

Ordinance No 248.

An ordinance appointing Julius Gradwohl Louis Thuerick and W. H. Allen as viewers to meet and view certain rights of way for the purpose of constructing and maintaining certain sewers by the City of Albany over and across certain private property in said city and fixing a time and place for the meeting of such viewers and ordering and directing the City Marshal of said City to give the proper notice of the time and place of the meeting of such viewers

Whereas the Common Council of the City of Albany did on the 16th day of April 1892 declare by Resolution No 24 that it is necessary and expedient to lay and construct a sewer over and across block No 40 in the City of Albany & at or near the center of said block and in a direction running parallel with the north boundary line of said block and the parcels of land therein over and across which said sewer is proposed to be constructed being private property

And Whereas said Council did on the 16th day of April 1892 declare by Resolution No 23 that it is expedient to lay and construct a sewer over and across block No 38 in said city at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and the parcels of land over which it is proposed to construct such sewer being private property and also that it is expedient to lay and construct a sewer over and across block No 39 in said city at or near the center thereof and running in a direction parallel with the north boundary line of said block said block and the parcels of land therein over

which it is proposed to construct such sewer being private property and also that it is necessary and expedient to lay and construct a sewer over and across block No 61 in said city of Albany at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and the parcels of land therein over and across which it is proposed to lay and construct such sewer being private property, and also that it is expedient to lay and construct a sewer over and across block No 41 in the City of Albany Oregon at or near the center of said block and in a direction running parallel with the north boundary line of said block and the parcels of land therein over and across which said sewer is proposed to be constructed being private property and also that it is expedient to lay and construct a sewer over and across block No 42 in said City of Albany at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and parcels of land therein over and across which it is proposed to construct said sewer being private property and

Whereas said council did on the 16th day of April 1892 declare by Resolution No 53 that it is expedient to lay and construct a sewer over and across block No 43 in said city at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and the parcels of land over which it is proposed to construct such sewer being private property and also that it is expedient to lay and construct a sewer over and across block No 44

in said City at or near the center thereof and running in a direction parallel with the north boundary line of said block said block and the parcels of land therein over which it is proposed to construct such sewer being private property and also that it is necessary and expedient to lay and construct a sewer over and across block No 58 in said City of Albany at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and the parcels of land therein over and across which it is proposed to lay and construct a sewer over and across block No 57 in the City of Albany Oregon at or near the center of said block and in a direction running parallel with the north boundary line of said block and the parcels of land therein over and across which said sewer is proposed to be constructed being private property and also that it is expedient to lay and construct a sewer over and across block No 59 in said City of Albany at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and parcels of land therein over and across which it is proposed to construct said sewer being private property and whereas said Council did on the 16th day of April 1892 declare by Resolution No 23 that it is expedient to lay and construct a sewer over and across block No 60 in said city at or near the center of said block and running in a direction parallel with the north boundary line therein said block and the parcels of land over which it is proposed to construct such sewer being private property and also that it is expedient to lay and construct a sewer over and across block No 62 in said city at or near the center

of said block and running in a direction parallel with the north boundary line of said block said block and the parcels of land therein over which it is proposed to construct such sewer being private property and also that it is necessary and expedient to lay and construct a sewer over and across block No 63 in said City of Albany at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and the parcels of land therein over and across which it is proposed to lay and construct such sewer being private property and also that it is expedient to lay and construct a sewer over and across block No 64 in said City at or near the center of said block and running in a direction parallel with the north boundary line thereof said block and parcels of land therein over which it is proposed to construct such sewer being private property. And

Whereas said Council did on said 16th day of April 1892 direct and order the Surveyor of said city to survey and make a full and perfect description and plot of the boundaries of such respective proposed sewers and the portions of said blocks respectively and the parcels of land therein necessary to be appropriated as and for a right of way for such sewers respectively and to mark the boundaries of such sewers and parcels of land required for rights of way for the laying and constructing of each of such sewers and to report such surveys respectively in writing to said Council and

