

ORDINANCE NO. 1057

A BILL FOR AN ORDINANCE Providing for the confirmation of the sale of real property of the City of Albany, Linn County, Oregon, as sold by the City Hall Committee of the City of Albany and authorizing and directing the execution and delivery of a deed therefor, and directing the deposit of the purchase price received therefor in the City Hall Fund in the hands of the City Treasurer of the City of Albany and declaring an emergency.

WHEREAS, The Council of the City of Albany, Linn County, Oregon, did in and by Resolution No. 1, 1923 authorize and direct the sale of the following described real property, to-wit:

The North one-half of the Southwest quarter of Block No. Two (2) in the Eastern Addition to the City of Albany, Linn County, State of Oregon, the boundary lines thereof to run parallel with the exterior boundary lines of said block, as the same appear on the maps and plats of said Addition to said City, now on file and of record in the office of the Recorder of Conveyances in and for said County and State, and being what is commonly known as the North half of Lots No. Seven (7) and Eight (8) in said Block No. Two (2) in said Addition to said City.

belonging to the City of Albany, Linn County, Oregon, and

WHEREAS, In and by said Resolution No. 1, 1923 the Council of the City of Albany selected councilmen J. J. Barrett, H. W. Barker and A. P. Howells, members of said Council, as the City Hall Committee to make sale of said real property as provided in and by the charter of the City of Albany, and

WHEREAS, Said committee so appointed have sold said real property hereinabove described in the manner as provided in and by said Resolution No. 1, 1923 and filed their report on the 6th, day of March, A.D. 1923, in the office of the City Recorder of the City of Albany, Linn County, Oregon.

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

Section 1. That J. J. Barrett, H. W. Barker and A. P. Howells, duly elected, qualified and acting members of the City Council of the City of Albany, Oregon, and members of said Council constituting a City Hall Committee for the said City of Albany, did by virtue of Resolution No. 1, 1923 and by authority of a commission issued to said committee, proceed to sell said real property of the City of Albany, from and after Feb. 24, 1923 and

Section 2. That before proceeding to sell the real property hereinbefore described the said committee caused a notice of said sale to be given by publication in the Albany Evening Herald for four (4) successive and consecutive weeks, being five (5) publications thereof prior to the 24th. day of February, A.D. 1923, and the date of the first publication thereof being more than thirty (30) days prior to the 24th.

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day of February, A.D. 1923, and the said Albany Evening Herald being a daily newspaper of general circulation published in the City of Albany, Linn County, Oregon.

Section 3. That said notice as published was in compliance with the terms, requirements and conditions of Resolution No. 1, 1923 of the Council of the City of Albany.

Section 4. That due proof of publication of said notice as required by the charter of the City of Albany and in add by said Resolution No. 1, 1923 is on file in the office of the City Recorder of the City of Albany, Linn County, Oregon.

Section 5. That at the time and place and according to the terms expressed in said notice as provided in and by said Resolution No. 1, 1923 and the charter of the City of Albany, Linn County, Oregon, the said City Hall Committee did from and after the 24th. day of February, A.D. 1923, in the office of the City Recorder of the City of Albany, Linn County, Oregon, offer at private sale to the highest bidder for cash in hand the following described real property, to-wit:

The North one-half of the Southwest quarter of Block No. Two (2) in the Eastern Addition to the City of Albany, Linn County, State of Oregon, the boundary lines thereof to run parallel with the exterior boundary lines of said Block, as the same appear on the maps and plats of said Addition to said City, now on file and of record in the Office of the Recorder of Conveyances in and for said County and State, and being what is commonly known as the North half of Lots No. Seven (7) and Eight (8) in said Block No. Two (2) in said Addition to said City.

when Florence E. Hall on March 6th. 1923 became the purchaser thereof for the sum of \$4500.00, subject to confirmation by the City Council of the City of Albany, she the said Florence E. Hall being the highest and best bidder therefor and that being the highest and best sum bidden therefor.

Section 6. That the return on the commission heretofore issued out of the office of the City Recorder of the City of Albany, Linn County, Oregon, on the 26th. day of January, A.D. 1923, as authorized and provided in and by Resolution No. 1, 1923 is in all respects and details as required in and by Resolution No. 1, 1923 and the charter of the City of Albany, Linn County, Oregon, and that said report of sale on said commission was filed in the office of the City Recorder in the City of Albany, Linn County, Oregon, on the 6th. day of March, A.D. 1923.

Section 7. That said sale of said real property under and by virtue of Resolution No. 1, 1923 and said commission was in all respects fairly, regularly and properly conducted and that the sum bidden for said real property was not disproportionate to the value of said property and that a higher or greater sum could not be realized therefor.

