warren Brothers company, dated Nov. 25th, 1916, on file in the office of the City Clerk of the City of Modesto, the Contractor will be required to procure the wearing mixture of Warren Brothers Company as provided in said license mixture agreement.

The City Clerk is hereby directed to post a notice of said work, together with the plans and specifications therefor, conspicuously for five days on or near the Council Chamber door, inviting sealed proposals or bids for doing the work ordered, he is also directed to publish twice inviting such proposals, and referring to the specifications posted or on file in the Modesto Evening News, a newspaper published and circulated in said City, and hereby designated for that purpose.

I hereby certify that the foregoing resolution was duly and regularly passed by the Council of the City of Modesto, at a regular meeting of said Council held the 14th, day of March 1917, by the following vote:

Ayes: Councilmen Gunn, O'Connor, Swan and Mayor Morris.  
Noes: Councilmen, None. Absent: Councilman Moss.

Attest:  
W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 355-N. S.

Providing for a general municipal election in and for the City of Modesto and a general election in and for the Modesto City School District.

BE IT RESOLVED by the Council of the City of Modesto as follows:

That under and pursuant to the charter of the City of Modesto a general municipal election in and for the City of Modesto, and a general school election in and for the Modesto City School District, be and the same is hereby called to be held on Tuesday, the 10th day of April, 1917, for the purpose of electing the following officers for the City of Modesto, to-wit: Two councilmen; and also for the purpose of electing certain officers for the said Modesto City School District, to-wit: Two members of the Board of Education of the Modesto City School District.

For the purpose of holding said election, said City of Modesto shall be and the same is hereby precinctted and established into ten special election precincts to be known and designated as follows, to-wit: special election precinct No. 1; special election precinct No. 2; special election precinct No. 3; special election precinct No. 4; special election precinct No. 5; special election precinct No. 6; special election precinct No. 7; special election precinct No. 8; special election precinct No. 9; special election precinct No. 10. That the boundaries of said special election precincts are hereby fixed and established as follows, to-wit:

That the boundaries of said special election precincts are hereby fixed, established and determined as follows:

All that portion of the City of Modesto described as follows:

Beginning at the northwesterly corner of the corporate limits of said City of Modesto; running thence easterly along the center line of Stoddard Avenue to its intersection with Hackberry Street; thence southerly along the center line of Hackberry Street to its intersection with Needham Avenue; thence westerly along the center line of Needham Avenue to its intersection with Twelfth Street; thence southeasterly along Twelfth Street to its intersection with the center line of "L" Street; thence southwesterly along the center line of "L" Street to its intersection with the center line of the main track of the Central Pacific Railway; thence northwesterly along the center line of the main track of the Central Pacific Railway to the west boundary line of the City of Modesto; thence along the west boundary line of the City of Modesto north to its intersection with the north boundary line of the City of Modesto, the point of beginning, shall be known as special election precinct No. 1.

All that portion of the City of Modesto described as follows:

Beginning at the intersection of the center line of Hackberry Street with the center line of Stoddard Avenue; thence easterly along the center line of Stoddard Avenue to its intersection with the center line of Magnolia Street; thence along the center line of Magnolia Street to its intersection with the center line of Stoddard Avenue; thence easterly along the center line of Stoddard Avenue to its intersection with the center line of McHenry Avenue; thence southerly along the center line of McHenry Avenue to its intersection with "J" Street; thence southwesterly along the center line of "J" Street to its intersection with the center line of Thirteenth Street; thence northwesterly along the center line of Thirteenth Street to its intersection with the center line of "L" Street; thence southwesterly along the center line of "L" Street to its intersection with the center line of Twelfth Street; thence northwesterly along the center line of Twelfth Street to its intersection with the center line of Needham Avenue; thence easterly along the center line of Needham Avenue to its intersection with the center line of Hackberry Street; thence along the center line of Hackberry Street northerly to its intersection with the center line of Stoddard Avenue, the point of beginning, shall be known as special election precinct No. 2.

All that portion of the City of Modesto lying east of Magnolia Street, north of Needham Avenue, Annie Street, "H" Street and the Cemetery Road shall be known as special election precinct No. 3.

All that portion of the City of Modesto described as follows:

Beginning at the intersection of the center line of the main track of the Central Pacific Railway with the center line of "L" Street extend across the right of way of the Central Pacific Railway; thence easterly along the center line of "L" Street to its intersection with the center line of Thirteenth Street; thence southeasterly along the center line of Thirteenth Street to its intersection with the center line of "I" Street; thence southwesterly along the center line of "I" Street to its intersection with the center line of the main track of the Central Pacific Railway; thence northwesterly along the center line of the main track of the

Central Pacific Railway to its intersection with the center line of "E" Street extended across the center line of the Central Pacific Railway, the point of beginning, shall be known as special election precinct No. 4.

All that portion of the City of Modesto described as follows;

Beginning at the intersection of the center line of "E" Street with the center line of the main track of the Central Pacific Railway; thence northeasterly along the center line of "E" Street to its intersection with the center line of Thirteenth Street; thence northwesterly along the center line of Thirteenth Street to its intersection with the center line of "J" Street; thence northeasterly along the center line of "J" Street to its intersection with the center line of Fourteenth Street; thence southeasterly along the center line of Fourteenth Street to its intersection with the center line of "G" Street; thence southeasterly along the center line of "G" Street to its intersection with the center line of the main track of the Central Pacific Railway; thence northwesterly along the center line of the Central Pacific Railway to its intersection with the center line of "E" Street, the point of beginning, shall be known as special election precinct No. 5.

All that portion of the City of Modesto described as follows:

Beginning at the intersection of McWay Street, "J" Street, Seventeenth Street and Lanic Street; thence southeasterly along the center line of Lanic Street northeasterly along the center line of "H" Street and Cemetery Avenue to the corporate limits; thence along the corporate limits to the center line of Dry Creek; thence southeasterly and southerly down stream along the center line of Dry Creek to the center line of the Dry Creek Bridge, being also the center line of Jennie Street extended; thence in a westerly direction along the center line of Jennie Street to the center line of Burney Street; thence north along the center line of Burney Street to its intersection with the center line of Fifteenth Street; thence north along the center line of Fifteenth Street to its intersection with the center line of "C" Street; thence southeasterly along the center line of "C" Street to its intersection with the center line of Jennie Street; thence northwesterly along the center line of Fourteenth Street to its intersection with the center line of "E" Street; thence northeasterly along the center line of "E" Street to the point of beginning, shall be known as special election precinct No. 6.

All that portion of the City of Modesto described as follows:

Beginning at the intersection of the center line of "C" Street with the center line of the main track of the Central Pacific Railway; thence northeasterly along the center line of "C" Street to its intersection with the center line of Fifteenth Street; thence southeasterly along the center line of Fifteenth Street to its intersection with the center line of Burney Street; thence southerly along the center line of Burney Street to its intersection with the center line of Jennie Street; thence easterly along the center line of Jennie Street to the point of its intersection with the corporate limits in the center of Dry Creek at the Dry Creek Bridge; thence following the center line of Dry Creek in a southerly direction down stream to its junction with the corporate limits of the City of Modesto in the center of the Tuolumne River; thence along the corporate limits in the center of the Tuolumne River up-stream to its point of intersection with the center line of the main track of the Central Pacific Railway; thence northwesterly along the center line of the main track of the Central Pacific Railway to the point of beginning at its intersection with the center line of "C" Street, shall be known as special election precinct No. 7.

All that portion of the City of Modesto described as follows:

Beginning at the intersection of the center line of the main track of the Central Pacific Railway with the westerly corporate limits of the City of Modesto; thence southeasterly along the center line of the main track of the Central Pacific Railway to its intersection with the center line of "J" Street extended; thence southwestwesterly along the center line of "J" Street to its intersection with the center line of Third Street; thence northwesterly

along the center line of Third Street to its intersection with the center line of Washington Street; thence northerly along the center line of Washington Street to its intersection with the center line of Oak Street; thence westerly along the center line of Oak Street to its intersection with the western corporate limits; thence northerly along the western corporate limits of the City of Modesto to their intersection with the center line of the main track of the Central Pacific Railway, the point of beginning, shall be known as special election precinct No. 8.

All that portion of the said City of Modesto described as follows:

Beginning at the intersection of the center line of "E" Street with the main track of the Central Pacific Railway; thence southwesterly along the center line of "E" Street and Paradise Avenue to the westerly corporate limits at Franklin Street; thence northerly along the western corporate limits to the intersection of the said corporate limits and the center line of Oak Street; thence easterly along the center line of Oak Street to its intersection with the center line of Washington Street; thence westerly along the center line of Washington Street to its intersection with the center line of Third Street; thence southeasterly along the center line of Third Street to its intersection with the center line of "J" Street; thence northeasterly along the center line of "J" Street to its intersection with the center line of the main track of the Central Pacific Railway; thence southeasterly along the center line of the main track of the Central Pacific Railway to its intersection with the center line of "E" Street, shall be known as special election precinct No. 9.

All that portion of the City of Modesto lying southerly and easterly of "E" Street and Paradise Avenue and westerly of the center line of the main track of the Central Pacific Railway shall be known as special election precinct No. 10;

The boundaries of said Modesto City School District for the purpose of said election shall be as follows, to-wit:

Beginning at the center of Section 24, township 3 south, range 9 east, Mount Diablo Base and Meridian; thence west  $1\frac{1}{2}$  miles to quarter-corner between sections 22 and 23; thence north  $\frac{1}{2}$  mile to northeast corner of section 22; thence west 2 miles to northwest corner of section 21; thence north to Lateral No. 3 of the Modesto Irrigation District; thence westerly along Lateral No. 3 to its intersection with the east line of Section 18; thence north to quarter-corner on east line of section 18; thence west to center of Section 18; thence south  $\frac{1}{2}$  mile to quarter-corner between sections 18 and 19; thence west to the northwest corner of section 18; thence west to the northwest corner of section 19; thence south  $1\frac{1}{2}$  miles to quarter-corner between section 30, township three south, range 9 east, M.D.B. & M., and section 25, township 3 south, range 8 east; thence west  $\frac{3}{4}$  mile; thence south  $\frac{1}{2}$  mile; thence east  $\frac{3}{4}$  mile to southeast corner of section 25, township 3 south, range 8 east; thence south  $\frac{1}{2}$  mile to quarter-corner east line of section 30, township 3 south, range 8 east; thence west to center of section 25, township 3 south, range 8 east; thence south  $\frac{3}{4}$  mile to quarter-corner between the northeast quarter and the northwest quarter of section 1, township 4 south, range 9 east; thence west  $\frac{1}{2}$  mile to quarter-quarter-corner in center of northwest quarter of section 1, township 4 south, range 8 east; thence south to Tuolumne River; thence easterly along center of river to its intersection with south line of section 5, township 4 south, range 9 east; thence east about  $2\frac{1}{2}$  miles to quarter-corner on south line of section 5, township 4 south, range 9 east; thence north to Tuolumne River; thence easterly along the center of river to its intersection with north and south quarter line in section 2, township 4 south, range 9 east; thence northerly through section 2, township 4 south, range 9 east, and sections 35 and 36, township 3 south, range 9 east to center of Dry Creek; thence easterly along center of Dry Creek to north and south quarter section line in section 2, township 3 south, range 9 east; M.D.B. & M.; thence north to center of section 24, township 3 south, range 9 east to place of beginning.

The territory included within the said Modesto City School District, but outside of the corporate limits of the City of Modesto, is for the purpose of said election hereby divided and established into three (3) election precincts, and the designation and boundaries of which are hereby defined as follows: to-wit:

MENSINGER PRECINCT.

Which shall comprise all the territory within the said Modesto City School District, heretofore described and outside the corporate limits of the said City of Modesto, which lies north of the Dry Creek and east of the Central Pacific Railroad.

MASE PRECINCT.

Which shall comprise all the territory within the said Modesto City School District hereinbefore described, and outside of the corporate limits of the said City of Modesto, which lies north of the Tuolumne River and west of the Central Pacific Railroad.

TUOLUMNE PRECINCT.

Which shall comprise all the territory within the said Modesto City School District, heretofore described, and outside of the corporate limits of the City of Modesto, which lies south of the Tuolumne River, and also that territory within said School District which lies between the Tuolumne River and Dry Creek.

The following places are hereby fixed and designated as and for the places of holding said election within the said City of Modesto, and the following named persons are hereby designated and appointed to act as officers of election for said election, both for said City of Modesto and said Modesto City School District, and will conduct the same, to-wit:

SPECIAL ELECTION PRECINCT NO. 1.

Polling place: F. M. Fellow's garage, 1201 Eleventh Street.

Inspectors: Asa Thompson Young and A. M. Briggs.

Judges: S. E. Foster and Mrs. Edna Reed Palmer.

Clerks: Herman B. Ross and Mrs. Lillie M. Elliot.

SPECIAL ELECTION PRECINCT NO. 2.

Polling Place: T. H. Beard's garage, on Needham Street between Sycamore and Magnolia Streets.

Inspectors: Wm H. Sisk and L. B. Carpenter.

Judges: G. C. Austin and Miss Nellis I. Reeve.

Clerk: Lawrence Jones and Mrs. Iona Harbaugh.

SPECIAL ELECTION PRECINCT NO. 3.

Polling Place: Mrs. H. A. Bates' garage, 1705 Annie Street.

Inspector: M. B. Niven and John W. Clark.

Judges: Mrs. Lillian Blanton and Mrs. Lillian Hunt Wead.

Clerks: L. E. Suggett and Mrs. Helen Shoemaker.

SPECIAL ELECTION PRECINCT NO. 4.

Polling Place: Mrs. Lulla R. Hughson's garage on "J" Street, between Eleventh and Twelfth Streets.

Inspectors: Mrs. Alice Dozier and Wm H. Long.

Judges: Miss Irma Morris and Wm H. Van Aken.

Clerks: J. W. Dunlap and Frank T. Boggard.

SPECIAL ELECTION PRECINCT NO. 5.

Polling Place: City Hall, 717 Tenth Street.

Inspectors: Jos. A. Edwards and Francis J. Choisez.

Judges: R. E. Gillman and Phillip Mueller.

Clerk: Mrs. Blanch Murphy and Miss Sadie Maul Hobron.

SPECIAL ELECTION PRECINCT NO. 6.

Polling Place: Booth at 17th Street pumping station.

Inspectors: Julien Mourat and J. D. Reeves.

Judges: Arthur Weiss and Norman S. Garlinghouse.

Clerks: Mrs. Jessie B. Snowden and Miss Hazel E. Campbell.

SPECIAL ELECTION PRECINCT NO. 7.

Polling Place: Pinckney's Paint Shop, on 11th Street, between "F" and "G" Streets.

Inspectors: Dan Goodwin and S. L. Pinckney.

Judges: Herman Harder and Miss Minnie E. Eline.

Clerks: C. W. Utterback and Miss Veda Goodwin.

SPECIAL ELECTION PRECINCT NO. 8.

Polling Place: Eighth Street Water Works.

Inspectors: W. S. Mann and Benton A. Wood.

Judges: Frank Motta and Geo. T. Carpenter.

Clerks: Mrs. Cora Bortle and Mattie Hunsaker.

SPECIAL ELECTION PRECINCT NO. 9.

Polling Place: Auditorium on "H" Street between Sixth and Seventh Streets.

Inspectors: A. W. Turpen and J. A. P. Lawrence.

Judges: Gustave Rannisch and Frank J. Sutter.

Clerks: Mrs. Josephine S. Wood and Mrs. Margaret Christman.

