

ORDINANCE NO. 2654

AN ORDINANCE DECLARING THE PUBLIC NECESSITY FOR AN EASEMENT: DIRECTING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS: APPOINTING THREE VIEWERS FOR SAID PROPERTY AND DECLARING AN EMERGENCY.

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

Section 1: That public necessity requires an easement over upon the following described property for the purpose of constructing and maintaining a sewer line thereon, to-wit:

Beginning at the Southeast corner of Harvey Gordon D.L.C. #54, Township 11 South, Range 4 West of the Willamette Meridian;  
thence West on the South line of said D.L.C. 7.50 chains;  
thence North 240 feet to the South right of way line of the Oregon Electric Railroad;  
thence Southwesterly on said right of way line to the South line of said D.L.C. #54;  
thence East on said South line to a point 8.057 chains West of the point of beginning;  
thence South 50 feet;  
thence East 8.057 chains to the East line of the George Cline D.L.C. #84, Township 11 South, Range 4 West of the Willamette Meridian;  
thence North 50 feet to the point of beginning.

said easement more particularly described as follows:

A strip of land 20 feet on either side of the following line for purposes of construction and 10 feet on either side of the following line for purposes of maintenance, said line described as follows:

Beginning at a point on the North line of Block (1) One, Sprenger's Supplemental Plat to Hazelwood Addition to Albany, Oregon, said point being 332.50 feet South 89° 40' West from the Northwest corner of said block;  
thence North 00°03' East 580.40 feet;  
thence North 49°53' West 102.26 feet.

Section 2: The City Attorney of the City of Albany is hereby instructed and directed to institute an action at law under and pursuant to the terms of the statutes of the State of Oregon concerning condemnation proceedings against those persons claiming an interest in the above described property to acquire the necessary easements, as above described, over and upon the said property, and such other steps necessary to take immediate possession of the property.

Section 3: There is hereby appointed the following persons to act as viewers of the aforementioned property: (1) Roy Collins, (2) Robert H. Mikkelson, and (3) Rodney Tripp. The said viewers are to view the aforementioned property and to report to the Albany City Council within thirty (30) days from the date hereof as to the value of the property and the rights and interests of the several people claiming an interest therein, and the value necessary for the security of those persons, under the terms of 223.025 ORS.

Section 4: In as much as the passage of this ordinance is necessary to the immediate preservation of the peace, health and safety of the citizens of the City of Albany, an emergency is hereby declared and this ordinance shall become immediately effective upon its passage by the council and signing by the Mayor.

Passed by the Council: May 7, 1956

Approved by the Mayor: May 7, 1956

  
Mayor

ATTEST:

  
City Recorder