Section 8. Therefore the report of the sale of real property by said committee hereinbefore referred to and made on the 6th. day of March,

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A.D., 1923 be and the same is hereby in all respects confirmed and allowed.

Section 9. The Mayor and the Recorder of the City of Albany, Oregon, be and they are hereby authorized and directed to execute under the name and seal of the City of Albany, Linn County, Oregon, a deed of conveyance to the real property hereinbefore described and deliver said conveyance to the purchaser, Florence E. Hall, which said deed of conveyance shall be substantially as follows, to-wit:

THIS INDENTURE WITNESSETH, That, Whereas, the City of Albany, a municipal corporation situated in Linn County, Oregon, did in and by Resolution No. 1, 1923 authorize and direct the sale of certain real property belonging to the City of Albany which said Resolution was passed by the Common Council of the City of Albany on the 24th. day of January, A.D. 1923 and filed in the office of the Recorder of said City of Albany, on the 28th. day of January, A.D. 1923, and

WHEREAS, In and by said Resolution No. 1, 1923 J. J. Barrett, H. W. Barker and A. P. Howells were constituted and appointed as a City Hall Committee to make sale of said real property in the manner as provided in and by said Resolution No. 1, 1923 and the charter of the City of Albany, Linn County, Oregon, and

WHEREAS, The said committee hereinbefore mentioned has duly and regularly sold said real property and filed their report of said sale in the office of the City Recorder of the City of Albany, Linn County, Oregon, as required in and by said Resolution No. 1, 1923 and the charter of the City of Albany, and

WHEREAS, The Council of the City of Albany, has duly ratified, confirmed and allowed said report, and

WHEREAS, Said Council has by Ordinance No. _____ passed on the _____ day of March, A.D. 1923 and approved by the Mayor on the _____ day of March, A.D. 1923, authorized the execution and delivery of a deed of conveyance to _____ for said real property herein-after described:

NOW, THEREFORE, The City of Albany, a municipal corporation situated in Linn County, Oregon, for and in consideration of the sum of _____ DOLLARS (\$ _____), to it paid, has bargained and sold and by these presents does bargain, sell and convey unto _____ the following described premises, to-wit:

The North one-half of the Southwest quarter of Block No. Two (2) in the Eastern Addition to the City of Albany, Linn County, State of Oregon, the boundary lines thereof to run parallel with the exterior boundary lines of said Block, as the same appear on the maps and plats of said Addition to said City, now on file and of record in the Office of the Recorder of Conveyances in and for said County and State, and being what is commonly known as the North half of Lots No. Seven (7) and Eight (8) in said Block No. Two (2) in said Addition to said City.

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TO HAVE AND TO HOLD The said premises with their appurtenances unto said _____, his heirs and assigns forever, and the said City of Albany, a municipal corporation, does hereby covenant to and with the said _____, his heirs and assigns that it is the owner in fee simple of said premises and that they are free from all incumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The City of Albany, a municipal corporation, has caused its corporate seal to be affixed and these presents to be subscribed by its Mayor and Recorder this _____ day of March, A.D. 1923.

Done in the presence of:

CITY OF ALBANY, A MUNICIPAL CORPORATION

By _____
Mayor

Attest:

Recorder of the City of Albany,
Oregon.

Section 10. The Recorder of the City of Albany be and he is hereby authorized and directed to pay over to the Treasurer of said City the sum of Four Thousand Five Hundred Dollars (\$4500.00), received from the sale of said real property and the Treasurer be and he is hereby directed to deposit said amount in the City Hall Fund of said City.

Section 11. That inasmuch as it is absolutely necessary and essential that the City of Albany receive said sum of Four Thousand Five Hundred Dollars (\$4500.00) in order to proceed immediately with the erection of a City Hall and that it is essential to the peace, good order and welfare of said City of Albany, an emergency is hereby declared and found to exist and this ordinance shall be in full force and effect from and after its approval by the Mayor of said City.

Passed by the Council, March 6, 1923.

Approved by the Mayor, March 6, 1923.

P. A. Young,
Mayor.

Attest: D. H. Bodine,
Recorder of the City of Albany, Oregon.

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STATE OF OREGON,)
(ss
County of Linn,)

I, D. H. Bodine, Recorder of the City of Albany, in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1057, has been by me carefully compared with the original Ordinance Bill No. 1164, now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1164, passed by the Council March 6, 1923, and approved by the Mayor, March 6, 1923.

WITNESS, my hand and official signature and the seal of the City of Albany this 31 day of December, 1924.



Recorder of the City of Albany.