SPECIAL ELECTION PRECINCT NO. 10.

Polling Place: T. H. Green's garage on "H" Street between Fourth and Fifth Streets.

Inspectors: Elmer W. Persing and Clarence B. Green.

Judges: Fred J. Spenker and Arthur T. McKinley.

Clerks: Mrs. Myrtle B. Irvine and Mrs. Pearl L. Nichols.

The following places are hereby fixed and designated as and for the holding of said general school election in that portion of the Modesto City School District which lies outside of the corporate limits of the City of Modesto, and the following named persons are hereby designated to act as officers of election for said election within said territory: to-wit;

MENSINGER PRECINCT.

Polling Place: The old J. J. McShon place on the McHenry Road.

Inspectors: W. E. Mensinger and W. E. Kewin.

Judges: Dan Grundy and C. J. Ludwig.

Clerks: John Dirst and S. G. Gaer.

MASE PRECINCT.

Polling Place: The Mase Ranch on the Mase Road.

Inspectors: James V. Howell and W. H. Vivian.

Judges: T. Bannison and J. P. Dagg.

Clerks: C. L. Beatty and Le Roy Morris.

TROBINE PRECINCT.

Polling Place: The Lester Holmes Store on Eagle Property near Robison Bridge.

Inspectors: W. N. Taylor and Frank Elkins.

Judges: John Foit and E. E. Hayes.

Clerks: C. J. Pacey and J. W. Guyler.

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the political code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election or supply the place of any absent member thereof.

It is further ordered that such election shall be held in all respects in

conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the charter of the City of Modesto. On the day the election is held, the polls shall be opened at six o'clock A. M. and must be kept open until six o'clock in the afternoon of said day when the polls shall be closed.

The City Clerk shall and he is hereby ordered to prepare the necessary election proclamations and cause the same to be published for the time and in the manner required by the charter of the City of Modesto.

Introduced and ordered adopted by the Council of the City of Modesto at a special meeting duly called, convened and held on the 19th day of March, 1917, by the following votes:

Ayes: Councilmen: Galt, Moss O'Connor, Swan and Mayor Morris.

Noes: Councilmen: None. Absent: Councilmen: None.

Attest:  
W. O. Thompson,  
City Clerk.

Approved March 19th, 1917.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 356-N. S.

BE IT RESOLVED, by the Council of the City of Modesto as follows:-

WHEREAS, there has been present to this Council for its approval a certain map entitled "Foit Tract", being situated in the S.W.  $\frac{1}{4}$  of Section 33 township 3 S. R. 9 E. N. E. 3. and N.

BE IT RESOLVED, that said map be approved by this Council, and the City Clerk be and he is hereby instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County, with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto. Date March 28th, 1917, by the following vote:

Ayes: Councilmen Galt, Moss, Swan and Mayor Morris.

Noes: Councilmen None. Absent: Councilmen O'Connor.

Attest:  
W. O. Thompson,  
City Clerk.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 357-N. S.

WHEREAS, the Council of the City of Modesto did by Ordinance No. 310-N. S. call a special election to be held on the 10th day of April, 1917 to submit to the qualified voters of the City of Modesto the proposition of incurring an indebtedness by the issuing of bonds for the purposes in said ordinance set forth; and,

WHEREAS, the provisions of law requisite to the calling of said election and the notice thereof were duly complied with; and,

WHEREAS, said special election was held on said 10th day of April, 1917 and was conducted and held in all respects in conformity with the laws of the State of California and the ordinances of the City of Modesto; and,

WHEREAS, the proper officers of said election returned to and filed with the City Clerk of said City the returns of said election, which said returns were duly opened and canvassed by said Council of the City of Modesto and the results of said election obtained on the 11th day of April, 1917; and,

WHEREAS, it appears from the canvass of the returns of said election that a total of 1923 votes were cast at said election, and that none of the propositions voted for received in its favor the votes of two thirds of all the voters voting at such election.

NOW, THEREFORE, the said City Council of the City of Modesto, sitting as a canvassing board to canvass the returns of said election, hereby find and declare the result of said election as follows:

That the results of said special election and the votes cast for each of the propositions submitted were as herein set forth, to-wit:

Total number of vote cast 1923.

1. For the acquisition of the necessary ground for the construction of and thereupon the acquisition and the construction of a municipal swimming pool and bath, together with the necessary buildings and other structures to be used in connection therewith, to be thereafter owned by the municipality of the City of Modesto; 973 votes were cast in favor of incurring said indebtedness, and 715 votes were cast against incurring said indebtedness;

2. The improvement of the streets of said City of Modesto by improving the intersections of the accepted streets in said City by grading, and thereupon paving, and constructing cement concrete curbs and gutters, and the construction and placing in position of culverts, all upon certain street intersections in said City of Modesto, all to be in accordance with the plans and specifications adopted and on file in the office of the City Clerk of said City of Modesto; 1178 votes were cast in favor of incurring said indebtedness for said purpose, and 60 votes were cast against incurring said indebtedness;

3. For the acquisition, construction, completion of a system of storm sewers in and for said City of Modesto to supplement the present sewer system, and in particular to carry off and dispose of the storm waters, in accordance with the preliminary plans heretofore prepared therefor by the City Engineer and on file in the office of the City Clerk of the City of Modesto; 1123 votes were cast in favor of incurring said indebtedness, and 471 votes were cast against incurring said indebtedness;

4. For the improvement, construction, extension and completion of the municipal water works and water systems of said City of Modesto, according to the estimates on file in the office of the City Clerk of said City; 1763 votes were cast in favor of incurring said indebtedness and 457 votes were cast against said indebtedness;

5. For the improvement, construction, extension and completion of a sanitary sewer system in and for the City of Modesto, according to the estimates on file in the office of the City Clerk of said City; 1170 votes were cast in favor of incurring said indebtedness and 402 votes were cast against incurring said indebtedness.

That the affirmative of none of the said propositions received more than 1282 votes each, which said 1282 votes is two thirds of all the votes cast by the voters at said special election.

BE IT THEREFORE RESOLVED, that the City of Modesto do not issue bonds in any sum or amount whatsoever for any of the purposes mentioned in the ordinance calling said special election until another election shall have been called, properly authorizing the issuance of said bonds.

Ordinance No. 318, which providing for a second general municipal election was duly adopted and passed by the Council of the City of Modesto, at a regular meeting of said Council held the 10th day of April, 1917, by the following vote:

Ayes: Councilmen 12, Nays: 0, Wards: 1, Mayor Morris.

Opp: Councilmen 0, Nays: 0, Wards: 0, Councilman, None.

Attest:  
W. C. [unclear],  
City Clerk.

E. W. [unclear],  
Mayor.

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RESOLUTION NO. 318-N. S.

Providing for a second general municipal election in aid for the City of Modesto.

BE IT ENACTED by the Council of the City of Modesto as follows:

That under and pursuant to the charter of the City of Modesto and by virtue of the fact that at the general municipal election held in the said City of Modesto on the 10th day of April, 1917, there was one office, to-wit: the office of councilman of the City of Modesto, to which the required number of persons were not elected; that a second general municipal election be and for the City of Modesto be and the same is hereby called to be held on the day, the 21th day of April 1917, for the purpose of electing the following officers of the City of Modesto, to-wit: one councilman.

For the purpose of holding said second general municipal election, the City of Modesto is hereby partitioned and established into ten special election precincts to be known, and designated respectively as special election precinct No. 1 to special election precinct No. 10, inclusive.

That the boundaries of said special election precincts for the purpose of said general election are hereby fixed, established and determined as the same were fixed, established and determined by the resolution of the Council calling the general municipal election which was held on the 10th day of April 1917, which said resolution now on file and of record in the office of the City Clerk of the City of Modesto is hereby referred to, the same to be investigated hereof, for greater certainty.

The following places are hereby fixed and designated as and for the places for holding said election within the City of Modesto, and the following persons are hereby designated and appointed to act as officers of election for said election, to-wit:

SPECIAL ELECTION PRECINCT NO. 1.

Rolling Place: W. M. Bellows' garage, 1201 Eleventh Street.

Inspectors: S. F. De Yoe and S. E. Foster.

Judges: Asa Thompson Young and Edna M. Palmer.

Clerks: Mrs. Hiss E. Bentley and Herman B. Rice.

SPECIAL ELECTION PRECINCT NO. 2.

Rolling Place: T. K. Beard's garage, on Hedham Street between Sycamore and Magnolia Streets.

Inspectors: J. B. Wallis and O. C. Lee.

Judges: C. C. Austin and Nellie I. Reeves.

Clerks: Goldie M. Davis and Lawrence E. Jones.

SPECIAL ELECTION PRECINCT NO. 3.

Polling Place: Mrs. H. A. Pates' garage , 1705 Annie Street.

Inspectors: J.W. Clark and Frank J. Humphrey.

Judges: Mrs. Helen M. Shoemaker and Mrs. Verna McGee.

Clerks: Lillian M. Blanton and Esther S. Weeks.

SPECIAL ELECTION PRECINCT NO. 4.

Polling Place : Mrs. Laella R. Hughson's garage on "J" Street, between Eleventh and Twelfth Streets.

Inspectors: Mrs. Marie Lang and Alice S. Dozier.

Judges: Miss Lrma Morris and J. W. Dunlap.

Clerks: Mrs. Mary Estes and Frank T. Bogard.

SPECIAL ELECTION PRECINCT NO. 5.

Polling Place: City Hall, 717 Tenth Street.

Inspectors: Jas. A. Edwards and Francis J. Choisea.

Judges: Mrs. B. J. Rodrick and R. E. Gillman.

Clerks: Sadie Maud Hobron and L. C. Hansen.

SPECIAL ELECTION PRECINCT NO. 6.

Polling Place: Booth at 17th Street pumping station.

Inspectors: Julia Maurot and J. D. Reeves.

Judges: N. S. Carlinghouse and Chas. A. Spurrier.

Clerk: Jessie B. Snowden and J. F. Campbell.

SPECIAL ELECTION PRECINCT NO. 7.

Polling Place: Pinckney's Paint Shop, on 11th Street, between "P" and "Q" Streets.

Inspectors: Dan Goodwin and S. L. Pinckney.

Judges: A. S. Dingley and Minnie E. Kline.

Clerks: Wada Goodwin and Alma Wallace.

SPECIAL ELECTION PRECINCT NO. 8.

Polling Place: Eighth Street Water Works.

Inspectors: J. Walker Baker and Mrs. Minnie Darville.

Judges: Frank Motta and Geo. F. Carpenter.

Clerks: Mrs. Cora Bortle and Mrs. Hattie Munsaker.

SPECIAL ELECTION PRECINCT NO. 9.

Polling Place: Auditorium on "H" Street between Sixth and Seventh Streets.

Inspectors: A. W. Turpen and Chas. Winter.

Judges: Gustave Raersch and J. A. F. Lawrence.

Clerks: Josephine S. Wood and Marjorie Elliott.

SPECIAL ELECTION PRECINCT NO. 10.

Polling Place: F. H. Green's garage on "H" Street between Fourth and Fifth Streets.

Inspectors: Clarence B. Green and P. J. Sparker.

Judges: Mary J. Bowman and W. T. Vary.

Clerks: Mrs. Pearl L. Nichols and Isabelle Ballard.

The duties of said officers in the conduct of said election shall be the same as the duties prescribed by the Political Code of the State of California for officers of general elections. If the officers hereby appointed do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at that time may appoint a Board of Election or supply the place of any absent member thereof.

It is further ordered that said election shall be held in all respects in conformity with the general election laws of the State of California so far as the same may be applicable to and in conformity with the charter of the City of Ukiah. On the day the election is held, the polls shall be opened at 7 o'clock A. M. and shall be kept open until 7 o'clock in the afternoon of said day, when the polls shall be closed.

It is further ordered that the City Clerk shall prepare and furnish the necessary ballots and election supplies for the holding of said election, and prepare the necessary election proclamation and cause the same to be published for the time and in the manner required by the Charter of the City of Modesto.

Introduced and ordered adopted by the Council of the City of Modesto at a regular meeting thereof duly called, convened and held on the 11th day of April, 1917 by the following vote:

Ayes: Councilmen: Swan, Hous O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilmen: None.

Attest:  
W. C. Thompson,  
City Clerk.

Approved April 11th, 1917.

D. W. Morris,  
Mayor.

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RESOLUTION NO. 559-N. S.

ORDER DETERMINING RESULT OF THE ELECTION,

The Council of the City of Modesto meeting now on this 25th, day of April, 1917 at the hour of 7:30 o'clock P. M. as a canvassing board to canvass the results of the second general municipal election held and for the City of Modesto on the 24th day of April, 1917 having received all the returns from said election and finding the same in proper form, and having opened and canvassed the same and ascertained the results of said election;

It is upon motion of Councilman O'Connor, seconded by Councilman Swan, ordered, certified and declared that said second general municipal election in and for the City of Modesto was regularly called, held and conducted as required by law; that the proper and complete returns thereof have been made to and received by said Council; that the same have been properly canvassed; that from the returns so canvassed, as aforesaid, it so appears that at said second general municipal election of the City of Modesto held on the 24th day of April, 1917 the total number of votes cast was 2022, and that the number of votes received by the respective candidates for the office of Councilman were:

For C. D. Swan 1163 votes;

For W. E. Thomas 927 votes;

That the number of votes received by said C. D. Swan is greater than one half of the number of ballots cast at said election, and that said C. D. Swan is elected to the office of Councilman of said City of Modesto to succeed himself for the term of four years from the expiration of his present term of office.

It is further ordered in that behalf a certificate of election to the office of councilman of the City of Modesto be issued to said C. D. Swan under the hand and seal of the City Clerk.

I hereby certify that the foregoing resolution was duly and regularly passed by the Council of the City of Modesto, at a regular meeting of said Council held the 25th, day of April, 1917, by the following vote:

Ayes: Councilmen Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilman Gum.

Attest:

W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 260-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

THAT, WHEREAS, John C. Cuneo and C. D. Swan, heretofore elected as members of the Council of the City of Modesto, have duly presented and filed with the City Clerk certificates of election to such offices and have duly taken and filed with said Clerk their oath of office, in all respects as required by law,

BE IT RESLOVED, that said John C. Cuneo and C. D. Swan are hereby found and declared to be duly elected and qualified Councilmen of said City of Modesto.

Adopted by the Council of the City of Modesto. Date May 7th, 1917, by the following vote:

Ayes: Councilmen Gum, Moss, O'Connor and Vice President of the Council, C. D. Swan.

Noes: Councilmen, none.

Absent: Councilman, Mayor Morris.

Attest: W. O. Thompson  
City Clerk.

Approved; D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 361-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows;

That the following named members of the Council of the City of Modesto, be, and they are hereby appointed as commissioners of the following named departments of said City, to-wit:

Councilman C. D. Swan is hereby appointed Commissioner of Public Health and Safety.

Councilman John C. Cuneo is hereby appointed Commissioner of Public Works.

Councilman L. T. Moss is hereby appointed Commissioner of Finance and Revenue.

Councilman G. W. O'Connor is hereby appointed Commissioner of Public Supplies.

Such appointments to be subject to the provisions of the Charter of the City of Modesto relative to such appointments.

Adopted by the Council of the City of Modesto, date May 7th, 1918 by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Vice President of the Council, C. D. Swan.

Noes: Councilmen, None.

Absent: Mayor Morris.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

RESOLUTION NO. 362-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

That Councilman C. D. Swan, be and he is hereby appointed as Vice President of the Council of the City of Modesto, said appointment to be effective from noon of the 7th day of May, 1917.

