

## ORDINANCE NO. 1435

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany to enter into a contract with Howard Burleson for a lease on the Albany Airport property and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That the Mayor and Recorder of the City of Albany, Oregon, are hereby ordered and directed to enter a contract with Howard Burleson for a lease on the Albany Airport property, which said lease shall be substantially in words and figures as follows, to-wit:

THIS MEMORANDA made and entered into this 13th day of January, 1938, by and between the CITY OF ALBANY, Oregon, a municipal corporation, party of the first part, and HOWARD BURLESON, party of the second part,

W I T N E S S E T H:

That for and in consideration of the mutual covenants and agreements herein-after set forth, it is agreed between the parties herein as follows:

The party of the first part does hereby agree to allow the party of the second part to occupy its airport and flying field at Albany, Oregon, beginning on the date hereof and continuing during the pleasure of the Council of the City of Albany, Oregon.

The party of the second part agrees that he will take good care of said airport and flying field during the time that he occupies the same and will not interfere with any rights of the party of the first part or of others who may desire to land and fly from said landing field; that he will pay all expenses of lights, water and telephone which may accrue during his occupancy of said airport and will not permit said charges to become delinquent. The party of the second part further agrees that he will not hold the party of the first part liable on any claims for damages or otherwise. That the party of the second part will conduct a flying school wherein he will give instruction to students desiring to learn to fly aircraft.

It is further agreed that the party of the second part shall pay to the party of the first part the sum of Fifteen and no/100 (\$15.00) Dollars per month, in advance for rental of said field and premises aforesaid.

It is further understood and agreed that this contract may be terminated by the party of the first part upon giving to the party of the second part thirty days notice, at the expiration of which time the second party shall vacate said premises.

IN WITNESS WHEREOF this agreement is executed on this 13th day of January, 1938, by the Mayor and Recorder of the City of Albany, Oregon, under and pursuant to an ordinance duly adopted by the Council on the 12th day of January, 1938.

THE CITY OF ALBANY, OREGON,

By C.R. Ashton

Mayor

Attest K.R. Horton

Recorder

Party of the First Part.

Howard Burleson

Party of the Second Part.

Section 2. Whereas the peace, health and safety of the City of Albany, Oregon, require that this ordinance become immediately effective, therefor an emergency is declared to exist and this ordinance shall become immediately effective upon its final passage by the Council and approval by the Mayor.

Passed by the Council January 12, 1938.

Approved by the Mayor January 12, 1938.

C.R. Ashton

Mayor

ATTEST: [Signature]

RECORDER.

STATE OF OREGON)  
COUNTY OF LINN ( ss.  
CITY OF ALBANY )

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, hereby certify that the annexed and foregoing copy of Ordinance # 1435, has been by me carefully compared with the original Ordinance Bill # 1549, on file in my office, and that it is a true and correct copy of all of said bill, passed by the Council January 12, 1938, and approved by the Mayor January 12, 1938.

Witness my hand and official signature and the seal of the City of Albany, this 14th day of January, 1938.

[Signature]  
RECORDER OF THE CITY OF ALBANY.