

ORDINANCE NO. 5172

AN ORDINANCE VACATING THAT PORTION OF AN ALLEY RIGHT-OF-WAY LOCATED BETWEEN THIRD AND FOURTH AVENUES, EAST OF BROADALBIN STREET, A DISTANCE OF 134.35 FEET AND ADOPTING ATTACHED EXHIBIT "A" KNOWN AS "FINDINGS" AND DECLARING AN EMERGENCY (FILE NO. VC-04-94).

WHEREAS, the Albany City Council on January 12, 1994, voted to initiate the proposed Alley Vacation; and

WHEREAS, notices of the public hearings have been mailed, posted and published as required by state and local law; and

WHEREAS, the Albany Planning Commission held a Public Hearing on August 29, 1994, and recommended approval of the proposed vacation; and

WHEREAS, the Albany City Council held a Public Hearing on September 14, 1994, and parties were given an opportunity to be heard and the Council being fully informed; and

WHEREAS, the Albany City Council conducted the first reading of the Alley Vacation Ordinance on September 14, 1994; and

WHEREAS, the existing public sanitary sewer line, and private gas main and electrical lines have be abandoned or relocated as required prior to the second reading of the Alley Vacation Ordinance;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: That portion of alley right-of-way located between Third and Fourth Avenues, east of Broadalbin Street, a distance of 134.35 feet and adjacent to Tax Lots 900 and 1500, Assessor's Map No. 11-3W-07BB, as shown in Exhibit "B" is hereby vacated, subject to the following condition of approval:

Prior to occupancy of the City Hall building, a curb, gutter and sidewalk shall be constructed across the vacated portion of the alley adjacent to Broadalbin Street.


Section 3: EMERGENCY CLAUSE

Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of this city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by the Council: 3/29/95

Approved by the Mayor: 3/29/95

Effective Date: 3/29/95



Mayor

ATTEST:



City Recorder

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STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By PA, Deputy

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