Adopted by the Council of the City of Modesto, date May 7th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor and Vice President of the Council C. D. Swan.

Noes: Councilmen, None. Absent: Mayor Morris.

Attest: W. O. Thompson  
City Clerk.

Approved: D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 363-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:-

That all appointive officers of the City of Modesto are hereby re-appointed to the respective offices held by them at the date hereof, their said term of office to be subject to the pleasure of the Council.

Adopted by the Council of the City of Modesto, date May 7th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor and Vice President of the Council C. D. Swan.

Noes: Councilmen, None. Absent: Mayor Morris.

Attest: W. O. Thompson  
City Clerk.

Approved: D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 364-N. S.

WHEREAS, the Modesto Creamery, a corporation, has filed with the City Council of the City of Modesto its application for a permit to lay down a spur track and to run cars thereon for the purpose of connecting warehouses, manufacturies and other industries with the railroad which does now enter the City of Modesto, to-wit: The Tidewater Southern Railway, across E Street between Ninth and Tenth Streets, in accordance with Subdivision 60 of Section 4 of the Charter of the City of Modesto, and in accordance with its application and map thereto attached now onfile in the office of the City Clerk, to which reference is hereby made;

NOW, THEREFORE, be it resolved that a permit be, and the same is hereby,

granted to the Modesto Creamery, a corporation, to lay down a spur track and run cars thereon for the purpose of connecting warehouses, manufactories and other industries with the line of the Tidewater Southern Railway which now enters the City of Modesto on the following location, to-wit:

Begin at the south line of E Street at a point approximately 100 feet east of Ninth Street; run thence northerly at right angles to E Street across said E Street to the north line of E Street as shown on the map attached to the application, which was filed on May 9th, 1917, and that the permit hereby granted be subject to the terms and provisions of Subdivision 60 or Section 4 of the charter of the City of Modesto.

The foregoing Resolution was introduced by Councilman Moss, who moved its adoption, and upon the roll being called said resolution was adopted by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 365-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

WHEREAS, there has been presented to this Council for its approval a certain map entitled "Bonnie Brae Tract", being situated in S. E.  $\frac{1}{4}$  of Section 20 T. 3R. 9E. M.D.M.

BE IT RESOLVED that said map be approved by this Council, and the City Clerk be and she is hereby instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County, with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto at a regular adjourned meeting May 15th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

RESOLUTION NO. 366-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

WHEREAS, there has been presented to this Council for its approval a certain map entitled "Mission Grove Tract", being situated in S. E.  $\frac{1}{4}$  of Section 20 T.3S. R.9 E.M.D.M.

Be it resolved that said map be approved by this Council, and the City Clerk be and he is hereby instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County, with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto at a regular adjourned meeting May 15th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan, O'Connor and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 367-N. S.

RESOLUTION APPOINTING TIME AND PLACE FOR HEARING PROTESTS IN RELATION TO THE PROPOSED IMPROVEMENT, AS DESCRIBED IN RESOLUTION OF INTENTION NO. 70, OF WASHINGTON STREET BETWEEN PARADISE AVENUE AND EIGHTH STREET, JEFFERSON STREET BETWEEN PARADISE AVENUE AND ELM STREET, MADISON STREET BETWEEN ROSE AVENUE AND ELM STREET, FRANKLIN STREET BETWEEN ROSE AVENUE AND ELM STREET, PARADISE AVENUE, OR "H" STREET, BETWEEN MADISON STREET AND JEFFERSON STREET, ROSE STREET BETWEEN FRANKLIN STREET AND MADISON STREET, RUBERTO STREET BETWEEN FRANKLIN STREET AND JEFFERSON STREET, CALIFORNIA AVENUE BETWEEN FRANKLIN STREET AND WASHINGTON STREET, WALNUT STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, VINE STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, SPRUCE STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, PINE STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, OAK STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, MAPLE STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, STANISLAUS STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, LOCUST STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, LINDEN STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, LAUREL STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET, ELM STREET BETWEEN FRANKLIN STREET AND WASHINGTON STREET OR THE CITY OF MODESTO; ALSO DIRECTING THE CLERK OF THIS CITY COUNCIL TO GIVE NOTICE OF SAID HEARING AND DESIGNATING NEWSPAPER IN WHICH SUCH NOTICE SHALL BE PUBLISHED.

Resolved: That this City Council hereby appoints Wednesday, the 11th day of July, A. D. 1917 at thirty minutes after seven o'clock P. M. thereof as the time and Council Chamber of the City of Modesto in the City Hall, Modesto, California, as the place for hearing protests in relation to the proposed improvement,

as described in Resolution of intention No. 70 of this Council of Washington Street between Paradise Avenue and Eighth Street, Jefferson Street between Paradise Avenue and Elm Street, Jefferson Street between Paradise Avenue and Elm Street, Madison Street between Rose Avenue and Elm Street, Franklin Street between Rose Avenue and Elm Street, Paradise Avenue, or "H" Street, between Madison Street and Jefferson Street, Rose Street between Franklin Street and Madison Street, Ruberto Street, between Franklin Street and Jefferson Street, California Avenue between Franklin Street and Washington Street, Walnut Street between Franklin Street and Washington Street, Vine Street Between Franklin Street and Washington Street, Spruce Street between Franklin Street and Washington Street, Pine Street between Franklin Street and Washington Street, Oak Street between Franklin Street and Washington Street, Maple Street between Franklin Street and Washington Street, Stanislaus Street between Franklin Street and Washington Street, Locust Street between Franklin Street and Washington Street, Linden Street between Franklin Street and Washington Street, Laurel Street between Franklin Street and Washington Street, Elm Street between Franklin Street and Washington Street, and

BE IT FURTHER RESOLVED: That the Clerk of this City Council is hereby directed to give notice of said hearing, as required by law, and that the Modesto Evening News, a daily newspaper published and circulated in said City of Modesto, is hereby designated as the newspaper in which such notice shall be published.

I certify that the foregoing is a full, true and correct copy of a resolution passed by the City Council of the City of Modesto, Calif., on May 29th, 1917/

W.O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 368-N.S.

RESOLUTION APPOINTING TIME AND PLACE FOR HEARING PROTESTS IN RELATION TO THE PROPOSED IMPROVEMENT, AS DESCRIBED IN RESOLUTION OF INTENTION NO. 61, ANNIE STREET BETWEEN McHENRY AVENUE AND THE WEST BOUNDRY LINE OF THE COUNTY HOSPITAL GROUNDS, JONES STREET BETWEEN McHENRY AVENUE AND KIMBLE STREET, GRANT STREET BETWEEN McHENRY AVENUE AND JOHNSON STREET, LEE STREET BETWEEN McHENRY AVENUE AND JOHNSON STREET, ALMOND AVENUE BETWEEN McHENRY AVENUE AND JOHNSON STREET, FLOTO STREET BETWEEN JOHNSON STREET AND KIMBLE STREET, REDWOOD AVENUE BETWEEN KIMBLE STREET AND MEL-ROSE STREET, CEDAR AVENUE BETWEEN KIMBLE STREET AND THE WEST BOUNDRY LINE OF THE MASONIC CEMETERY, MORRIS AVENUE BETWEEN McHENRY AVENUE AND THE EASTERN BOUNDARY LINE OF CAPITAL HEIGHTS ADDITION, LUCERN AVENUE BETWEEN KIMBLE STREET AND THE EASTERN BOUNDRY LINE OF CAPITAL HEIGHTS ADDITION, JOHNSON STREET BETWEEN JONES STREET AND ALMOND AVENUE AVENUE, SEMPLE ATRETT BETWEEN ANNIE STREET AND MORRIS AVENUE,

KIMBLE STREET BETWEEN ANNIE STREET AND LUCERN AVENUE, HIGH STREET BETWEEN ANNIE STREET AND LUCERN AVENUE, BODEM STREET BETWEEN ANNIE STREET AND LUCERN AVENUE, "H" STREET, OR CEMETERY AVENUE, BETWEEN KIMBLE STREET AND THE WESTERN BOUNDARY LINE OF THE COUNTY HOSPITAL GROUNDS OF THE CITY OF MODESTO; ALSO DIRECTING THE CLERK OF THIS CITY COUNCIL TO GIVE NOTICE OF SAID HEARING AND DESIGNATING THE NEWSPAPER IN WHICH SUCH NOTICE SHALL BE PUBLISHED.

Resolved: That this City Council hereby appoints Wednesday, the 11th, day of July A. D. 1917 at thirty minutes after seven o'clock P. M. thereof as the time and the Council Chamber of the City of Modesto in the City Hall, Modesto, California, as the place for hearing protests in relation to the proposed improvement, as described in Resolution of Intention No. 61 of this Council, of Annie Street between McHenry Avenue and the west Boundary line of the County Hospital Grounds, Jones Street between McHenry Avenue and Kimble Street, Grant Street between McHenry Avenue and Johnson Street, Lee Street between McHenry Avenue and Johnson Street, Almond Avenue between McHenry Avenue and Johnson Street, Floto Street between Johnson Street and Kimble Street, Redwood Avenue between Kimble Street and Melrose Street Cedar Avenue Between Kimble Street and the West boundary line of the Masonic Cemetery, Morris Avenue between McHenry Avenue and the eastern boundary line of Capital Heights Addition, Lucern Avenue between Kimble Street and the eastern boundary line of Capital heights Addition, Johnson Street between Jones Street and Almond Avenue, Semple Street between Annie Street and Morris Avenue, Kimble Street between Annie Street and Lucern Avenue, High Street between Annie Street and Lucern Avenue, Melrose Street between Annie Street and Lucern Avenue, Bodem Street between Annie Street and Lucern Avenue, "H" Street, or Cemetery Avenue, between Kimble Street and the Western boundary line of the County Hospital Grounds, and

BE IT FURTHER RESOLVED: That the Clerk of this City Council is hereby directed to give notice of said hearing, as required by law, and that the Modesto Evening News, a daily newspaper published and circulated in said City of Modesto, is hereby designated as the newspaper in which such notice shall be published.

I certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Modesto, Calif., on May 29th, 1917.

W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 369-N. S.

WHEREAS, the City of Modesto is a municipality of and within the State of California; and,

WHEREAS, heretofore to-wit: on the 28th day of February, 1917, a resolution was passed by two thirds vote of the Council of the City of Modesto in accordance with section 2 of an act of the Legislature of the State of California, entitled: "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof", which became a law under constitutional provision without the governor's approval on February 15th, 1901 and the acts amendatory thereof and supplemental thereto, which said resolution determined that the public interest and necessity demanded the acquisition, construction and completion of certain municipal improvements therein specified; and,

WHEREAS, thereafter an ordinance was passed and adopted by the City Council of the City of Modesto calling an election to vote upon the question of issuing bonds for the purposes therein named; and,

WHEREAS, at said election each and all of the propositions so submitted failed to receive the votes of two thirds or all the voters voting at such election, and the City Council of the City of Modesto thereafter by a resolution determined that none of the propositions received more than two thirds of all the votes cast by the voters voting at said special election, and that no bonds for the City of Modesto issue for the purposes therein named; and,

WHEREAS, thereafter and in accordance with section 3 of the Act of the Legislature of the State of California herein as above referred to, to-wit: on the 6th day of June, 1917 there was filed with the legislative body, to-wit: the Council of the said City of Modesto, a petition signed by fifteen per centum of the qualified electors of such municipality computed upon the total number of votes cast therein for all candidates for governor at the last preceding election at which a governor was elected, requesting that certain propositions substantially the same for the issuance of bonds be submitted at an election to be called for the submission of said propositions and to be held in accordance with the provision of said act, which said petition this Council finds and declares to be sufficient in all particulars and signed by the requisite number of qualified electors of the City of Modesto, as in said act provided, which said petition now on file with said Council in the office of the City Clerk of the City of Modesto is hereby referred to and by such reference made a part hereof; and,

WHEREAS, it appears from said petition and otherwise, and this council so finds and declares the fact to be, that the public interest and necessity of the said City of Modesto and its inhabitants demand the acquisition and construction of the municipal improvements in said petition and hereinafter specified, and that the cost of said municipal improvements will be too great to be paid out of the ordinary annual income and revenue of said City of Modesto; and,

WHEREAS, the Council of the City of Modesto is the legislative branch of said municipal corporation and the Mayor is the Chief executive officer of the said City of Modesto;

NOW THEREFORE, be it resolved by the Council of the City of Modesto at a regular meeting thereof duly and regularly had, held and conducted (and the said City Council so determines and declares) that the public interest and necessity of the City of Modesto and the inhabitants thereof demand the acquisition and construction of the municipal improvements hereinafter specified and named, and that the cost of said improvements and any and all therefor will be too great to be paid out of the ordinary annual income and revenue of the said City of Modesto;

That the public improvements, the acquisition and construction of which are demanded by the public interest, as aforesaid, together with the estimated cost of the same, are as follows, to-wit:

1. For the improvement of the streets of said City of Modesto by improving the intersections of the accepted streets thereof by grading and thereupon paving and constructing cement concrete curbs and gutters, and the construction and placing in position of culverts, all in accordance with the plans and specifications adopted and on file in the office of the City Clerk of the City of Modesto..... \$40,000.00

2. This acquisition construction and completion of a system of storm sewers in and for said City of Modesto to supplement the present sewer system, and in particular to carry off and dispose of the storm waters, in accordance with the preliminary plans thereof prepared therefor by the City Engineer and on file in the office of the City Clerk of the City of Modesto.....\$30,000.00

3. The improvement, construction, extension and completion of a sanitary sewer system in and for the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said City,.....\$16,000.00

4. The improvement, Construction, extension and completion of the municipal water works and water system of the City of Modesto, according to plans and estimates thereof on file in the office of the City Clerk of said City,..... \$ 5,000.00

The foregoing resolution was introduced by Councilman Swan, who moved its adoption, and vote being taken by roll call on the question of adoption, it was adopted by the following vote:

Ayes: Councilmen: Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved June 13th, 1917.

D. W. Morris,  
Mayor.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the City Council of the City of Modesto, the 13th day of June, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

RESOLUTION NO. 370-N. S.

RESOLUTION ORDERING PLANS, AND SPECIFICATIONS.

RESOLVED, by the Council of the City of Modesto, as follows;

That whereas, it is contemplated that certain improvements be made upon the alley between Fourteenth Street and Fifteenth Streets from the northwest property line of "I" Street northwesterly to the southeast property line of "J" Street in the City of Modesto, and it is hereby desired to secure plans and specifications and an estimate from the City Engineer of the City of Modesto, as to the cost of such contemplated improvements.

It is hereby resolved that said City Engineer be and he is hereby ordered to furnish plans, specifications and an estimate of the proposed cost and improvement to be made in the paving of said alley with a cement concrete base and an bitulithic wearing surface.

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted by the Council of the City of Modesto the 27th, day of June, 1917.

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson  
City Clerk.

.....

RESOLUTION NO. 371-N. S.

RESOLUTION ADOPTING PLANS AND SPECIFICATIONS.

RESOLVED, that the plans and specifications for the following work to be done and improvement to be made in said City, to-wit:

For the paving of the alley between Fourteenth Street and Fifteenth Street from the northwest property line of "I" Street northwesterly to the southeast property line of "J" Street as prepared by the City Engineer of said City, and submitted this 27th, day of June, 1917, be, and the same are hereby adopted as and for the plans and specifications for doing said work.