Whereas said Surveyor did make such surveys as so directed by said Resolution and on the 15th day of May 1892 did make his report in writing to said Council of his surveys and descriptions of a right

of way for a sewer over and across each of said blocks in the city of Albany and of the portion of the parcels of land in said blocks necessary for a right of way for the construction of a sewer over and across each of said blocks and did append to each of said reports a correct plat of each of said surveys showing the particular portions of each of said blocks and the respective parcels of land therein, required for the respective rights of way necessary for the constructing and maintaining of each of such sewers over and across such portions of said blocks and parcels of land therein, and

Whereas said Surveyor did make such surveys as so directed and on the 10th day of April 1892 did report the same respectively in writing to said Council which said surveys and reports of said Surveyor were respectively duly approved and adopted by said Council by Ordinance on the 10th day of May 1892 and

Whereas Julius Gradwohl Louis Vierick and N H Allen are all and each disinterested free holders of the City of Albany no kin to any owner or person interested in any property to be appropriated for any or either of said rights of way for any or either of the sewers above mentioned and possessing and having the qualifications of Jurors of the Circuit Court of the County of Linn in the State of Oregon, therefore

The People of the City of Albany do Ordain
as follows

Section 1 That the said Julius Gradwohl Louis Vierick and N H Allen be and they are hereby appointed as Viewers to meet and view the above mentioned and described proposed

rights of way for the constructing and maintaining of the respective sewers mentioned in said Resolution Nos 23 and 24 and said reports of said Surveyor and the ordinances adopted said reports and to assess and determine how much less valuable if any any lands tenements hereditaments or premises or any part thereof through or over which or any part of which either of said proposed sewers is to be laid constructed or maintained will be rendered by the laying constructing establishing and maintaining thereof and to make a just and equitable estimate and assessment of the value of the benefits and advantages of each of said proposed sewers to be laid out established and maintained to the respective owners lessees and other person interested in any lands tenements and premises any part of which is required for the laying constructing or maintaining of either of said proposed sewers in excess of the damage such owner lessee or other person interested will sustain by reason of the laying constructing or maintaining of either of said sewers and the value of the benefits and advantages of each of said sewers respectively to the respective owners lessees or other person interested in any land tenements hereditaments and premises along the line of either of said proposed sewers or the right of way therefor

Section 2 That Friday the 1st day of July 1892 at the hour of 10 o'clock in the forenoon of said day is hereby assigned and fixed as the time when the viewers mentioned in section 1 of this ordinance shall meet at the Chambers of the City Council in said City of Albany Oregon and then and there take and oath faithfully to discharge the duties assigned

them by this ordinance

Section 3 That the Marshall of said city is hereby ordered and directed to forthwith give notice of the appointment of said viewers and of the time and place of their meeting as assigned and fixed by Section 2 of this ordinance for them to meet and of all other things and matters appertaining to the appropriation of any of the private property over and across which either of said proposed sewers is proposed to be laid and constructed in the manner required by section 96 of the Charter of said city by publishing such notice at least once a week for four consecutive weeks in some newspaper of general circulation published in the City of Albany Oregon

Section 4 This ordinance shall be in full force and effect from and after its approval by the Mayor

Passed the Council May 25th 1892

Approved - May 28th 1892.

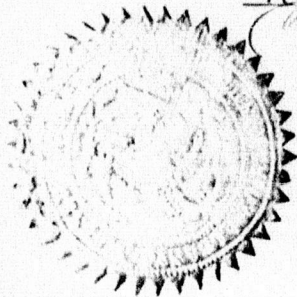
Attest:

W. J. Henton

Recorder of the City of Albany.

J. L. Correll

Mayor of the City of Albany.



Recorder's Certificate to Ordinance no: 248.Office of City Recorder

Stat of Oregon, } ss.
 County of Linn }

I, W. H. Houlton, Recorder of the City of Albany Oregon, do hereby certify that the foregoing ordinance no: 248, has been by me carefully compared with the original ordinance bill no: 255 now on file in this office, and that it is a true and correct transcript of all and the whole of said ordinance bill no: 255, as passed by the Council May 25th 1892.

In Testimony whereof I have hereunto set my hand and affixed the seal of the City of Albany this 28th day of May A. D. 1892.

W. H. Houlton,
 Recorder of the City of Albany.

