

## ORDINANCE NO. 527.

Amendment to Charter issue bonds for purchase of City Park  
 \$15,000.00

Ord 527  
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 \$15,000.00

An Ordinance entitled an ordinance providing for the submission, at the regular election, to be held on December 5<sup>th</sup> 1910, to the legal voters of Albany, Oregon, for their adoption or rejection, of a proposed amendment to the Charter of said City of Albany, Oregon, which amendment authorized and directs the purchase, procurement by the exercise of the right of eminent domain, or other acquirement of a certain city park or property upon which a city park may hereafter be established and maintained; and provides for the issuance of negotiable interest bearing bonds in a sum not to exceed Fifteen Thousand Dollars; and prescribes the manner of making the return of the result of said election, and if favorable to said amendment, prescribes when the same shall be effective.

The People of the City of Albany do ordain as follows

Section 1. That in the manner provided by law, and as hereinafter provided, and for the purposes hereinafter set forth, there shall be submitted to the legal voters of the City of Albany, Oregon, for their adoption or rejection, at the regular election to be held on December 5<sup>th</sup> 1910, in said City, the following proposed amendment to the Charter of said City, of Albany, Oregon, to-wit:

A bill for an act entitled an act to amend an act entitled an act to incorporate the City of Albany, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith, passed by the Legislative Assembly of the State of Oregon, and approved February 16, 1901, as amended by "an act entitled an act to amend section 34, of chapter 4, and sections 43 and 54 of chapter 6 of an act entitled an act to incorporate the city of Albany, and to provide a charter therefor, and to repeal all acts and parts of acts in conflict therewith," passed by the Legislative Assembly of the State of Oregon, and approved February 24<sup>th</sup>, 1903, and as further amended by "an act entitled an act amending the Charter of the City of Albany, Oregon," thereby amending the Charter of the City of Albany, and

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authorizing the purchase, procurement by the exercise of the right of eminent domain, or otherwise, of certain city parks, and to certain site upon which a city park may be situated, and to issue and maintain, and to pay interest on, interest bearing bonds in the sum not to exceed \$15000.00 with which to provide the necessary funds for the purchase of said city park or site therefor.

Be it Enacted by the Legal Voters of the City of Albany Oregon.

The People of the City of Albany do Ordain as follows, to-wit:

Section 1. That an act entitled "An Act to incorporate the City of Albany, and to provide a charter therefor, and to repeal all acts or parts of acts in conflict therewith, passed by the Legislative Assembly of the State of Oregon, and approved Sept. 16<sup>th</sup>, 1901, and amended by an act entitled "An Act to amend Section 34 of Chapter 4, and Sections 43 and 54 of Chapter 6 of an Act entitled "An Act to incorporate the City of Albany, and to provide a Charter therefor, and to repeal all acts and parts of acts in conflict therewith," passed by the Legislative Assembly of the State of Oregon and approved February 24<sup>th</sup>, 1903; and so further amended by an act entitled "An Act amending the Charter of the City of Albany, Oregon," by providing for and authorizing the selection, purchase or other acquisition by said City of a site for a City Hall, the erection, construction, equipment and maintenance by said City of a City Hall thereon, the issuance and sale by said City of negotiable interest bearing bonds in the sum of \$40000.00 to defray the expenses thereof, the sale or encumbering of said property of said City, and the disposal of the proceeds therefrom,

Adopted by the Legal Voters of the City of Albany, Oregon at a special election held on Monday the 2<sup>nd</sup> day of May, 1910; be such the same is hereby amended by adding thereto the following, to-wit:-

Chapter 16.

Section 170. That for the purpose of providing a suitable city park for the City of Albany, the said City of Albany by and through its Common Council shall have the power and

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authority and is hereby authorized and directed to purchase, procure by the exercise of the right of eminent domain, or otherwise acquire, that certain piece or parcel of real property adjacent to said City of Albany, commonly known as the Washburn grove and adjacent lands, or so much thereof as may be suitable, requisite or necessary for the establishment, maintenance and continuance of a public city park and to thereupon and thereafter establish, prepare, conduct and maintain such city park; the total expense for the purchase of which property not to exceed the sum of \$15,000.00.

Section 171. That for the purpose of carrying the provisions of this Chapter into effect, the Common Council shall have power and authority, and is hereby expressly authorized, empowered and directed to issue and sell negotiable interest bearing bonds in an amount not to exceed the sum of \$15,000.00 to defray the expense of the purchase of said property for said City Park; said bonds to be in addition to the present bonded debt of said City, and to bear such rate of interest and to be payable at such times and in such amounts as the Council may by ordinance determine; said bonds to bear interest not to exceed five per centum per annum, and to be sold for not less than par, and to run not more than 20 years; said bonds shall be issued under the corporate seal of the City of Albany, signed by the Mayor and countersigned by the City Recorder of said City of Albany.

Section 172. That the sale of said bonds shall be conducted in such manner as the Council of the City of Albany may by resolution or ordinance, prescribe.

Section 2. That canvass of the returns of the election shall be made upon the adoption or rejection of the foregoing proposed amendment as upon other matters voted upon at said election, and a written statement of the canvass shall be made and signed by the canvassers and filed with the Recorder within the time appointed to complete the canvass; and the Mayor shall forthwith issue his proclamation, and file the same with the City Recorder, giving the whole number of votes cast in the City for and against said questions, and if a majority of all the votes cast shall be shown to be in favor of the adoption of said amendment, then

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the Mayor in his said proclamation shall declare said amendment to be in full force and effect as in law, and the said Charter shall thereupon be deemed to be and shall thereby be so amended.

Section 3. Inasmuch as the City of Albany has no city park, and is without broken or suitable public grounds upon which the citizens may enjoy the privilege thereof, and the grounds above mentioned constitute the best, most suitable and only natural place for a suitable public park, and the same are about to be sold and the topography and natural ornamentation thereof are about to be changed, and rendered unfit for park purposes, thereby forever preventing the city from establishing or maintaining a park so that the people of the city, including the aged, the infirm, the youth and all others may be prevented from obtaining the benefits of a public park, the immediate passage of this ordinance is necessary for the preservation of the public peace, health and safety, such an emergency is therefore hereby expressly declared to exist, and this ordinance shall be in full force and effect from and after its approval by the Mayor.

Passed the Council Sept 28-1910

Attest:  
J. M. Redfield,  
Recorder of the City of Albany.

Approved Oct 3rd 1910  
J. P. Wallace  
Mayor.

CITY RECORDER'S CERTIFICATE.

STATE OF OREGON, }  
COUNTY OF LINN, } ss.

I, F. M. REDFIELD, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of

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has been by me carefully compared with the original Ordinance bill No. 527

now on file in my office, and that it is a true and correct copy of all and the whole of said

Ordinance bill No. 527, approved by the Council of the City of Albany, Oregon, Sept 28, 1910

Witness, my hand and official signature and the seal of the City of Albany, this

3rd day of Oct 1910

J. M. Redfield  
Recorder of the City of Albany.

