

Ordinance No. 263.

An Ordinance appointing Julius Gradwohl, Louis Verrick, and W. H. Allen as Viewers to meet and view certain rights of way for the purpose of constructing and maintaining lateral sewers by the City of Albany over and across certain private property in blocks Nos. 76, 77, 78, 89, 90, 91, 100, 101, and 102, in Monteth's Southern Addition to the City of Albany, Linn County, Oregon, and in blocks Nos. 65, 66, and 67 in the said City of Albany, and fixing a time and place for the meeting of such Viewers, and ordering the City Marshall of said city to give the necessary and proper notice of the time and place of the meeting of said Viewers:

Whereas, The Common Council of said City of Albany did, on the 28th day of June 1892, declare by Resolution No. 31 that it is necessary and expedient to lay and construct a sewer over and across each of the following blocks of land, to-wit: Blocks Nos. 76, 77, 78, 89, 90, 91, 100, 101, and 102 in Monteth's Southern Addition to the City of Albany, Linn County, Oregon, and also over and across blocks Nos. 65, 66, and 67, in the City of Albany, Oregon, at or near the center of said blocks, and running in a direction parallel with the north boundary line of said blocks respectively, the parcels of land therein and across which said sewers respectively are to be constructed, being private property; and

Whereas, said Council did, on the 28th day of June 1892, direct and order the City Surveyor of said city to survey and make a full and perfect description and plat of the boundaries of such respective proposed sewers and portions of said blocks respectively, and the parcels of land

Therein necessary to be appropriated as a right of way for such sewers respectively, and to mark the boundaries of such sewers and parcels of land required for rights of way for the laying and constructing of such sewers, and to report such surveys respectively in writing to said Council; and,

Whereas, said Surveyor did make such surveys as so ordered and directed by said Council by said Resolution No 31, and on the 12th day of July 1892, did make his report in writing, to said Council, of his surveys and descriptions of a right of way for a sewer over and across each of said blocks in said city of Albany, and of the portions of the parcels of land in said blocks respectively, necessary for a right of way for the construction of a sewer over and across each of said blocks, and did append to each of said reports a correct plat of each of said surveys, showing the particular portions of each of said blocks and parcels therein, required for the respective rights of way necessary for the constructing and maintaining of each of such sewers over and across such portions of said blocks and parcels of land therein; and,

Whereas, on said 12th of July 1892, said reports of said surveys were respectively duly approved and adopted by said Council by ordinances; and

Whereas, the said Julius Gradwohl, Louis Vierick, and N. H. Allen, are all and each disinterested freeholders of the City of Albany, Oregon, no kin to any owner or person interested in any way in any property to be appropriated for any or either of the said rights of way for any or either of the sewers above mentioned, and all and each of them having and possessing all the qualifications of jurors of the Circuit Court of the County of Linn in the State of Oregon; Therefore,

The People of the City of Albany do Ordain as follows:

Section 1. That said Julius Gradowohl, Louis Vierick, and N. H. Allen be and they are hereby appointed as Viewers to meet and view the above mentioned and described proposed rights of way for the constructing and maintaining of the respective sewers mentioned and described in said resolution No. 31, and in said reports of said Surveyor, and the ordinances adopting said reports, and assess and determine how much less valuable, if any, any lands, tenements, or hereditaments, or premises, or any part thereof, through or over which, or any part of which either of said proposed sewers is to be laid, constructed or maintained, will be rendered, by laying, constructing, establishing and maintaining the same, and to make a just and equitable estimate and assessment of the value of the benefits and advantages of said proposed sewers to be laid out, established, and maintained, to the respective owners, lessees and other persons interested in any of said lands, tenements and premises, any part of which is required for the laying, constructing or maintaining of either of said sewers, in excess of the damages such owner, lessee or other person interested will sustain by reason of the laying, constructing or maintaining of either of said sewers, and the value of the benefits and advantages of each of said sewers to the respective owners, lessees or other person interested in any lands, tenements, hereditaments, and premises along the line of either of said sewers, or the right of way thereof, in the manner provided by the Charter and laws of said city.

Section 2: That Saturday, the 10th day of September, 1892, at the hour of 10 o'clock in the forenoon of said day is hereby assigned and fixed as the time when the said Viewers mentioned in section 1 of this ordinance shall meet at the Chambers of the City Council in said city of Albany, Oregon, and there and there take an oath faithfully to discharge the duties assigned them by this ordinance.

Section 3: That the City Marshall of said city is hereby ordered and directed to forthwith give the proper notice of appointment of said Viewers, and of the time and place of their meeting as assigned and fixed by section 2 of this ordinance for them to meet, and of all other things and matters appertaining to the appropriation of any of the private property over and across which either of said proposed sewers is proposed to be laid and constructed, in the manner required by section 96 of the charter of said city, by publishing such notice at least once a week for four consecutive weeks in some newspaper of general circulation, published in the City of Albany, Oregon.

Section 4. This ordinance shall be in full force and effect from and after its approval by the Mayor.

Passed by the Council July 26th 1892

Approved July 27th 1892

J. L. Corcoran

Mayor of the City of Albany.

Attest:

W. H. [unclear] Recorder of the City of Albany.

Recorder's Certificate to Ordinance no. 263.Office of City Recorder.

State of Oregon }
 County of Linn }

I, W. J. Houston, Recorder of the City of Albany
 Linn County, do hereby certify that the foregoing
 Ordinance no. 263, has been by me carefully
 compared with the original ordinance bill no.
 279, now on file in this office, and that it is a
 true and correct copy of all and the whole of said
 original bill no. 270, as passed by the Council of
 said City July 26th 1892.

In testimony whereof I have hereunto set
 my hand and affixed the seal of the City of Albany
 this 27th day of July A. D. 1892.

W. J. Houston
 Recorder of the City of Albany.

