

3119

ORDINANCE No. 1259

AN ORDINANCE authorizing and directing the Mayor and Recorder of the City of Albany, Oregon, on behalf of the common council of said City, to make, execute and deliver to St. Johns' Lodge A.F. and A.M., of Albany, Oregon, a corporation, a quitclaim deed of conveyance of certain lands belonging to said City, and providing that said property be used for cemetery purposes.

WHEREAS, by Resolution No. 15, duly and regularly adopted by the Council of the City of Albany, Oregon, on the 8th day of June, 1927, the Mayor of said City was authorized to advertise and sell the following described real property, to-wit:

Beginning at an iron rod on the westerly boundary line of the Pacific Highway and on the north line of and south 88 degrees 45 minutes west 7.67 chains distant from the northeast corner of the D.L.C. of Anderson Cox and wife, being Lotification No. 696 and Claim No. 49 in Township 11 South Range 3 West of the Willamette Meridian, Oregon, thence south 88 degrees and 45 minutes west along the north line of said claim 15.45 chains to the eastern boundary line of the right of way of the Southern Pacific Railway Company, thence southerly along the eastern boundary line of said right of way 1.30 chains to the northwest corner of a 4.17 acre tract of land that the First Hebrew Church Congregation of Albany sold to St. Johns' Lodge No. 17 A.F. and A.M. on the 19th day of November, 1924, by deed recorded in volume 128, page 596 of Deed of Records of Linn County, Oregon, thence south 80 degrees west 8.68 chains to the northwestern boundary line of the Pacific Highway; thence north 55 degrees east 12.30 chains to the place of beginning, containing 6.30 acres, more or less, all lying in Linn County, Oregon.

And, WHEREAS, pursuant to said Resolution No. 15 the Mayor did advertise and sell said real property in the manner provided by law and by said Resolution No. 15, and on the 12th day of August, 1927, made and filed his written report of said sale, showing the sale thereof to have been duly and regularly conducted, and said premises to have been duly and regularly sold to St. Johns' Lodge No. 17 A.F. and A.M. of Albany, Oregon, said report of sale being on file in the office of the recorder of the City of Albany, Oregon, where the same is now a matter of public record; and

WHEREAS, it now appears to the Council that the sale of said property was duly and regularly advertised and said property sold in the manner provided by law and that no better price could be obtained from a resale thereof;

THEFORE, THE PEOPLE OF THE CITY OF ALBANY DO OBTAIN AS FOLLOWS:

Section 1. That the Mayor and Recorder of the City of Albany, Oregon, be and they are hereby authorized and directed to make, execute and deliver, on behalf of the Common Council of said City, to St. Johns' Lodge A.F. and A.M., of Albany, Oregon, a corporation, a quitclaim deed of conveyance to the following described real property, to-wit:

Beginning at an iron rod on the westerly boundary line of the Pacific Highway and on the north line of and south 88 degrees 45 minutes west 7.67 chains distant from the northeast corner of the D.L.C. of Anderson Cox and wife, being Lotification No. 696 and Claim No. 49 in Township 11 South Range 3 West of the Willamette Meridian, Oregon, thence south 88 degrees 45 minutes west along the north line of said claim 15.45 chains to the eastern boundary line of the right of way of the Southern Pacific Railway Company, thence southerly along the eastern boundary line of said right of way 1.30 chains to the northwest corner of a 4.17 acre tract of land that the First Hebrew Church Congregation of Albany sold to St. Johns' Lodge No. 17 A.F. and A.M. on the 19th day of November, 1924, by deed recorded in Volume 128, page 596 of Deed of Records of Linn County, Oregon, thence south 80 degrees west 8.68 chains to the northwestern boundary line of the Pacific Highway, thence north 55 degrees east 12.30 chains to the place of beginning, containing 6.30 acres, more or less, all lying in Linn County, Oregon.

Section 2. That said deed of conveyance shall contain a restriction clause providing that said property shall at all times be used for cemetery purposes only, and that the sale of lots or parts thereof shall be made to the general public and not limited to any class or organization of individuals, provided that a portion thereof may be exchanged for other lands to make the plat and land more desirable for cemetery purposes.

Passed by the Council August 24, 1927
Approved by the Mayor Aug. 24, 1927.

Attest:

F.P. Nutting, Recorder.

MARK V. WEATHERFORD, Mayor.

STATE OF OREGON,
County of Linn, ss.

I, F.P. Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1259 has been by me carefully compared with the original ordinance bill No. 1361, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1361, passed by the Council Aug. 24, 1927 and approved by the Mayor August 24, 1927.

WITNESS my hand and official signature and the seal of the City of Albany, this 26th day of August, 1927.


Recorder of the City of Albany.