I hereby certify that the foregoing resolution was duly and regularly adopted by the Council of the City of Modesto the 27th day of June, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 372-N. S.

RESOLUTION OF INTENTION NO. 73.

RESOLVED, that it is the intention of the Council of the City of Modesto to order the following work to be done and improvement to be made in said City, to-wit:-

That the alley between Fourteenth Street and Fifteenth Street from the northwest property line of "I" Street northwesterly to the southeast property of "J" Street, except all the intersections of streets and alleys and also excepting therefrom any of said work already done to the official grade, also excepting however, from all of the aforescribed work such portions as are required by law to be kept in order or repair by any person or corporation having railroad tracks thereon.

Be graded and there upon paved to the official grade with a pavement consisting of a cement concrete base and a Bitulithic wearing surface five and one-half ( $5\frac{1}{2}$ ) inches in thickness, a foundation course of cement concrete four (4) inches in thickness, and a wearing surface of Bitulithic one and one-half ( $1\frac{1}{2}$ ) inches in thickness, and curbed with redwood curbing. All of such grading, curbing and paving shall be done in accordance with plans and specifications here tofore adopted for doing said work, and now on file in the office of the City Clerk.

And, whereas, said contemplated work and improvement in the opinion of the City Council of the City of Modesto is of more than local or ordinary public benefit, said Council hereby makes the expense of said work and improvement chargeable upon a district, which said Council hereby declares to be the district benefited by said work and improvement, and to be assessed to pay the costs and benefits thereof, which said district is bounded and described as follows :

Beginning on "J" Street and Fourteenth Street where the southeast property line of "J" Street intersects the northeast property line of Fourteenth Street.

Thence northeasterly along and parallel to the southeast property line of "J" Street, three hundred (300) feet to the southwest property line of Fifteenth Street,

Thence at right angles southeasterly along and parallel to the southwest property line of Fifteenth Street four hundred (400) feet to the northwest property line of "I" Street,

Thence at right angles southwesterly along and parallel to the northwest property line of "I" Street three hundred (300) feet to the northwest property line of Fourteenth Street,

Thence at right angles northwesterly along and parallel to the northeast line of Fourteenth Street four hundred (400) feet to the point of beginning.

Saving, excepting and excluding from the aforesaid district all public streets and alleys included and contained therein.

Notice is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent annum, will be issued hereunder in the manner provided by the improvement bond act of 1916, the last installment of which bonds shall mature nine years from the second day of July next succeeding nine months from their date."

The 25th day of July 1917, at the hour of 7:30 o'clock P.M., and the Council Chamber of said Council at the City Hall in the said City of Modesto, is hereby fixed as the time and place where any and all persons having any objections to said proposed work and improvement may appear before said Council and show cause why said

Work and improvement shall not be carried out in accordance with this resolution.

The City Clerk shall cause this Resolution of Intention to be published twice in the Modesto Evening News, a daily newspaper, published and circulated in said City, and hereby designated for that purpose by the City Council.

The Street Superintendent shall immediately cause to be conspicuously work, or improvement and in front of all property liable to be assessed and along all the open streets within the said district hereinbefore described, notices of the passage of this Resolution of Intention in the manner form required by law.

All or the herein proposed work shall be done in pursuance to an act of the Legislature of the State of California, designated the "Improvement Act of 1911, approved April 7th, 1911, and amendments thereto.

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and adopted by the Council of the City of Modesto at a regular meeting of said Council held on the 27th day of June 1917, by the following vote:-

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 373-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

Whereas, there has been presented to this Council for its approval a certain Map entitled "Map of the University Addition of Modesto, being a portion of the W 1/2 or the S W 1/2 of Section 32-T3 S R 9E M. D. B. & M."

BE IT RESOLVED, that said map be approved by this Council, and the City Clerk be and he is hereby instructed to deliver the same to the Clerk of the Board of Supervisors of Stanislaus County, with a letter stating the fact of such approval.

Adopted by the Council of the City of Modesto. Date July 11th, 1917 by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, O'Connor.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris  
Mayor.

.....

RESOLUTION NO. 374-N. S.

RESOLUTION ADOPTING AS A WHOLE THE REPORT IN WRITING OF THE CITY PLANNING COMMISSION OF THE CITY OF MODESTO ON THE PROPOSED IMPROVEMENT, AS DESCRIBED IN RESOLUTION OF INTENTION NO. 70 OF THE COUNCIL OF THE CITY OF MODESTO AS TO THE PROPERTY HEREINAFTER DESCRIBED.

WHEREAS, on the 14th day of February 1916, the City Council of the City of Modesto passed a Resolution declaring its intention to order the planting of shade trees, together with their protection and care, and the care of existing trees within the sidewalk areas of certain streets, avenues, lanes, alleys, courts and places with in the said City of Modesto, in said Resolution of Intention No. 70 named, designated and described, and which said Resolution of Intention No. 70 is hereby referred to for a particular description thereof and in said Resolution referred the proposed improvement to the City Planning Commission and directed it to make and file with The Clerk of the City Council a report in writing, all in pursuance with the provisions of that certain act of the Legislature of the State of California known, designated and referred to as the "Tree Planting Act of 1916": and

Whereas, on the 29th day of May 1917 the said Planning Commission of the said City of Modesto pursuant to said Resolution of Intention No. 70 made and filed with the Clerk of said City Council a report in writing on the aforesaid proposed improvement setting forth the matters required by section 3 of said Tree Planting Act of 1916 to be presented; and

Whereas, upon the filing of said report, said Clerk, or the City Council presented the same to said City Council of the City of Modesto, and thereafter to-wit: on or about the 29th day of May 1917, the said City Council did receive and thereupon accept and adopt the said report, and thereafter and on the same day did by a resolution appoint the 11th day of July, 1917 at 7:30 o'clock P. M. thereof as the time and the Council Chambers of the City Council in the City Hall at Modesto, California as the place for hearing protests in relation to said proposed improvement, and directed the Clerk of said City Council to give notice of such hearing as required by law, and designated the Modesto Evening News, as the newspaper in which such notice should be published; and

Whereas, thereafter and pursuant to said last named resolution and at least 10 days before the date set for hearing said protests, the Superintendent of Streets of the City of Modesto caused to be conspicuously posted along all streets, avenues, lanes, alleys, Courts, places and pathways or portions thereof, included in said Resolution of Intention at not more than 300 feet in distance apart, but not less than three in all, upon each such street, avenue, lane, court, place and pathway, or portion thereof, notices of the passage of said Resolution of Intention and of the filing of said report, and caused a notice similar in substance to be published for two days in a daily newspaper published and circulated in said municipality and designated by said City Council for that purpose, at least 10 days before the date set for hearing said protests, all as required by section 6 of said Tree Planting Act of 1916: and

Whereas, this is the time and place fixed for hearing protests against said improvement and against the said proposed assessments; and

Whereas: No person filed a written protest with said Clerk of said City Council at or before the time set for hearing of protests and no protest or objection to said improvement or to the proposed assessment has been made or filed, now therefore be it

RESOLVED, that the report in writing on the aforesaid proposed improvement described in said Resolution of Intention No. 70 made and filed with said Clerk of said City Council by said City Planning Commission on the 29th day of May 1917 be and the same is hereby adopted as a whole, and the proposed assessment contained therein is hereby confirmed;

Be it further resolved that said City Council of said City of Modesto does hereby order said proposed improvement, to-wit:

The planting, protection, by suitable guards, covering or gratings and the care of existing shade trees and ornamental shrubs, and the removal and changing of the same for a period of five years, within the sidewalk areas of the following streets and avenues:

Washington Street between Paradise Avenue and Eighth Street, Jefferson Street between Paradise and Elm Street, Madison Street between Rose Avenue and Elm Street, Franklin Street between Rose Avenue and Elm Street, Paradise Avenue, or "H" Street, between Madison Street and Jefferson Street, Rose Street between Franklin Street and Madison Street, Ruberto Street between Franklin Street and Jefferson Street, California Avenue between Franklin Street and Washington Street, Walnut Street between Franklin Street and Washington Street, Vine Street between Franklin Street and Washington Street, Spruce Street between Franklin Street and Washington Street, Pine Street between Franklin Street and Washington Street, Maple Street between Franklin Street and Washington Street, Stanislaus Street between Franklin Street and Washington Street, Locust Street between Franklin Street and Washington Street, Linden Street between Franklin Street and Washington Street, Laurel Street between Franklin Street and Washington Street, Elm Street between Franklin Street and Washington Street

Excepting, however, from all of the aforesaid improvement, the sidewalk areas on the north side of Walnut Street between Jefferson Street and Washington Street, the sidewalk area on the south side of Vine Street between Jefferson Street and Washington Street, The sidewalk area on the south side of Rose Avenue between Franklin Street and Paradise Avenue. The Sidewalk areas on the south side of California Avenue between Jefferson Street and Paradise Avenue. The sidewalk areas on the south side of Laurel Street between Madison Street and Jefferson Street. The sidewalk areas on the north side of Linden Street between Madison Street and Jefferson Street. The Sidewalk area on the east side of Jefferson Street between Walnut Street and Vine Street. The sidewalk area on the west side of Washington Street between Walnut Street and Vine Street. The Sidewalk area on the east side of Madison Street between Linden Street and Laurel Street. The sidewalk area on the west side of Jefferson Street between Linden Street and Laurel Street.

The Sidewalk area on the west side of Franklin Street between Paradise Avenue and Elm Street. The Sidewalk area on the south side of Paradise Avenue between Franklin Street and Washington Street. The sidewalk areas on the east side of Jefferson street between Paradise Avenue and California Avenue;

In conformity with said Resolution of intention No. 70 and the said report of said City Planning Commission so made as aforesaid and that said shade trees and ornamental shrubs be planted and protected by suitable guards, coverings or gratings and be removed or changed in accordance with said Resolution of Intention and said report.

BE IT FURTHER RESOLVED, that the said City Council does hereby declare the foregoing to be its action upon said report and assessment.

Be it further resolved that said assessment of 10¢ per front foot of the property fronting on the streets or parts of streets and avenues or parts of avenues within said assessment district be levied as set forth in said report of the City Planning Commission and that the Clerk of said City Council be instructed and directed to transmit to the Tax Collector of the City of Modesto the diagram and assessment provided for in subdivision 3 and 4 of Section 3 of said Tree Planting Act of 1915, together with the modifications and corrections thereof hereinbefore made, and that thereupon, the said Tax Collector shall annually enter said assessments upon said assessment roll upon which other taxes of said City are entered, and that the same shall be annually collected in the same manner as such other taxes are collected and at the following rates:

For the fiscal year 1917-18 five cents for each front foot of the property fronting on the streets or parts of streets and avenues or parts of avenues within said assessment district herein described; for the Fiscal year 1918-19 one cent for each front foot; for the fiscal year 1919-20 one cent for each such front foot; for the Fiscal year 1920-21 one cent for each such front foot; for the Fiscal Year 1921-22 one cent for each such front foot; and that said entry and collection of said assessment shall be made at the same time and by the same officers of other City Taxes.

Adopted by the City Council of the City of Modesto on July 11th, 1917 by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan, and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Connor.

I hereby certify that the foregoing is a true and correct copy of the Resolution passed the City Council of the City of Modesto on the 11th day of July, 1917.

W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 375-N. S.

RESOLUTION ADOPTING AS A WHOLE THE REPORT IN WRITING OF THE CITY PLANNING COMMISSION OF THE CITY OF MODESTO ON THE PROPOSED IMPROVEMENT, AS DESCRIBED IN RESOLUTION OF INTENTION NO. 61 OF THE COUNCIL OF THE CITY OF MODESTO AS TO THE PROPERTY HEREINAFTER DESCRIBED.

WHEREAS, on the 22nd, day of November 1916 the City Council of the City of Modesto passed a Resolution declaring its intention to order the planting of shade trees, together with their protection and care, and the care of existing trees within the sidewalk areas of certain streets, avenues, lanes, alleys, courts and places within the said City of Modesto, in said resolution of Intention No. 61 named, designated and described, and which said resolution or Intention No. 61 is hereby referred to for a particular description thereof and in said Resolution referred the proposed improvement to the City Planning Commission and directed it to make and file with the Clerk of the City Council a report in writing, all in pursuance with the provisions of that certain act of the Legislature of the State of California known, designated and referred to as the Tree "Planting Act of 1915;" and

Whereas, on the 29th, day of May 1917 the said Planning Commission of the said City of Modesto pursuant to said Resolution of Intention No. 61 made and filed with the Clerk of said City Council and report in writing on the aforesaid proposed improvement setting forth the matters required by section 3 of said Tree Planting Act of 1915 to be presented; and

Whereas, upon the filing of said report, said Clerk of the City Council presented the same to said City Council of the City of Modesto, and thereafter to wit: on or about the 29th day of May 1917, the said City Council did receive and thereupon accept and adopt the said report, and thereafter and on the same day did by a resolution appoint the 11th day of July, 1917 at 7:30 o'clock P. M. thereof as the time and the Council Chambers of the City Council in the City Hall at Modesto, California as the place for hearing protests in relation to said proposed improvement, and directed the Clerk of said City Council to give notice of such hearing as required by law, and designated the Modesto Evening News, as the Newspaper in which such notice should be published; and

Whereas, thereafter and pursuant to said last named Resolution and at least 10 days before the date set for hearing said protests, the Superintendent of Streets of the City of Modesto caused to be conspicuously posted along all streets, avenues, lanes, alleys, courts, places and pathways, or portions thereof, included in said Resolution or Intention at not more than 300 feet in distance apart, but not less than three in all, upon each such street, avenue, lane, court, place and pathway, or portion thereof, notices of the passage of said Resolution or Intention and of the filing of said report, and caused a notice similar in substance to be published for two days in a daily newspaper published and circulated in said municipality and designated by said City Council for that purpose, at least 10 days before the date set for hearing said protests, all as required by section 6, of said Tree Planting Act of 1915; and

WHEREAS, this is the time and place fixed for hearing protests against said improvement and against the said proposed assessments; and

WHEREAS: No person filed a written protest with said Clerk of said City Council at or before the time set for hearing of protests and no protest or objection to said improvement or to the proposed assessment has been made or filed, now therefore be it

RESOLVED, that the report in writing on the aforesaid proposed improvement described in said resolution or intention No. 61 made and filed with said City

Planning Commission on the 29th day of May 1917 be and the same is hereby adopted as a whole, and the proposed assessment contained therein is hereby confirmed;

Be it further resolved that said City Council of said City of Modesto does hereby order said proposed improvement, to-wit:

The Planting, protection, by suitable guards, coverings or gratings and the care of existing shade trees and ornamental shrubs, and the removal and changing of the same for a period of five years, within the sidewalk area of the following streets and avenues:

Annie Street between McHenry Avenue and the west boundary line of the County Hospital Grounds, Jones Street between McHenry Avenue and Kimble Street, Grant Street between McHenry Avenue and Johnson Street, Lee Street between McHenry Avenue and Johnson Street, Almond Avenue between McHenry Avenue and Johnson Street, Photo Street between Johnson Street and Kimble Street, Redwood Avenue between Kimble Street and Melrose Street, Cedar Avenue between Kimble Street and the west boundary line of the Masonic Cemetery, Morris Avenue between McHenry Avenue and the Eastern Boundary line of Capital Heights Addition, Lucern Avenue between Kimble Street and the eastern boundary line of Capital Heights Addition, Johnson Street between Jones Street and Almond Avenue, Sempie Street between Annie Street and Morris Avenue, Kimble Street between Annie Street and Lucern Avenue, High Street between Annie Street and Lucern Avenue, Melrose Street between Annie Street and Lucern Avenue, Bodem Street between Annie Street and Lucern Avenue, "H" Street, or Cemetery Avenue, between Kimble Street and the western boundary line of the County Hospital grounds.

