

See Ord # 2907

ORDINANCE NO. 2900

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TITLE: An Ordinance declaring the public necessity for widening 12th Avenue; directing the city attorney to institute condemnation proceedings and appointing three viewers for the said property.

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

Section 1: PROPERTY DESCRIPTION

Public necessity requires a street over the following described property:

TRACT I: Beginning at a point which is N. 1°30' W. 1317.36 feet distant and N. 87°30' E. 548.46 feet distant from the S.W. corner of D.L.C. of Walter Monteith #55 in T. 11 S., R. 4 W. of the W.M.; thence S. 87°30' W. 42.66 feet; thence S. 1°30' East 20.00 feet; thence N. 87°30' E. 42.66 feet, to a point which is S. 1°14' E. from the place of beginning; thence N. 1°14' W. to the place of beginning.

TRACT II: Beginning at a point which is N. 1°30' W. 1317.36 feet distant and N. 87°30' E. 287.8 feet from the S. W. corner of the D.L.C. of Walter Monteith #55 in T. 11 S., R. 4 W. of the Willamette Meridian; thence N. 87°37' E. 218.0 feet; thence S. 1°30' E. 20.0 feet; thence S. 87°30' W. 218.0 feet; thence N. 1°30' W. 20.0 feet to the place of beginning.

TRACT III: Beginning at a point which is N. 1°30' W. 1317.36 feet distant and N. 87°30' E. 237.8 feet distant from the S.W. corner of the D.L.C. of Walter Monteith #55 in T. 11 S., R. 4 W. of the Willamette Meridian; thence N. 87°30' E. 50.0 feet; thence S. 1°30' E. 20.0 feet; thence S. 87°30' W. 50.0 feet; thence N. 1°30' W. 20.0 feet to the place of beginning.

TRACT IV: Beginning at a point which is N. 1°30' W. 1317.36 feet distant from the S.W. corner of the D.L.C. of Walter Monteith #55 in T. 11 S., R. 4 W. of the Willamette Meridian; thence N. 87°30' E. 237.8 feet; thence S. 1°30' E. 20.0 feet; thence S. 87°30' W. 237.8 feet; thence N. 1°30' W. 20.0 feet to the place of beginning.

Section 2: RECORD OWNERS

The record owners of the property are as follows:

MARY VERONICA TRACY, aka Veronica Tracy, fee simple estate as to a $\frac{1}{2}$ interest and the heirs-at-law of Zilda Tracy, deceased, fee simple estate as to remaining $\frac{1}{2}$ interest together as tenants in common as to Tract I.

MARY VERONICA TRACY, aka Veronica Tracy, fee simple estate as to Tracts II and IV.

MARY VERONICA TRACY, aka Veronica Tracy, fee simple estate as to $\frac{1}{9}$ interest and John E. Tracy, fee simple estate as to $\frac{1}{9}$ interest and Hortense Ridders, fee simple estate as to $\frac{1}{9}$ interest and the heirs-at-law of Zilda Tracy, deceased, fee simple estate as to $\frac{4}{9}$ interest and Marcella Tracy, fee simple estate as to $\frac{1}{9}$ interest and George P. Tracy, fee simple estate as to $\frac{1}{9}$ interest, together as tenants in common, as to Tract III.

Section 3: CONDEMNATION

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 street purposes.

Section 4: VIEWERS

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

1. Justin Ransom
2. Marion Young
3. F. E. Drushella

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: April 13, 1960

Approved by the Mayor: April 13, 1960

W. L. Drushella
Mayor

Effective Date: May 13, 1960

ATTEST:

Constance A. Ham
City Recorder