

Ord No  
749

Ordinance providing for the acceptance of  
the land of St. Francis and Adela E. Rount, his wife, being  
state the land of St. Francis and Adela E. Rount, his wife, being  
Albany certain lands, in park purposes, subject to the resera-  
tion, restrictions and conditions in said ordinance.

Whereas, St. Francis and Adela E. Rount, his wife, have  
been to locate to the City of Albany, Oregon, certain  
real property, to be described as follows, to wit: The  
land containing more or less of the City of Albany, upon  
the terms and conditions herein expressed, which  
said deed is in and to the effect as follows:

This instrument witnesses that St. Francis and  
Adela E. Rount, his wife, in consideration of the conditions and  
stipulations herein contained, to be kept and performed by  
the City of Albany, Oregon, have given and granted, and by their  
respective deeds and deeds to be made in the future, Albany, Oregon,  
a municipal corporation, the following interest, to wit: The  
interest in the City of Albany, Oregon, to be

Beginning at the corner of 4th and  
Barnes streets and 1/2 inch corner in the ground at a point  
which is south 31° West 25.4 feet distant from the 4th 15'  
West 4th Street in the town of Albany, Oregon, corner of 4th and 5'  
in the town of Albany, Oregon, and running thence  
north 27° West 39.4 feet to the center of the street 68 feet;  
thence north 22° West 40 feet to the center of the street and  
thence to the center of the street 30 feet East  
30 feet to the center of the street 30 feet East 30 feet to the  
30 feet East corner, to the northeast corner of said tract, and  
south to the center of the street 30 feet, thence running to  
east boundary line of the said tract, to the  
center of the street 30 feet, and  
Electric wires, in view of the existing laws, being  
the same as was in a writing filed in the public  
Register.

Witness my hand and seal this 1st day of July 1900  
at Albany, Oregon, in the presence of the following witnesses:  
St. Francis and Adela E. Rount, his wife, and the City of Albany, Oregon.

Willamette, Oregon

thence running  $10^{\circ}$  to  $43^{\circ}$  West 303 feet to the northern part  
 any line of the right-of-way of the Union Pacific Railway; thence  
 Westing along said boundary line due West to an iron rod  $3/4$  inch  
 in diameter and 40 inches long driven into the ground to  
 north  $43^{\circ}$  10' East 294.7 feet thence north 81 East 200 ft,  
 the piece of acquisition, are being the right-of-way of the Union  
 Pacific Railway Company running across said premises.

Also,  
 the said portion of Caspovia Creek bed in water  
 main being under the Union Pacific Railway Company's right  
 of way as above mentioned.

Also, that portion of said Caspovia  
 Creek from low water mark being a branch of the main  
 to said right-of-way of the Union Pacific Railway Company and  
 the said main through said premises described, premises and the  
 line of Yakona Street in the City of Astoria, Oregon, if extended  
 further to intersect said Caspovia Creek.

All said premises being in the County of  
 Oregon, and containing or more or less.

It is therefore ordered that the said premises, with the appurte-  
 nances, unto the said City of Astoria, Oregon, and its successors, for  
 ever, with a view to making restrictions, regulations and  
 conditions, to-wit:

First: The width of the described premises shall be  
 only as a public way over and through the same and shall  
 follow the same as the same shall be.

Second: The same shall be a public way and not a private way,  
 and the same shall be maintained and kept in good order  
 by the Commission and City of Astoria, or other authority  
 having jurisdiction or authority over said premises, and  
 in a public way and shall be maintained and kept in good  
 order by the Commission and City of Astoria, or other  
 residents of said City of Astoria. The care of said premises  
 shall be appointed by the same named authority, the  
 within limit with the records of said City of Astoria within ten  
 days after the ordinance passed in the Council of said City of  
 Astoria accepting this ordinance shall have been made  
 for a limit in fact, and the same shall be maintained and  
 shall be the same as the Commission of the Commission