Excepting, however, from all of the aforesaid improvement, the sidewalk areas on the north side of Lucern Avenue between Kimble Street and the Eastern boundary line of Capital Heights Addition. The sidewalk area on the south side of Annie Street, between Seventeenth Street and alley between Seventeenth Street and Eighteenth Street;

in conformity with said Resolution or Intention No. 61 and the said report of said City Planning Commission so made as aforesaid and that said shade trees and ornamental shrubs be planted and protected by suitable guards, coverings or gratings and be removed or changed in accordance with said Resolution or Intention and said report.

Be it further resolved that the said City Council does hereby declare the foregoing to be its action upon said report and assessment.

Be it further resolved that said assessment of 10¢ per front foot of the property fronting on the streets or parts of streets and avenues or parts of avenues within said assessment district be levied as set forth in said report of the City Planning Commission and that the Clerk of said City Council be instructed and directed to transmit to the Tax Collector of the City of Modesto the diagram and assessment provided for in subdivision 3 and 4 of Section 3 of said Tree Planting Act of 1915, together with the modifications and corrections thereof hereinbefore made, and that thereupon the said Tax Collector shall annually enter said assessments upon said assessment roll upon which other taxes of said City are entered, and that the same shall be annually collected in the same manner as such other taxes are collected and at the following rates:

For the fiscal year 1917-18 five cents for each front foot of the property fronting on the streets or parts of streets and avenues within said assessment district herein described: for the fiscal year 1918-19 one cent for each such front foot;

for the Fiscal year 1919-20 one cent for each such front foot; for the Fiscal year 1920-21 one cent for each such front foot; for the Fiscal year 1921-1922 one cent for each such front foot; and that said entry and collection of said assessment shall be made at the same time and by the same officers or other City Taxes.

Adopted by the City Council of the City of Modesto on July 11th, 1917 by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Connor.

I hereby certify that the foregoing is a true and correct copy of the resolution passed by the City Council of the City of Modesto on the 11th day of July, 1917.

W. O. Thompson,  
City Clerk.

.....

RESOLUTION NO. 376-N. S.

WHEREAS, by reason of the location of a series of parallel line or railroad through Stanislaus County much business is cut off from Modesto, and it is very difficult for agricultural products raised along the line or such railroads outside of Modesto to be shipped to Modesto for packing or other handling, because of lack of opportunity to transfer such shipments from one railroad to the other, and

WHEREAS, there has been established in the southeastern portion of the City an industrial zone devoted to warehouse and manufacturing enterprises, which zone already has communication through the Modesto and Empire Traction Company with the Santa Fe and with the Tidewater Southern Railroad Company and not with the Southern Pacific, and

WHEREAS, public necessity and convenience imperatively demands proper interchange tracks between the various railroads centering in Modesto,

RESOLVED, that the Council of the City of Modesto hereby declares it to be the belief of the Council that public necessity and convenience requires such interchange tracks and the possibility of transferring freight from one line to the other.

RESOLVED FURTHER that the City of Modesto join with the Modesto Chamber of Commerce and other applicants petitioning the Railroad Commission of the State of California for an order establishing such interchange tracks, and that the City Attorney be authorized and instructed to assist and to co-operate with the Attorneys representing the other petitioners in bringing this matter to the attention of the Railroad Commission.

RESOLVED FURTHER that it is the opinion of this Council that it is exceedingly desirable that such communication be established in order to handle the crops of the present year.

Adopted by the City Council of the City of Modesto on July 25th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 377-N. S.

WHEREAS, the Council of the City of Modesto did by ordinance No. 113-N. S. call a special election to be held on the 31st, day of July, 1917, to submit to the qualified voters of the City of Modesto the proposition of incurring indebtedness by the issuing of bonds of the purpose in said ordinance set forth; and

WHEREAS, the provisions of law requisite to the calling of said election and the notice thereof were duly complied with, and

WHEREAS, said special election was held on said 31st day of July, 1917, and was conducted and held in all respects in conformity with the laws of the State of California and the ordinance of the City of Modesto; and

WHEREAS, the proper officers of said election returned to and filed with the City Clerk of said City the returns of said election, which said returns were duly opened and canvassed by the said Council of the City of Modesto, and the results of said election declared on the first day of August, 1917; and

WHEREAS, it appears from the canvass of the returns of said election that a total of 1011 votes were cast at said election and that none of the propositions voted for received in its favor the votes of two thirds of all the voters voting at said election, save and except the proposition of incurring an indebtedness for the purpose of the improvement, construction, extension and completion of the municipal water works and water system of the City of Modesto according to the plans and estimates thereof on file in the office of the City Clerk of said City.

NOW, THEREFORE, the said City Council of the City of Modesto sitting as a canvassing board to canvass the returns of said election hereby find and declare the result of said election as follows:

That the results of said special election and the votes cast for each of the propositions submitted were as follows:

Total number of votes cast--1011

1. For the incurring of an indebtedness for the purpose of the improvement of the streets of said City of Modesto, by improving the intersections of the accepted streets thereof by grading and thereupon paving and constructing cement concrete curbs and gutters, and the construction and placing in position of culverts, all in accordance with the plans and specifications adopted and on file in the office of the City Clerk of the City of Modesto,

636 votes were cast in favor of incurring said indebtedness, and 363 votes were cast against incurring said indebtedness.

2. For incurring an indebtedness for the purpose of the acquisition, construction and completion of a system of storm sewers in and for said City of Modesto, to supplement the present sewer system and in particular to carry off and dispose of the storm waters, in accordance with the preliminary plans thereof prepared therefore by the City engineer and on file in the office of the City Clerk of the City of Modesto,

638 votes were cast in favor of incurring said indebtedness, and 337 votes were cast against incurring said indebtedness.

3. For incurring an indebtedness for the purpose of the improvement, construction and extension and completion of a sanitary sewer system in and for the City of Modesto, according to the plans and estimates thereof on file in the office of said City Clerk of said City.

669 votes were cast in favor of incurring said indebtedness, and 310 votes were cast against incurring such indebtedness.

4. For incurring an indebtedness for the purpose of the improvement, construction, extension and completion of the municipal water works of the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said City,

693 votes were cast in favor of incurring said indebtedness, and 299 votes were cast against incurring indebtedness.

That the affirmative of the first three propositions failed to receive 674 votes, which said 674 votes is two thirds of all the votes cast by the voters voting at said special election.

That neither of said first three propositions having received two thirds of said votes, none of the same carried.

That the fourth proposition, to-wit: for incurring an indebtedness for the purpose of the improvement, construction and extension and completion of a municipal water works and water system of the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said City, did receive more than two thirds of all the votes cast by the voters voting at said special election, to-wit:

693 votes, and that said proposition carries; and that the City Council was authorized thereby to issue the bonds of said City in the sum of \$5,000.00 for said purposes.

The foregoing resolution was introduced by Councilman Cuneo, who moved its adoption, which motion was seconded by Councilman Moss, and upon a vote being taken was carried by the following vote;

Ayes: Councilmen Cuneo, Moss, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Connor.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

RESOLUTION NO. 378-N. S.

This resolution is purposely omitted from the record as the same never became operative but was later re-adopted and is known as Resolution No. 383-N. S.  
Attest: W. O. Thompson, City Clerk.

.....

RESOLUTION NO. 379-N. S.

WHEREAS, on the 17th day of January 1918, the City Council of the City of Modesto passed and adopted its resolution of intention No. 66 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in and by which resolution of intention the said City Council declared and determined that serial bonds should be issued to represent the expense of the work and improvement therein proposed, which said resolution of intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of work in said resolution specified was awarded and entered into by the Superintendent of Streets of the City of Modesto, on behalf of said City, and the work therein ordered was performed in accordance with the conditions of said contract and said resolution of intention, and a warrant issued to the contractor therefor, and no appeal taken any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of the warrant, and after the Street Superintendent recorded the return, and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts, the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with section b of the "Improvement Bond Act of 1915", to-wit: the 8th, day of August, 1917, at the hour of 7:30 o'clock P. M. and at the Council Chamber of the City Council of the City of Modesto, at the City Hall, No. 717 Tenth Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and there being no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessments which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$120.00,

NOW THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known and designated as the "Improvement Bond Act of 1915" issue in the sum of \$120.00 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole or said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

It is further ordered that the said bonds shall be ten in number, shall each and all be dated the 12th day of June 1917, shall each and all for the principal sum or denomination of \$12.00 and shall be numbered and payable as follows:

- No. 1 July 2nd, 1918
- No. 2 July 2nd, 1919
- No. 3 July 2nd, 1920
- No. 4 July 2nd, 1921
- No. 5 July 2nd, 1922
- No. 6 July 2nd, 1923
- No. 7 July 2nd, 1924
- No. 8 July 2nd, 1925
- No. 9 July 2nd, 1926
- No. 10 July 2nd, 1927

and that interest thereon shall be payable semi-annually on the 2nd days of January and July of each year, except that the first payment of interest shall not become due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit:

\$ .42, except that the interest coupon payable on the 2nd day of January, 1918, shall be for the sum of \$ .46.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND.

City of Modesto, Stanislaus County, California.

\$ \_\_\_\_\_ No. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California entitled: "Improvement Bond Act of 1915", the City of Modesto, (a municipal corporation) will on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvement on \_\_\_\_\_ in or owned by said municipality, more fully described in the certain resolution or intention passed by the City Council of said municipality on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ pay to the bearer the sum of \_\_\_\_\_ Dollars,

( \$ \_\_\_\_\_ ), with interest at the rate of 7% per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in maturities issued by said municipality under said act for the purpose of providing means for paying for the work and improvement described in said resolution or intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July in each year hereafter; upon presentation of the proper coupon therefor; provided, that the first of said coupons is for the interest from date to the next second day of January and thereafter the said interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity,

This bond may be redeemed and paid in advance of maturity upon the second day of July or any year by giving the notice by publication provided in said act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix thereto its corporate seal, all on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Treasurer.

(SEAL)

\_\_\_\_\_  
Clerk.

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form, to-wit:

INTEREST COUPON

No. \_\_\_\_\_ \$ \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the second day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer of said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto be and they are hereby authorized to sign said bonds, and the clerk be

and he is hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said Treasurer be and he is hereby authorized to sign the interest coupons attached to said bonds, and may, upon said coupons, use an engraved or lithographed signature in place of a signature by hand. It is ordered that bids be advertised for, as the law provides, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday, the 24th day of October, 1917, at 7:30 o'clock P. M.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

Adopted by the Council of the City of Modesto, Aug., 8th, 1918, by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan, and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Connor.

Attest: W. O. Thomson,  
City Clerk.

Approved Aug., 8th, 1917.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 380-N. S.

WHEREAS, on the 17th, day of January, 1917, the City Council of the City of Modesto passed and adopted its resolution or Intention No. 67 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in and by which resolution of intention the said City Council declared and determined that serial bonds should be issued to represent the expense of the work and improvement therein proposed, which said resolution of intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of work in said resolution specified was awarded and entered into by the Superintendent of Streets of the City of Modesto, on behalf of said City, and the work therein ordered was performed in accordance with the conditions of said contract and said resolution or intention, and a warrant issued to the contractor therefor, and no appeal taken from any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of the warrant, and after the Street Superintendent recorded the return, and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts,

the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with Section 5 of the "Improvement Bond Act of 1915", to-wit: The 8th day of August, 1917, at the hour of 7:30 o'clock P. M. and at the Council Chamber of the City Council of the City of Modesto, at the City Hall, No. 717 Tenth Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and there being no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessments which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$1084.37

NOW, THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known and designated as the "Improvement Bond Act of 1915" issue in the sum of \$1084.37 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

it is further ordered that the said bonds shall be ten in number, shall each and all be dated the 15th day of June 1917, shall each and all be for the principal sum or denomination of \$108.43 and shall be numbered and payable as follows:

- No. 1 July 2nd, 1918
- No. 2 July 2nd, 1919
- No. 3 July 2nd, 1920
- No. 4 July 2nd, 1921
- No. 5 July 2nd, 1922
- No. 6 July 2nd, 1923
- No. 7 July 2nd, 1924
- No. 8 July 2nd, 1925
- No. 9 July 2nd, 1926
- No. 10 July 2nd, 1927

and that interest thereon shall be payable semi-annually on the 2nd days of January and July of each year, except that the first payment of interest shall not become due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit:

\$3.79, except that the interest coupon payable on the 2nd day of January, 1918, shall be for the sum of \$4.15.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND.

City of Modesto, Stanislaus County, California.

\$ \_\_\_\_\_

NO. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California entitled: "Improvement Bond Act of 191b", the City of Modesto, ( a municipal corporation) will on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvement on \_\_\_\_\_ in or owned by said municipality, more fully described in the certain resolution of intention passed by the City Council of said municipality on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ pay to the bearer the sum of \_\_\_\_\_ Dollars, (\$ \_\_\_\_\_), with interest at the rate of 7% per annum, all as is hereafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor, and effect, but differing in maturities issued by said municipality under said act for the purpose of providing means for paying for the work and improvements described in said resolution of intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July in each year hereafter; upon presentation of the proper coupon therefor; provided, that the first of said coupons is for the interest from date to the next second day of January and thereafter the said interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July of any year by giving the notice by publication provided in said act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix thereto its corporate seal, all on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Treasurer.

(SEAL)

\_\_\_\_\_  
Clerk.

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form, to-wit:

INTEREST COUPON

No. \_\_\_\_\_ § \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the second day of \_\_\_\_\_, 19\_\_\_\_\_, out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer of said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto be and they are hereby authorized to sign said bonds, and the Clerk be and he is hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said Treasurer be and he is hereby authorized to sign the interest coupons attached to said bonds, and may, upon said coupons, use an engraved or lithographed signature in place of a signature by hand. It is further ordered that bids be advertised for, as the law provided, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday, the 24th day of October, 1917 at 7:30 o'clock P. M.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

Adopted by the Council of the City of Modesto, Aug., 8th, 1917 by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Connor.

Attest: W. O. Thompson,  
City Clerk.

Approved Aug., 8th, 1917.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 381-N. S.

WHEREAS, on the 24th day of January, 1917, the City Council of the City of Modesto passed and adopted its resolution of intention No. 68 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in and by which resolution of intention the said City Council declared and determined that serial bonds should be issued to represent the expense of the work and improvement therein proposed, which said resolution of intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of work in said resolution specified was awarded and entered into by the

and that interest thereon shall be payable semi-annually on the 2nd day of January and July of each year, except that the first payment of interest shall not become due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit: \$4.68, except that the interest coupon payable on the 2nd day of January, 1918, shall be for the sum of \$ 5.12.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND,

City of Modesto, Stanislaus County, California.

\$ \_\_\_\_\_

NO. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California entitled: "Improvement Bond Act of 1915", the City of Modesto, (a municipal corporation) will on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on \_\_\_\_\_ in or owned by said municipality, more fully described in the certain resolution of intention passed by the City Council of said municipality on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ pay to the bearer the sum of \_\_\_\_\_ Dollars, (\$ \_\_\_\_\_), with interest at the rate of 7% per annum, as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several series of bonds of like date, tenor and effect but differing in maturities, issued by municipality under said act for the purpose of providing means for paying for the work and improvement described in said resolution of intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July in each year hereafter; upon presentation of the proper coupon therefor; provided, that the first of said coupons is for the interest from date to the next second day of January and thereafter the said interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July of any year by giving the notice by publication provided in said act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix thereto its corporate seal, all on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

(SEAL)

\_\_\_\_\_  
Treasurer

\_\_\_\_\_  
Clerk.

