

ORDINANCE NO. 2742

AN ORDINANCE DECLARING THE PUBLIC NECESSITY FOR EASEMENT FOR CONSTRUCTION AND MAINTENANCE FOR THE SEWER; DIRECTING THE CITY ATTORNEY TO INSTITUTE CONDEMNATION PROCEEDINGS AND APPOINTING THREE VIEWERS FOR SAID PROPERTY.

Section 1: Public necessity requires that a sewer be constructed through and over the following described property:

The strip of land 15' on either side of the following described line for purposes of construction and 10' on either side of the following line for purposes of maintenance, said line described as follows:

Beginning at a point on the West line of Marion Street, being North 1°14' West 1524.94 feet from a point on the South line of and North 88°56' East 1337.73 feet from the Southwest corner of the Hiram Smead D. L. C. No. 53 in T. 11 S, R 3 W. of the W. M. in Linn County, Oregon and running South 88°56' West 682'.

Section 2: The record owners of the property are as follows:

R. F. Counts & Anna K. Counts, and Benjamin Bishop and Mildred E. Bishop, husband and wife, as purchasers under contract.

Section 3: 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 named above and all other persons claiming an interest in the said property to acquire the said property for the construction of a sewer.

Section 4: There is hereby appointed the following persons to act as viewers of the aforementioned property:

1. Platt Davis
2. Russell Tripp
3. Herb Smith

The said viewers are to view the aforementioned property and report to the City Council of the City of Albany within thirty (30) days from the date hereof as to the value of the property and the rights and interest 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.

Passed by the Council: June 26, 1957

Approved by the Mayor: June 26, 1957

W. L. DeLoach
Mayor

Attest:

Richard P. Shuman
City Recorder