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ORDINANCE NO. 3931

AN ORDINANCE VACATING ALL OF 7TH AVENUE LOCATED EAST OF JEFFERSON STREET AND NORTH OF THE SOUTHERN PACIFIC RAILROAD LINE RESERVING THAT PORTION THEREOF A 20-FOOT WIDTH ALONG THE SOUTHERLY BOUNDARY OF SAID STREET WHICH IS RESERVED AS AN EASEMENT FOR MAINTENANCE OF IRRIGATION DITCH.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1769, City of Albany Resolutions, at the Council meeting held on the 24th day of March, 19 76, set the hour of 7:15 p.m. o'clock on the 28th day of April, 19 76, as the time for hearing of objections to the proposed vacation of all of 7th Avenue located east of Jefferson Street and north of the Southern Pacific Railroad line, RESERVING THAT Portion thereof a 20-foot width along the southerly boundary of said street which is reserved as an easement for maintenance of irrigation ditch.

WHEREAS, the said notice has been posted and published as required by law, and

WHEREAS, the said hearing on the 28th day of April, 197⁶, has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

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

Section 1:

That all of Seventh Avenue containing approximately 4,000 sq. ft. and located immediately east of Jefferson Street and north of the Albany and Santiam Water Ditch and Canal is hereby vacated reserving that portion thereof a 20-foot width along the southerly boundary of said street which is reserved as an easement for maintenance of irrigation ditch.

SEE ATTACHED DESCRIPTION

Passed by the Council: May 12, 1976
Approved by the Mayor: May 12, 1976
Effective Date: June 11, 1976

David C. Hayes
Mayor

ATTEST:

Ernest W. Lham
City Recorder

VACATION OF SEVENTH STREET EAST OF JEFFERSON

Parcel A

Beginning at the Southwest corner of Lot 8 of Block 28 in Hackleman's Second Addition, a Subdivision of Record in Albany, Linn County, Oregon; thence $N81^{\circ}02'00''E$, along the South line of Block 28, 132.39 feet to the Southeast corner of Lot 7 in Block 28; thence $S54^{\circ}26'25''W$, along the Northerly right-of-way line of the Albany and Santiam Canal, 68.14 feet; thence $S60^{\circ}29'07''W$, along said Northerly right-of-way line, 7.11 feet to a point on the center line of Seventh Street; thence $S81^{\circ}02'00''W$, along the center line of Seventh Street, 64.81 feet to a point on the prolonged Easterly right-of-way line of Jefferson Street; thence $N08^{\circ}57'00''W$, along the said prolonged Easterly right-of-way, 33.00 feet to the point of beginning, containing 3,280 square feet, more or less.

Parcel B

Commencing at the Southwest corner of Lot 8 of Block 28 in Hackleman's Second Addition, a Subdivision of Record in Albany, Linn County, Oregon; thence $S08^{\circ}57'00''E$, along the prolonged Easterly right-of-way line of Jefferson Street, 33.00 feet to a point on the center line of Seventh Street, said point being the true point of beginning; thence $N81^{\circ}02'00''E$, along the center line of Seventh Street, 64.81 feet to a point on the Northerly right-of-way line of the Albany and Santiam Canal; thence $S60^{\circ}29'20''W$, along said Northerly right-of-way line, 52.93 feet; thence $S65^{\circ}58'03''W$, along said Northerly right-of-way line, 15.80 feet to a point on the prolonged Easterly right-of-way line of Jefferson Street; thence $N08^{\circ}57'00''W$, along said prolonged Easterly right-of-way line, 22.69 feet to the true point of beginning, containing 769 square feet, more or less.

Also, 20 feet of even width adjacent to the Albany and Santiam Water Ditch and Canal within the above described parcels shall be retained by the City of Albany as a maintenance easement.