Superintendent of Streets of the City of Modesto, on behalf of said City, and the work therein ordered was performed in accordance with the conditions of said contract and said resolution or intention, and a warrant issued to the contractor therefor, and no appeal taken from any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of warrant, and after the Street Superintendent recorded the returns, and after the Street Superintendent made and filed with the Clerk of City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts, the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and,

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with section 6 of the "Improvement Bond Act of 1915", to-wit: the 8th, day of August, 1917, at the hour of 7:30 o'clock p. m. and at the Council Chamber of City Council of the City of Modesto, at the City Hall No. 717 Tenth Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and therebeing no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessments which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$1339.80

NOW, THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known and designated as the "Improvement Bond Act of 1915" issue in the sum of \$1339.80 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

It is further ordered that the said bonds shall be ten in number, shall each and all be dated the 13th day of June 1917, shall each and all be for the principal sum or denomination of \$133.98, and shall be numbered and payable as follows:

No. 1	July 2nd, 1918
No. 2	July 2nd, 1919
No. 3	July 2nd, 1920
No. 4	July 2nd, 1921
No. 5	July 2nd, 1922
No. 6	July 2nd, 1923
No. 7	July 2nd, 1924
No. 8	July 2nd, 1925
No. 9	July 2nd, 1926
No. 10	July 2nd, 1927

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form to-wit:

INTEREST COUPON

NO. \_\_\_\_\_ \$ \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the second day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer of said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto to be and they are hereby authorized to sign said bonds, and the Clerk be and he is hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said Treasurer be and he is hereby authorized to sign the interest coupons attached to said bonds, and may upon said coupons use an engraved or lithographed signature in place of a signature by hand. It is further ordered that bids be advertised for, as the law provides, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday, the 24th day of October, 1917, at 7:30 P.M.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

adopted by the Council of the City of Modesto, Aug., 8th, 1917, by the following vote:

Ayes: Councilmen Cunco, Moss, Swan and Mayor Morris.

Noes: Councilmen, None. Absent: Councilman O'Comor.

Attest: W. O. Thompson,  
City Clerk.

Approved Aug. 8th, 1917.

D. W. Morris  
Mayor.

.....

RESOLUTION NO. 382-N. S.

WHEREAS, on the 24th, day of January, 1917, the City Council of the City of Modesto passed and adopted its resolution or intention No. 69 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in by which resolution or intention the said City Council declared and determined that serial bonds should be issued to present the expense of the work and improvement therein proposed, which said resolution of intention so passed and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention proceedings as required by law were duly and regularly had whereby a contract for doing of work in said resolution specified was awarded and entered into by the Superintendent of Streets of the City of Modesto, on behalf of said City, and the work therein ordered was performed in accordance with the conditions of said contract and said resolution of intention, and a warrant issue to the contractor therefor, and

no appeal taken from any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of the warrant, and after the Street Superintendent recorded the return, and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts, the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with section 5 of the "Improvement Bond Act of 1915", to-wit: the 8th day of August, 1917, at the hour of 7:30 o'clock P. M. and at the Council Chamber of the City Council of the City of Modesto, at the City Hall, No. 717 Tenth Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and there being no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessment which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$933.92.

NOW, THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known and designated as the "Improvement Bond Act of 1915" issue in the sum of \$933.92 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

It is further ordered that the said bonds shall be ten in number, shall each and all be dated the 10th day of June 1917, shall each and all be for the principal sum or denomination of \$93.39, and shall be numbered and payable as follows;

No. 1	July 2nd, 1918
No. 2	July 2nd, 1919
No. 3	July 2nd, 1920
No. 4	July 2nd, 1921
No. 5	July 2nd, 1922
No. 6	July 2nd, 1923
No. 7	July 2nd, 1924
No. 8	July 2nd, 1925
No. 9	July 2nd, 1926
No. 10	July 2nd, 1927

and that interest thereon shall be payable semi-annually on the 2nd days of January and July of each year, except that the first payment of interest shall not become

due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit: \$3.27, except that the interest coupon payable on the 2nd day of January, 1918, shall be for the sum of \$3.67.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND.

City of Modesto, Stanislaus County, California.

\$ \_\_\_\_\_

NO. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California entitled: "Improvement Bond Act of 1916", the City of Modesto, (a municipal corporation) will on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvement on \_\_\_\_\_ in or owned by said municipality, more fully described in the certain resolution of intention passed by the City Council of said municipality on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ pay to the bearer the sum of \_\_\_\_\_ Dollars, (\$ \_\_\_\_\_), with interest at the rate of 7% per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in maturities issued by said municipality under said act for the purpose of providing means for paying for the work and improvements described in said resolution of intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July in each year hereafter; upon presentation of the proper coupon therefor; provided, that the first of said coupons is for the interest from date to the next second day of January and thereafter the said interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon second day of July of any year by giving the notice by publication provided in said act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix

thereto its corporate seal, all on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Treasurer.

(SEAL)

\_\_\_\_\_  
Clerk.

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form to-wit:

INTEREST COUPON

No. \_\_\_\_\_ \$ \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the second day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer or said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto be and they are hereby authorized to sign said bonds, and the clerk be and he is hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said Treasurer be and he is hereby authorized to sign the interest coupons attached to said bonds, and may, upon said coupons, use an engraved or lithographed signature in place of a signature by hand. It is further ordered that bids be advertised for, as the law provided, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday, the 24th day of October, 1917, at 7:30 o'clock P. M.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

Adopted by the Council of the City of Modesto, Aug., 8th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, Swan and Mayor Morris.  
Noes: Councilmen, None. Absent: Councilman O'Connor.

Attest: E. O. Thompson  
City Clerk.

Approved: August 8th, 1917.

D. W. Morris,  
Mayor.

.....

RESOLUTION NO. 383-N. S.

WHEREAS, heretofore, to-wit: on the 11th day of July, 1917, there was received by the City Council of the City of Modesto, which said City Council is the legislative body of said municipal corporation, a written petition signed by not less than one-fourth in number of all the qualified electors residing within the territory described therein, as shown by the registration of voters in which

such territory is situated, asking that such territory which is in said petition and hereinafter described be annexed to the City of Modesto; and

WHEREAS, said petition so presented contained a request that the question to be submitted to the electors residing in the territory proposed by said petition to be annexed to said City of Modesto shall be whether such new territory shall be annexed to, incorporated in and made a part of said municipal corporation, and the property therein be after such annexation subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of the said City of Modesto outstanding at the date of the filing of said petition or therefor authorized

NOW, THEREFORE, be it resolved that a special election be, and the same is hereby called, to submit to the electors residing in the territory proposed by such petition to be annexed to the said City of Modesto, question whether or not such new territory which is hereinafter described shall be annexed to, incorporated in and made a part of said municipal corporation, to-wit: the City of Modesto, and the property therein be after such annexation, subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of such municipal corporation outstanding at the date of the filing of said petition, or therefor authorized; said election to be held on the 2nd day of October, 1917; the polls to be opened at six o'clock in morning of said day, and to remain open until seven o'clock in the evening of said day, when the polls shall be closed; that the territory so proposed to be annexed and in which said special election shall be held as aforesaid is situated, lying and being in the County of Stanislaus, State of California, and is contiguous to the said City of Modesto, and is particularly described as follows, to-wit:

Beginning at the corner common to Sections 20, 21, 28 and 29, Township 3 South, Range 9 East, M. D. B. & M., thence West along the section line to the north west corner of the northeast quarter section 29, said Township and range; thence South along the mid-quarter line of said Section 29, said Township and range to the southwest corner of the north half of the northeast quarter of said Section 29, Township 3 South, Range 9 East, M. D. B. & M.; thence East along the center of said quarter section 29, Township 3 South, Range 9 East, M. D. & M. to the southeast corner of the north half of said quarter section of Section 29; thence north along the section line between Sections 28 and 29 to the corner common to Sections 20, 21, 28 and 29, to the point of beginning.

It is further ordered that for the purpose of holding said special election all of the territory mentioned in said petition and hereinabove described is consolidated and established into one election precinct, and the following is hereby designated as the place at which the polls shall be opened for such election in such territory so proposed to be annexed,

to-wit: \_\_\_\_\_

The following, who are qualified electors of the voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: W. A. Neal and Mrs. Nellie Higbee

Inspector: Dan Grundy

It is further ordered that for the purpose of said election the territory hereinabove described so proposed to be annexed to said municipal corporation is hereby designated as the Rose Addition.

It is further ordered that upon the ballots to be used at such election there shall be printed the words " Shall the Rose Addition be annexed to the City of Modesto?" Yes.

and

"Shall the Rose Addition be annexed to the City of Modesto?" No.

It is further ordered that said election shall be held and conducted in accordance with an act of the legislature of the State of California entitled " An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporation, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory."

Approved June 11th, 1913, as amended by an act approved April 29th, 1915.

It is further ordered that a notice be given by the Clerk of this Council of said election by the publication thereof in a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto but within Stanislaus County, at least once a week for a period of four successive weeks next preceding the date of such election, and that said notice shall be in substantially the following form:

NOTICE OF ELECTION FOR THE ANNEXATION OF TERRITORY.

Notice is hereby given by order of the City Council of the City of Modesto, in accordance with the statutes of the State of California in such case made and provided, that pursuant to a proper petition filed therefore with said City Council a special election has been called by said Council to be held, and the same will be held, in the territory hereinafter described on Tuesday, the 2nd, day of October 1917.

The proposition to be voted on at such election is as follows:

That is is proposed to annex to, incorporate in and make a part of the municipal corporation, to-wit: the City of Modesto, the following described territory lying, being and situate in the County of Stanislaus, State of California, contiguous to the City of Modesto, and particularly described as follows to-wit:

Beginning at the corner common to Section 20, 21, 28 and 29, Township 3 South, Range 9 East, M. D. B. & M; thence West along the section line to the northwest corner of the northeast quarter Section 29, said Township and Range; thence South along the mid-quarter line of said Section 29, said Township and range to the southwest corner of the north half of the north east quarter of said Section 29, Township 3 South, Range 9 East, M. D. B. & M; thence East along the center of said

quarter section 29 Township 1 South, Range 9 East, M. D. B. & M to the Southeast corner of the north half of said quarter section or Section 29; Thence North along the section line betw en Sections 28 and 29 to the corner common to Sections 20, 21, 28, and 29 to the point of beginning; and that said property shall, after such annexation, be subject to taxation wqually with the property within such municipal corporation outstanding at the date of said annexation, or indebtedness theretore authorized, and to be represented by bonds of such municipal corporation herearter to be issued,

Notice is nereby further given that the improvement or improvements for which such municipal indebtedness has been so incurred and authorized, and the amounts of such indebtedness already incurred outstanding at the date of the first publication of this notice are as follows:

Bond issue of April 1st, 1909, for \$65,000.00 in the aggregate, for the following purposes: \$15,000.00 for the construction of a building for the fire Department; \$15,000.00 for the extension of sewer systems; \$15,000.00 for the extension of water system and mains; \$20,000.00 for street work; for which \$20,000.00 has been paid, and of which \$45,000.00 is now outstanding.

Bond issue of October 1st, 1910, for \$100,000.00 in the aggregate, consisting of \$65,000.00 for construction and completion of sewers; \$15,000.00 for construction and completion of water works; \$10,000.00 for construction and completion of street work; \$10,000.00 for the purchase of fire apparatus; of which \$17,500.00 has been paid, leaving a balance now outstanding of \$82,500.00.

BOND issue of October 1st, 1911, of \$30,000.00 in the aggregate, for the improvement of street intersections, of which \$4,500.00 has been paid, leaving a balance now outstanding of \$25,500.00.

Bond issue of May 1st, 1912, for \$82,500.00 in the aggregate, for the reconstruction and enlargement of the wwater system of which \$12,500.00 has been paid, leaving a balance of \$70,000.00 now outstanding.

And the amount of such indebtedness neretore authorized and to be represented by bonds herearter to be issued is the sum of \$5,000.00, authorized at an election held in said city on July 31st, 1917, for the extension of the water system.

The maximun rate of interest payable and to be payable on all of such indebtedness is five per cent per annum, payable semi-annually.

The territory within which said election shall be held is that hereinabove designated and particularly described, and it shall be further designated for the purposes of identification by the name, to-wit; Rose Addition, by which name such territory shall be referred to and indicated upon the ballots to be used at said election.

The electors in said territory are directed to vote upon said question in the manner set forth in " Instructions to voters" on the ballots to be used at said election.

The ballots to be used at such election shall be in substantially the following form:

TICKETS FOR ANNEXATION ELECTION.

Special Election, Rose Addition , October 2nd, 1917.

Instructions to Voters: Each voter desiring to vote in favor of annexing the territory herein referred to as the Rose Addition to the City of Modesto shall stamp a cross (X) in the voting square after the words "Yes" after the words " Shall the Rose Addition be annexed to the City of Modesto?"

If an elector desires to vote against the annexation of said territory to the City of Modesto, he shall stamp a cross (X) in the voting square after the word "No" after the words "Shall the Rose Addition be annexed to the City of Modesto?"

The mark shall be made with the rubber stamp and ink pad which will be found in each booth, and the ballots shall not be marked in any other manner.

All marks except the cross (X) are forbidden; all distinguishing marks or erasures are forbidden and make the ballot void.

If you wrongly stamp, tear this ballot, return it to the inspector of election and obtain another.

"Shall the Rose Addition be annexed to the City of Modesto?" Yes.

"Shall the Rose Addition be annexed to the city of Modesto?" No.

Said election shall be held as aforesaid on the 2nd, day of October, 1917. The polls shall be opened at six o'clock in the morning of said day and shall remain open until seven o'clock in the evening of said day, when the polls shall be closed.

For the purpose of holding said special election all of the territory in said petition and hereinabove mentioned and described, and herein also referred to and designated as the Rose Addition, is consolidated and established into one election precinct, and the following place is hereby designated as the place at which the polls shall be open for such election in such territory so proposed to be annexed, to-wit: office of Geo. J. Ullrich on Central Avenue.

The following, who are qualified electors of the said voting precinct in which they are appointed to act, are hereby appointed officers of said election, to-wit:

Judges: W. A. Neal and Mrs Nellie Higbee

Inspector: Dan Grundy

Except as herein otherwise specified, said election shall be held in accordance with the laws of the State of California concerning general elections.

Dated, August \_\_\_\_\_, 1917.

W. O. Thompson  
City Clerk.

(SEAL)  
Dated of first publication, August \_\_\_\_\_, 1917.

It is further ordered that said notice be published in the Furlock Tribune, a newspaper of general circulation printed and published outside of the municipal corporation of the City of Modesto, but in the County of Stanislaus, at least once a week for a period of four successive weeks next preceding the date of such election.

The foregoing resolution was introduced by Councilman Cuneo, who moved its adoption, which motion, being duly seconded, was carried by the following vote:

Ayes: Councilmen Cuneo, Swan and Mayor Morris.

Noes: Councilmen, None.                    Absent: Councilmen O'Connor and Moss.

Attest: W. O. Thompson,  
          City Clerk.

Approved August 22nd, 1917.

          D. W. Morris.  
                  Mayor.

.....

RESOLUTION NO. 384-N. S.

