

ORDINANCE NO. 2519

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

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

Section 1: Public necessity requires that an easement be obtained for the construction and maintenance of a sewer over the following described property: a strip of land 20 feet on either side of the following described line for purposes of construction and 5 feet on either side of the following line for purposes of maintenance, said line described as follows:

Beginning at a point which is S 88°28' W. 5' from the Southeast corner of Block 2, Kurre Lakeside Tracts, Linn County, Oregon and running thence S 1025' E. 90'.

Section 2: The record owners of the property are as follows: Max Brown and Inez Brown, husband and wife.

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 and maintenance of a sewer.

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


1. Russell Tripp
2. Marion Young
3. Robert Hunter

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.

Section 5: Inasmuch as the passage of this Ordinance is necessary to the immediate preservation of the peace, health and safety of the citizens of the City of Albany, an emergency is hereby declared and this Ordinance shall become effective immediately upon its' passage by the Council and approval by the Mayor.

Passed by the Council: November 26, 1958

Approved by the Mayor: November 26, 1958



Mayor

Effective Date: November 28, 1958

ATTEST:


City Recorder