

ORDINANCE NO. 4052

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AN ORDINANCE VACATING A TEN-FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE NORTHERLY PROPERTY LINE OF TWO LOTS LOCATED AT THE NORTHWEST CORNER OF SOUTH SHORE DRIVE AND AIRPORT ROAD AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1898, City of Albany Resolutions, at the Council meeting held on the 10th day of August, 1977, set the hour of 7:15 p.m. o'clock on the 24th day of August, 1977, as the time for hearing of objections to the proposed vacation of a portion of a ten-foot public utility easement located along the northerly property line of two lots located at the northwest corner of South Shore Drive and Airport Road.

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

WHEREAS, the said hearing on the 24th day of August, 1977, 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 a ten-foot public utility easement located along the northerly property line of two lots located at the northwest corner of South Shore Drive and Airport Road is hereby vacated subject to the following conditions:

1. All utilities located within the easement shall be relocated or abandoned in accordance with the requests of the involved utility companies or the City of Albany.
2. Additional utility easements shall be provided on the property by the owner as required by the City or involved utility companies for placement or relocation of necessary utilities to serve this property and/or adjoining properties.
3. All costs involved in relocating or replacing the necessary utilities shall be paid by the developer.

Section 2: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: August 30, 1977  
Approved by the Mayor: August 30, 1977  
Effective Date: August 30, 1977

  
MAYOR

ATTEST:

  
CITY RECORDER

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LEGAL DESCRIPTION

Mitchell Easement Vacation

That portion of a 10-foot public utility easement located along the northerly property line of Lots 16 & 17, Block 6, Freeway Addition to Albany, Linn County, Oregon.