RESOLUTION NO. 385-N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

WHEREAS, the Commissioner of Finance and Revenue of the City of Modesto, did of the 12th day of September, 1917, prepare and submit to this Council his report and annual estimate of the requirements of the City of Modesto for the year 1917-1918, which report and estimate has been duly read and considered by this Council and found to be correct in all respects and to comply with the requirements of the Charter of the City of Modesto;

THEREFORE, BE IT RESOLVED that said report and estimate be, and the same is hereby approved and ordered placed on file.

Adopted by the Council of the City of Modesto. Date Sept. 12th, 1917, by the following vote:

Ayes: Councilmen Cuneo, Moss, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilmen, None.

Attest: W. O. Thompson  
City Clerk.

Approved: D. W. Morris  
Mayor.

.....

RESOLUTION NO. 386-N. S.

A resolution providing for the issuance, sale and redemption of bonds of the City of Modesto in accordance with the result of the special municipal election held in said City on the 31th day of July, 1917, and providing for the form and denomination thereof.

WHEREAS, at a special election held in the City of Modesto on the 31th day of July, 1917, pursuant to the laws of the State of California, and in accordance with with ordinance No. N. S. and other ordinances of the City of Modesto relative to elections therein, the said City of Modesto has been authorized to incur an indebtedness of \$5000.00 for the purpose of the improvement, construction and extension and completion of a municipal water works and water system of the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said city; and

WHEREAS, said City Council has heretofore canvassed the result of said election and found and declared that the proposition of issuing bonds in said amount for said purpose received more than two thirds of the votes cast at said election, and that bonds for said purpose were thereby authorized to be issued,

NOW, THEREFORE, be it resolved by the said City Council of the City of Modesto

1. That said City of Modesto shall incur an indebtedness of \$5000.00 for the purpose of the improvement, construction and extension and completion of the municipal water works and water system of the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said City, and that the

bonds of the said City evidencing such indebtedness shall be issued in the said amount and of the number, denomination and character hereinafter specified.

2. There shall be issued ten bonds, each bond to be of the denomination of \$500.00. Said bonds shall bear interest from the date of their issuance at the rate of 5% per annum, payable semi-annually on the 2nd days of January and July in each year and thereafter, at the office of the Treasurer of the City of Modesto, City of Modesto in the County of Stanislaus, State of California. Said bonds shall be numbered consecutively from 1 to 10, inclusive.

3. All of said bonds shall be payable at the office of the City Treasurer in the City of Modesto in the said County of Stanislaus, State of California, and one of said bonds shall be payable, together with the interest thereon, at such date unpaid, on the 2nd day of January, 1919, and one of said bonds together with the interest thereon as aforesaid, shall be payable on the 2nd day of January, 1920, and thereafter one of said bonds, together with the interest thereon payable at such date, shall be payable on the 2nd day of January of each and every year thereafter at the place aforesaid, until all of said bonds shall have been paid.

4. The said bonds or any portion of them may be sold by the Council of the City of Modesto at not less than par value at either public or private sale after giving of notice thereof by the Clerk of the City of Modesto for at least 10 days prior to the date of such sale and said notice shall call for unconditional bids for such bonds to be delivered to the clerk of the City of Modesto and such notice shall further provide that all bids shall be accompanied by a deposit in Gold Coin or by a check payable to the Mayor of said City of Modesto, certified to by a responsible bank, in a sum equal to at least ten per cent of the entire amount bid for such bonds, which deposit shall be conditioned that if such bid is accepted the balance of such amount so bid shall be paid upon delivery of such bonds, otherwise said sum so deposited to be forfeited to the said City of Modesto.

5. The proceeds of the sale of said bonds shall be placed in the Treasury of the said City of Modesto, and the amount received therefrom shall be apportioned to the fund and for the purpose authorized by said special election.

6. The said bonds shall be executed by the Mayor of said City of Modesto, and also by the Treasurer of said City and shall be countersigned by the Clerk thereof, and each of said bonds shall have attached thereto interest coupons equal in number to at least twice the number of years the said bond has to run before it is due.

The coupons shall be numbered consecutively and signed by the Treasurer of said City. The said bonds and coupons shall be in the form substantially as hereinafter set forth. Each of the interest coupons except those payable January 2nd, 1918, shall represent six months interest and shall be payable to bearer, and the interest coupons payable January 2nd, 1918, shall represent interest from the date of said bonds until the 2nd day of January, 1918.

7. The form and language of all of said bonds shall be substantially as follows:

UNITED STATES OF AMERICA.

State of California.

\$500.00

No. \_\_\_\_\_

MUNICIPAL IMPROVEMENT BOND OF THE CITY  
OF MODESTO.

On the 2nd day of January, 19\_\_\_\_, the City of Modesto, a municipal corporation incorporated under the laws of the State of California, for value received, hereby promises to pay to the bearer at the office of the Treasurer of the said City of Modesto in the County of Stanislaus, State of California, the sum of Five Hundred (\$500.00) Dollars in Gold Coin of the United States of America with interest thereon in like Gold Coin from the date hereon at the rate of 5% per annum, payable semi-annually at the office of the City Treasurer of said City of Modesto on the 2nd days of January and July of each year, upon the presentation and surrender of the proper interest bearing coupons hereto attached. This bond is one of a series of like date, tenor and effect issued by the said City of Modesto for the purpose of paying the cost of the improvement, construction and extension and completion of a municipal water works and water system of the City of Modesto, according to the plans and estimates thereof on file in the office of the City Clerk of said City, and is issued under and in pursuance of, and in conformity with, an act of the legislature of the State of California, entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction and completion thereof.", which became a law under the constitutional provision without the Governor's approval February 25th, 1901, and of the acts supplemental and amendatory thereto; and it is hereby certified, asserted and declared that this bond is issued after full compliance with, and in conformity with, the constitution and laws of the State of California, and the ordinances of the said City of Modesto, and in pursuance of and in conformity with a vote of more than two thirds of all the qualified electors of the said City of Modesto voting at a special election duly and regularly called and held in said city, as provided in said act and the acts amendatory thereto, and the ordinances of the said City of Modesto on the 31st day of July, 1917; notice thereof having been duly and regularly given and published in the manner and for the period required by law, and after the result of said election had been canvassed and declared in the manner required by law.

It is further certified and declared that all the provisions and requirements of the constitution and the laws of the State of California, and of the ordinances of the City of Modesto, and of the Charter of said City applicable thereto, have been duly and regularly and fully complied with by the proper officers of said City in the issuance of this bond; that all the acts and conditions and things required by law to be done precedent to and in the issuance thereof have been done and have been performed in regular and due form and in strict compliance with the provisions of the law authorizing said bonds, and that the total indebtedness of the said City of Modesto, including the indebtedness evidenced by this issue of bonds, does not exceed the limit prescribed by the constitution and the laws of the State of California.

This bond ceases to bear interest unless presented at maturity.

IN WITNESS WHEREOF, the said City of Modesto has caused this bond to be signed by the Mayor thereof (who is the chief executive of said City) and by the treasurer of said City and to be countersigned by its City Clerk, and has caused its City Clerk to affix thereto the corporate seal of the said City of Modesto, and has caused all the coupons attached thereto to be signed by its Treasurer and said Treasurer has caused his said signature to be lithographed upon all of said coupons and hereby adopts said lithographic signature as his own.

Dated, Modesto, California, the second day of January, 1918.

\_\_\_\_\_  
Mayor and Chief Executive of the City  
of Modesto.

\_\_\_\_\_  
Treasurer of the City of Modesto/

\_\_\_\_\_  
City Clerk of the City of Modesto/

The interest coupons attached to said bonds shall be in substantially the following form and language/

INTEREST COUPON.

City of Modesto/

§ \_\_\_\_\_ No. \_\_\_\_\_

On the second day of \_\_\_\_\_, on surrender of this coupon, the City of Modesto will pay to the bearer hereof, at the office of the Treasurer of the City of Modesto, in the City of Modesto, County of Stanislaus, State of California, the sum of \_\_\_\_\_ dollars in Gold Coin of the United States of America, for the semi-annual interest due on that date upon its above numbered municipal bond/

Dated, the Second day of January, 1918.

\_\_\_\_\_  
Treasurer of the City of Modesto/

8. The Mayor, Treasurer, and City Clerk of said City of Modesto are hereby authorized and directed to sign and execute all of said bonds as of the date of January 2nd, 1918, and the said Treasurer to sign all said interest coupons in substantially the form hereinbefore provided by this Ordinance, and to adopt for such purpose a lithographic signature, and the acts of each of them in so doing shall be construed to be both for his official self, and for the said City of Modesto, and the Mayor of said City is hereby appointed a committee to supervise the printing and execution of said bonds and coupons/

9. There shall be levied and collected annually each year, until said bonds are paid, or until there shall be a sum in the treasury of the City of Modesto, set apart for that purpose, sufficient to meet all sums coming due for principal and interest on such bonds and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy.

The taxes herein required to be levied and collected shall be in addition to all other taxes levied for municipal purposes and shall be levied and collected at the time and in the manner as all other taxes, and shall be used for no other purpose than the paying of said bonds and accruing interest/

This resolution shall take effect and be in force from and after its adoption by the City Council.

The foregoing resolution was introduced by Councilman O'Connor, who moved its adoption, which motion being seconded by Councilman Cuneo was carried by the following vote.

Ayes: Councilmen Cuneo, O'Connor, Swan and Mayor Morris.

Noes: Councilmen, None/

Absent: Councilman Turner.

Attest: \_\_\_\_\_  
City Clerk/

Approved: \_\_\_\_\_  
Mayor.

\*\*\*\*\*

RESOLUTION NO. 387---N. S.

WHEREAS, on February 3rd, 1914, Estella Porterfield and Agnes Porterfield, by her guardian as litem, Estella Porterfield, recovered a judgment against the City of Modesto, in the Superior Court of Stanislaus County, California, for the sum of \$7500 and costs and interest, which judgment was thereafter affirmed by the District Court of Appeals of the State of California, Third Appellate District, and is now a final judgment against the City of Modesto; and,

WHEREAS, there is now, at this date, actually due and unpaid on said judgment the sum of \$9531; and

WHEREAS, the said plaintiffs, by their attorney, have agreed to settle said judgment for the sum of nine thousand dollars, payable three thousand dollars in cash; three thousand dollars in one year, and three thousand dollars in two years, all without interest;

NOW, THEREFORE,

BE IT RESOLVED

By the Council of the City of Modesto; That said offer for the settlement of said judgment be accepted; that there be paid to plaintiffs on account of said judgment, in cash, upon the adoption of this resolution, the sum of \$3,000/00; and that a further sum of \$3,000.00 be paid to said plaintiffs on account of said judgment on October 1st, 1918; and the final sum of three thousand dollars on October 1st, 1919; and in case the City of Modesto makes default in the payment of any of payments, that the balance due on such judgment shall bear interest at the rate of seven per cent per annum from September 26th, 1917., and that the auditor draw his warrant on the treasurer of said City, properly counter signed by the proper officers of the City of Modesto, in favor of J/ W. Hawking, attorney for said plaintiffs, in accordance with this resolution.

BE it further Resolved that this resolution shall only become operative upon the filing by said attorney with the City Clerk of a stipulation agreeing in writing to the terms of settlement hereinabove specified/

Adopted by the Council of the City of Modesto., Date September 26th, 1917, by the following vote:

Ayes: Councilman Cuneo, O'Connor, Swan and Mayor Morris/

Noes: Councilmen, None.

Absent: Councilman Turner.

Attest: \_\_\_\_\_  
City Clerk/

Approved: \_\_\_\_\_  
Mayor.

RESOLUTION NO. 388-N. S.

WHEREAS, the Clerk of the City Council of the City of Modesto has given notice, in pursuance of section 5 of the Act of the legislature of the State of California, designed as the "Improvement Bond Act of 1915", as required by said act that this the 26th day of September, 1917, at the hour of 7:30 o'clock P. M. being that of a regular meeting of said Council, has been fixed as the time, and the Council Chamber of the City Council of the City of Modesto, at the City Hall, No/ 717 Tenth Street, in said City, has been fixed as the place when and where interested persons may appear before the City Council of said City and show cause why bonds should not be issued upon the security of the unpaid assessments shown on the list heretofore filed by the Street Superintendent with said City Clerk in connection with the work ordered to be done under resolution of intention No. 66 of the City Council of the City of Modesto; and,

Whereas, this is the time and place fixed for hearing objections presented against the assessments therein referred to: and,

WHEREAS, no objections has been filed; and,

WHEREAS, the Council has heard evidence in relation to said assessments.

NOW, WHEREFORE, be it resolved that the said City Council finds that all proceedings for the doing of the work under said resolution of Intention No. 66 have been regular; that notice of this hearing has been given as required by law; that the Council does hereby find and determine that the following assessments shown on the list so filed with said Clerk by said Street Superintendent, being assessment or diagram No. 44 are unpaid:

Assessment or Diagram Numbers 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, and 14 and that the aggregate amount of the assessment so unpaid is the sum of \$2954.97, reference being hereby made to the list so filed by said Street Superintendent with said Clerk for greater particularity.

I hereby certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Modesto, California, on the 26th day of September 1917.

Attest: W. O. Thompson.

City Clerk.

Approved: D. W. Morris.

Mayor.

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RESOLUTION NO. 389 N. S.

WHEREAS, on the 17th day of January, 1917, the City Council of the City of Modesto passed and adopted its resolution of Intention No. 66 ordering the improvement of certain streets and other public ways within the City of Modesto as in said resolution specified, and in and by which resolution of intention the said City Council declared and determined that serial bonds should be issued to represent the expense of the work and improvement therein proposed, which said resolution of intention so passes and adopted and now on file in the office of the City Clerk of the City of Modesto is hereby referred to and made a part hereof for all purposes; and,

WHEREAS, after the passage and adoption of said resolution of intention, proceedings as required by law were duly and regularly had whereby a contract for the doing of work in said resolution specified was awarded and entered into by the Superintendent of Streets of the City of Modesto, on behalf of said City, and the work therein ordered was performed in accordance with the conditions of said contract and said resolution of intention, and a warrant issued to the contractor therefor, and no appeal taken from any decision of the City Council in connection therewith, and after the full expiration of 30 days from the date of the warrant, and after the Street Superintendent recorded the return, and after the Street Superintendent made and filed with the Clerk of the City Council a complete list of all assessments unpaid upon any assessment or diagram number in connection therewith, all of which the City Council find, determine and declare to be the facts, the said City Clerk did then give notice of the filing of said list and of the time therein fixed by said Clerk when interested persons might appear before the City Council and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, which time was that of some regular meeting of the City Council; and

WHEREAS, at the time and place so fixed by said Clerk in said notice in accordance with section 5 of the "Improvement Bond Act of 1919", to-wit: the 26th day of September, 1917, at the hour of 7:30 o'clock P. M. and at the Council Chamber of the City Council of the City of Modesto, at the City Hall, No. 717-10th Street, in said City, the said Council did meet to hear any objection presented and to pass upon the same, and there being no objection presented, the said Council did thereupon pass upon the said assessment list, and by an order entered upon its minutes determine the assessments which were unpaid and the aggregate amount of the same; and,

WHEREAS, the aggregate amount of said assessments remaining unpaid is the sum of \$6,170.65.

