

ORDINANCE NO. 4256

A3

AN ORDINANCE VACATING A 12' x 425' RIGHT-OF-WAY (ALLEYWAY) IN BLOCKS 8 AND 19 OF HAZELWOOD ADDITION (NORTH OF 17TH AVENUE, WEST OF LINCOLN, SOUTH OF 16TH AVENUE AND EAST OF AN EXTENSION OF HOP STREET).

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 2038 , City of Albany Resolutions, at the Council meeting held on the 24th day of January, 19 79 , set the hour of 7:15 p.m. o'clock on the 28th day of February , 1979 , as the time for hearing of objections to the proposed vacation of a portion of

the alley in Blocks 8 and 19 of Hazelwood Addition (north of 17th Avenue, west of Lincoln,

WHEREAS, the said notice has been posted and published as required south of 16th Avenue and east of an extension of Hop Street) by law, and

WHEREAS, the said hearing on the 28th day of February , 1979, has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

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

Section 1:

That a 12' x 425' length of right-of-way (alley) in Blocks 8 and 19 of Hazelwood Addition (north of 17th Avenue, west of Lincoln, south of 16th Avenue and east of an extension of Hop Street) be vacated subject to the following conditions:

- (1) All maintenance and access easements necessary for utilities be granted prior to the Council vacating the alley.
- (2) In consideration of the vacation of land by the City of Albany, the landowner agrees that any easement holder shall be authorized to remove, alter, or destory any improvement located upon said easement to the extent necessary for the repair, maintenance, or improvement of said easement or the property of the easement holder located thereon. The landowner further agrees that this covenant shall run with the land and shall be binding upon the landowners' successors in title. The landowner further agrees that this covenant shall be recorded in the deed records of Linn County.

Section 2: This ordinance shall not become effective until the necessary easements in Section 1 are filed.

Passed by the Council: February 28, 1979  
Approved by the Mayor: February 28, 1979

Effective Date: \_\_\_\_\_

Richard S. Olson  
Mayor

ATTEST:

[Signature]  
City Recorder

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## HAZELWOOD ALLEY VACATION

Vacating a 12 foot wide alley described as follows:  
beginning at the southwest corner of Lot 4 block 19 Hazelwood Addition  
running east to the southeast corner of Lot 1 block 19 Hazelwood Addition  
to the City of Albany T 11 S; R 4 W; Section 12 CB, also;

beginning at the southwest corner of Lot 4 Block 8 Hazelwood  
Addition to the City of Albany running east to the southeast  
corner of Lot 1 Block 8 Hazelwood Addition to the City of  
Albany T 11 S, R 4 W; Section 12 CB reserving said alley as a  
permanent 12 foot wide sanitary sewer easement for maintenance  
purposes.