Trustees and Public Agents of the Council, said City of  
 Albany, who, at the time necessary in office, shall be ex-  
 co. five members of said City Board, being their respective  
 terms of office, and of which a Commission shall have  
 without termination, and their terms of office, except as  
 otherwise provided by law, shall be as follows, to-wit: The Park  
 Commission, in the district of the grand-jury, shall of-  
 fice for the term of five years, the first, second, and third years, in-  
 respectively, in the order of their appointment. The second year  
 of office, the first, second, and third years, shall be majority  
 vote. The Commission, however, the Park Board, in the term  
 of office of said Park Commission, has been made on the  
 date of the adoption of this ordinance, the date of said ordinance  
 shall be, and the first meeting for said date, such  
 as, at the hour of 7:30 o'clock P.M., said Park Board shall  
 meet its first meeting, at the Council Chamber of said City  
 of Albany, at which time the first meeting of said Board shall  
 be. The Park Board shall hold such other meetings as it  
 may deem expedient, at such times and places as it may  
 appoint, and shall keep such records and accounts as the  
 management of said Park, as it may require, and shall hold  
 one or more public hearings, at such times, and places, as it may deem  
 expedient, for the purpose of receiving suggestions and complaints  
 in relation to the operation of said Park, and for the purpose of  
 determining the condition of said Park, and for the purpose of  
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 determining the conditions of said Park, and for the purpose of

Title: The said City of Albany, Oregon, and its  
 the present and future, across the Columbia River, connecting  
 ing said city with the city of Astoria, Oregon, at the mouth of said  
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grants, their heirs and assigns, to have the same undisturbed use of said land... and to have the free and undisturbed use of the same... until such time as the same shall be completed.

And the said Grantor... hereby certifies that the same is true and correct... and that the same are not subject to any lien or claim of any kind...

Witness my hand and seal of office at Albany, Oregon, this 22nd day of June, 1914.

Notary Public for the State of Oregon... My commission expires on the 22nd day of June, 1915.

Articles: In witness whereof, the undersigned has hereunto set his hand and seal of office at Albany, Oregon, this 22nd day of June, 1914.

And the said Grantor... hereby certifies that the same is true and correct... and that the same are not subject to any lien or claim of any kind...

In witness whereof, the undersigned has hereunto set his hand and seal of office at Albany, Oregon, this 22nd day of June, 1914.

Notary Public, Oregon

I am in presence:

Martha A. Bryant  
(C. En. Tax)

H. Bryant (Seal)  
Adda C. Bryant (Seal)

State of Oregon, 1855.  
(County of Lincoln)

You on this 2nd day of July, A.D. 1854,  
personally appear before me, a Notary Public, in and for  
said County and State, the above named Martha A. Bryant and Adda  
C. Bryant, in which to me appears to be the identical persons  
described in an instrument foregoing instrument  
and acknowledge to me that they executed the same freely  
and voluntarily, for the uses and purposes therein named.

In Witness Whereof, I have hereunto set my hand and  
notary seal this 2nd day of July 1854.

(Seal)

C. En. Tax

Notary Public for Oregon.

as by the said said deed now in place in record  
in the first volume of books of the City of Albany, Oregon. It is intended  
to the City of Albany, Oregon, and the same are on file in the Council of  
said City of Albany, Oregon, and the same are on file in the  
said City of Albany, Oregon, and the same are on file in the  
said City of Albany, Oregon, and the same are on file in the

The People of the City of Albany, do hereby enact and ordain

Section 1. That the said City of Albany, Oregon, and  
the said City of Albany, Oregon, and the said City of Albany, Oregon,  
the said City of Albany, Oregon, and the said City of Albany, Oregon,  
reservations and conditions, and the same are on file in the  
said City of Albany, Oregon, and the same are on file in the  
said City of Albany, Oregon, and the same are on file in the  
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said City of Albany, Oregon, and the same are on file in the

of the County Recorder of Linn County, Oregon

Passed the Council, August 26th, 1914.

Let it be the Mayor September 4th, 1914

Mayor

Attest:

F. E. Van Tassel

Recorder of the City of Albany.

This ordinance #749 was passed by the Council notwithstanding the disapproval of the Mayor, September 9th 1914.

Attest:

F. E. Van Tassel

Recorder of the City of Albany.

CITY RECORDER'S CERTIFICATE

State of Oregon, ss. County of Linn

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of...

Ordinance No. 749

has been by me carefully compared with the original Ordinance Book No. 80, now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance Book No. 80, as passed by the Council of the City of Albany, Oregon, August 26th, 1914.

Witness, my hand and official signature and the seal of the City of Albany, this 27th day of September, 1914.

F. E. Van Tassel

Recorder of the City of Albany.

Referendum ordered by Petition of the people. Ordinance 749.4 - Ordinance rejected 10/10. F. E. Van Tassel Recorder, City of Albany.