NOW, THEREFORE, it is hereby ordered and resolved by said City Council that serial bonds as provided by the act of the legislature of the State of California known as and designated as the "Improvement Bond Act of 1915" issue in the sum of \$6,170.65 in the aggregate; that said bonds be issued in series, that an even annual proportion of the aggregate principal sum thereof shall be payable on the 2nd day of July of every year succeeding the first nine months after their date, until the whole is paid, and said bonds shall bear interest at the rate of 7% per annum on all sums unpaid until the whole of said principal and interest are paid, which interest shall be payable semi-annually by coupon on the 2nd days of January and July respectively of each year, provided that the first payment of interest shall not come due until six months before the maturity of the first series of bonds.

It is further ordered that the said bonds shall be ten in number, shall each and all be dated the 2nd day of August 1917, shall each and all be for the principal sum or denomination of \$617.06, and shall be numbered and payable as follows:

No. 1	July 2nd, 1918
No. 2	July 2nd, 1919
No. 3	July 2nd, 1920
No. 4	July 2nd, 1921
No. 5	July 2nd, 1922
No. 6	July 2nd, 1923
No. 7	July 2nd, 1924
No. 8	July 2nd, 1925

No. 9

July 2nd, 1926

No. 10

July 2nd, 1927

and that interest thereon shall be payable semi-annually on the 2nd days of January and July of each year, except that the first payment of interest shall not become due until the 2nd day of January, 1918. The amount of semi-annual interest upon each of said bonds is hereby fixed and determined as follows, to-wit: \$21.60, except that the interest coupon payable on the 2nd day of January, 1918, shall be for the sum of \$18.00.

It is further ordered that said bonds shall be in substantially the following form:

IMPROVEMENT BOND.

City of Modesto, Stanislaus County, California.

\$ \_\_\_\_\_

No. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California entitled: "Improvement Bond Act of 1915", the City of Modesto, (a municipal corporation) will on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on \_\_\_\_\_ in or owned by said municipality, more fully described in the certain resolution of intention passed by the City Council of said municipality of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, pay to bearer the sum of \_\_\_\_\_ Dollars, (\$ \_\_\_\_\_), with interest at the rate of 7% per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in maturities, issued by said municipality under said act for the purpose of providing means for paying for the work and improvements described in said resolution of intention and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work. It is payable exclusively out of said fund and neither the municipality nor any officer thereof is to be holden for payment otherwise of its principal or interest.

The interest is payable semi-annually, to-wit: on the 2nd days of January and July in each year hereafter; upon presentation of the proper coupon therefor; provided, that the first of said coupons is for the interest from date to the next second day of January and thereafter the said interest coupons are for semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated, provided it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay the same. If not presented at maturity, interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July of any year by giving the notice by publication provided in said act.

IN WITNESS WHEREOF, said City of Modesto has caused this bond to be signed by the Treasurer of said City and by its Clerk and has caused its Clerk to affix thereto its corporate seal, all on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Treasurer.

\_\_\_\_\_  
Clerk.

It is further ordered that to each of said bonds shall be attached the necessary interest coupons signed by the treasurer, which said interest coupons shall be in the following form, to-wit:

INTEREST COUPON.

NO. \_\_\_\_\_

\$ \_\_\_\_\_

The City of Modesto, a municipal corporation, will on the second day of \_\_\_\_\_, 19\_\_\_\_\_, out of the redemption fund for the payment of the improvement bond to which this coupon is attached pay to the bearer the sum of \$ \_\_\_\_\_ at the office of the treasurer of said City of Modesto as in said bond specified.

\_\_\_\_\_  
Treasurer.

It is further ordered that the treasurer and the clerk of the City of Modesto be and they are hereby authorized to sign said bonds, and the clerk be and is hereby authorized to affix the corporate seal of the City of Modesto thereto, and the said treasurer by and he is hereby authorized to sign the interest coupons attached to said bonds, and may, upon said coupons, use an engraved or lithographed signature in place of a signature by hand.

It is further ordered that bids be advertised for, as the law provides, for the sale of said bonds, said bids to be opened and the sale of said bonds made on Wednesday, the 24th day of October, 1917, at 7:30 o'clock P. M.

It is further ordered that this order and resolution of said City Council be entered upon its minutes.

Adopted by the Council of the City of Modesto, Sept. 26th, 1917  
by the following vote:

Ayes: Councilmen Cunsco, Swan, and Mayor Morris, and Councilman O'Connor.

Noes: Councilmen None.

Absent: Councilman Turner.

Attest: W. O. Thompson  
City Clerk.

Approved Sept. 26th, 1917.

D. W. Morris.  
Mayor.

RESOLUTION NO. 390. N. S.

WHEREAS, the Council of the City of Modesto did, by Resolution No. 383 N. S call a special election to be held on the 2nd day of October, 1917, within the territory thereafter described as being proposed to be annexed to the City of Modesto, for the purpose of submitting to the qualified electors of said territory the question of whether or not such new territory therein and hereinafter described shall be annexed to, incorporated in, and made a part of said municipal corporation, to-wit: the City of Modesto, and the property therein be, after such annexation, subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of such municipal corporation to pay the bonded indebtedness of such municipal corporation outstanding at the date of the filing of said petition, or theretofore authorized; and

WHEREAS, the provisions of law with reference to giving of notice, the appointment of election officers, and the calling of said election were duly complied with; and

WHEREAS, said special election was held on the 2nd day of October, 1917, and was conducted and held in all respects in conformity with the laws of the State of California relating thereto; and

WHEREAS, the proper officers of said election did thereupon deliver the ballots, tally sheets and returns of said election to, and deposit the same with, the Clerk of the legislative body of said municipal corporation, to-wit: the Clerk of the City Council of the City of Modesto; and

WHEREAS, the City Council of the City of Modesto, being the legislative body of the corporation to which it is proposed to annex such territory, did at the time provided for its next regular meeting after the expiration of three days from and after said election, meet and proceed to canvass said returns, and did find therefrom that within said election precinct, it constituting the whole of said territory proposed to be annexed, the total number of votes cast was 32, and that the total number of votes cast in favor of said proposition was 32, and that the number of votes cast against said proposition was none, and that said proposition carried; and

WHEREAS, the said canvass has been completed;

NOW, THEREFORE, be it resolved by the Council of the City of Modesto, in pursuance to the Statutes of the State of California in such case made and provided, that all of the matters and things recited in the preamble to this resolution are true; that on the 2nd day of October, 1917, an election was held in the territory hereinafter described, at which the question submitted was whether or not such new territory shall be annexed to, incorporated in, and made a part of the said municipal corporation, to-wit: the City of Modesto, and the property therein be, after such annexation, subject to taxation equally with the property within such municipal corporation to pay the bonded indebtedness of such municipal corporation outstanding at the date of the filing of the petition for such election, or theretofore authorized; that the territory so proposed to be annexed to and in which said special election was held as aforesaid, is situate, lying and being in the County of Stanislaus, State of California, and is contiguous to the said City of Modesto, and is particularly described as follows, to-wit:

Beginning at the corner common to Sections 20, 21, 28 and 29, Township 3 South, Range 9 East, M. D. B. & M: thence West along the section line to the northwest corner of the northeast quarter of Section 29, said Township and Range; thence South along the mid-quarter line of said Section 29, said Township and range to the southwest corner of the north half of the northeast quarter of said Section 29, Township 3 South, Range 9 East, M. D. B. & M.; thence East along the center of said quarter section 29, Township 3 South, Range 9 East, M. D. B. & M. to the southeast corner of the north half

of said quarter section of Section 29; thence north along the section line between Sections 28 and 29 to the corner common to Sections 20, 21, 28 and 29, to the point of beginning;

that the total number of votes cast thereon in the territory proposed to be annexed was 32 votes; the total number of votes cast thereon in favor of annexation was 32 votes, and the total number of votes cast therein against annexation was no votes.

The foregoing resolution was introduced by Councilman Cuneo, who moved its adoption, which motion being seconded by Councilman Turner, upon the vote being taken was carried by the following vote:

Ayes: Councilmen Cuneo, Turner and Mayor Morris.

Noes: Councilmen None.

Absent: Councilmen O'Connor and Swan.

Attest: W. O. Thompson,  
City Clerk.

Approved; D. W. Morris,  
Mayor.

RESOLUTION NO. 391- N. S.

BE IT RESOLVED; by the Council of the City of Modesto, as follows:

That a warrant for the sum of One Thousand Dollars be drawn and issued on the City Treasurer in favor of T. K. Beard for the purchase price of the following described property within the City of Modesto, Stanislaus County, California, conveyed by said T. K. Beard to said City of Modesto, to-wit:

Beginning at the corner of Block "2" where the southeast property line of "G" Street intersects the southwest property line of Second Street; thence southwestwardly along and parallel to the southeast property line of "G" Street one hundred forty feet to the northeast property line of alley through blocks 1 and 2 of the City of Modesto; thence southeasterly along and parallel to the northeast property line of said alley eighty six and seven tenths (86.7) feet to the north property line of Sierra Drive; thence easterly along and parallel to the north property line of Sierra Drive 198.5 feet to the southwest property line of Second Street; thence northwesterly along and parallel to the southwest property line of Second Street 227.7 feet to the point of beginning; containing 6.3 lots more or less.

Adopted by the Council of the City of Modesto. Date October 24th, 1917, by the following vote:

Ayes: Councilmen Cuneo, O'Connor, Swan, Turner and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk.

Approved; D. W. Morris,  
Mayor.

RESOLUTION NO. 392- N. S.

WHEREAS, Southern Pacific Company a railroad corporation duly organized and existing under and by virtue of the laws of the State of Kentucky, and transacting a general railroad business at and in various states and territories in the United States, including the City of Modesto, in the County of Stanislaus, State of California, having at a due and regular meeting of this, the City Council of the City of Modesto, duly and regularly held at the Council Chambers of this City Council, on the 24th day of October, 1917, filed its Petition and Application praying for a resolution to be passed and adopted by this, the City Council of the City of Modesto, County of Stanislaus, State of California, authorizing and permitting it to change the location of its spur track, which was heretofore granted to it by this, the City Council of the City of Modesto, ( and which is the spur track which at present is being used for the purpose of serving the Standard Oil Company in said City of Modesto), approximately 2 feet Southeasterly at the Northerly line of "B" Street, and approximately 17 feet Southeasterly at the Southerly line of "B" Street, in the City of Modesto, and in said Petition and Application, a particular description of the location where it is desired to locate said spur track is set forth, together with a Map thereof;

AND WHEREAS, this, the City Council of the City of Modesto, having examined into the said Petition, and the said change of location of the aforesaid spur track, and it appearing to the satisfaction of this, the City Council of the City of Modesto, that it is necessary for the purposes of said Petitioner and Applicant, and that it is for the best interests of the City of Modesto, that said Southern Pacific Company be permitted to change the location of the aforesaid spur track from its present location to the location set forth and described in its aforesaid Petition and Application;

AND WHEREAS, the regular meeting of this, the City Council of the City of Modesto held on the 24th day of October, 1917, at said time duly and regularly adjourned until the 31st day of October, 1917; and

WHEREAS, more than Five (5) days have elapsed since the introduction and filing of the aforesaid Petition and Application;

NOW, THEREFORE, BE IT RESOLVED: That Southern Pacific Company, a railroad corporation, as aforesaid, be, and it hereby is, permitted, authorized and empowered to change its spur track (which has been used by it for the purpose of serving the Standard Oil Company in said City of Modesto), from its present location to the following location, to-wit:

Beginning for the center line thereof at a point of the South line of "B" Street, in the said City of Modesto, said point being 247 feet west of the intersection of the section line common to sections 32 and 33, in Township 8 South, Range 9 East, M. D. B. & M; thence Northerly on a curve to the left, with a radius of 573.14 feet, 80 feet, more or less, to the Northerly line of "B" Street.

BE IT FURTHER RESOLVED: That said track shall be used for industrial purposes only, and only for the transportation of freight, and not as a main line, or part thereof, and that said track shall be laid level with the Streets, and shall be operated under such restrictions as do not interfere with the use of said streets by the public.

That those portions of the permit heretofore granted to the Southern Pacific Company with reference to the spur track hereinabove referred to, insofar as they conflict with the permit hereby granted, are hereby cancelled and revoked. That the permit hereby granted shall be held and exercised in strict accordance with the terms

and provisions of Subdivision 60 of Section 4 of the Charter of the City of Modesto.

The foregoing resolution was introduced at a special meeting of the Council of the City of Modesto on the 31st day of October, 1917, by Councilman Swan who moved its adoption, which motion being seconded by councilman O'Connor was put to a vote and carried by the following vote:

Ayes: Councilmen Cuneo, O'Connor, Swan and Mayor Morris.

Noes: Councilmen None.

Absent: Councilman Turner.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.

RESOLUTION NO. 393- N. S.

BE IT RESOLVED, by the Council of the City of Modesto, as follows:

That whereas, Dr. E. V. Falk, the present Health Officer of the City of Modesto, has tendered his resignation as such officer,

BE IT RESOLVED that such resignation be accepted and that Dr. J. W. Morgan be and he is hereby appointed to fill the office of Health Officer of the said City of Modesto, commencing with the First day of January 1918, and until the further order of the Council.

Adopted by the Council of the City of Modesto. Date Dec. 12th, 1917, by the following vote:

Ayes: Councilmen Cuneo, O'Connor, Swan, Turner and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilmen, None.

Attest: W. O. Thompson,  
City Clerk

Approved: D. W. Morris,  
Mayor.

RESOLUTION NO. 394- N. E.

BE IT RESOLVED , by the Council of the City of Modesto, as follows:

WHEREAS, the Council of the City of Modesto did heretofore advertise, calling for sealed bids for the supplying gas for 88 or more gasolobras for the City of Modesto, as will more fully appear from the notice to bidders hereto annexed, marked "Exhibit A" and made a part hereof, and

WHEREAS, a certain bid for furnishing gas was submitted by the Modesto Gas Company, which said bid is hereby found and determined to be the lowest responsible bid therefor. Said bid is hereto annexed and marked "Exhibit B".

THEREFORE, BE IT RESOLVED that the said bid of said Modesto Gas Company as to Section "D" for Light, be and the same is hereby accepted.

Adopted by the Council of the City of Modesto, date December 26th, 1917.,  
by the following vote:

Ayes: Councilmen Cuneo, Swan, Turner and Mayor Morris.

Noes: Councilmen, None

Absent: Councilmen, O'Connor.

Attest: W. O. Thompson,

City Clerk.

Approved: D. W. Morris,

Mayor.

RESOLUTION NO. 395- N. S.

Be it RESOLVED, by the Council of the City of Modesto, as follows:

WHEREAS, the Council of the City of Modesto did heretofore advertise for bids for the furnishing of certain electrical current, as per that certain notice hereto annexed, marked "Exhibit C" and made a part hereof, and

WHEREAS, Sierra and San Francisco Power Company did file its bids for the furnishing of the same, which bid is hereto annexed, marked "Exhibit C" and made a part hereof, and

WHEREAS, the Council finds that the bids of said Sierra and San Francisco Power Company as set forth in Sections "A", "B", "C" and "D" for power are the lowest responsible bids for the same.

BE IT RESOLVED, that the bids of said Sierra and San Francisco Power Company, as to Sections "A", "B" and "C" for light, and Sections "A", "B", "C" and "D" for power be and the same are hereby accepted.

Adopted by the Council of the City of Modesto, Date, December 26th, 1917  
by the following vote:

Ayes: Councilmen Cuneo, Swan, Turner and Mayor Morris.

Noes: Councilmen, None.

Absent: Councilman O'Connor.

Attest: W. O. Thompson,  
City Clerk.

Approved: D. W. Morris,  
Mayor.