

RESOLUTION NO. 1375

(Providing for the execution and filing of an unconditional waiver of remonstrance covering public improvements, making the same binding upon the property for a period of 10 years from the date of recording.)

WHEREAS, Section 42 of Chapter 8 of the Charter of the city of Albany provides that a property owner has a right to remonstrate against a public improvement, and

WHEREAS, property owners have signified their desire to waive the right to remonstrate so that upon application by sufficient number of property owners, a project may be undertaken by the city of Albany which will provide for a public improvement that is to be assessed against the benefited properties, and

WHEREAS, provision should be made for the acceptance of a waiver of remonstrance by a property owner with the remonstrance to be recorded so as to be a notice to all subsequent owners of such property that a remonstrance has been executed, now, therefore, it is hereby

RESOLVED by the Council of the city of Albany that a waiver of remonstrance may be executed by the legal owner of property waiving any and all right to remonstrate against the making of a public improvement by the city of Albany which will be specifically assessed against the property, and be it further

RESOLVED that a waiver of remonstrance shall be in the following form, to-wit:

Resol.
1375

"WAIVER OF REMONSTRANCE

STATE OF OREGON)
County of Linn) ss
City of Albany)

We, the undersigned, being the legal owners of property hereinafter described, do hereby waive any right to remonstrance that we might have as owners of the said property for the making of a public improvement by the city of Albany to the said property, with the same to be specifically assessed against the property hereinafter described. The public improvement may consist of the improvement of any street, sidewalk, sanitary sewer or storm sewer or any combination or all of the said improvements.

This waiver of right to remonstrate against an improvement shall expire ten (10) years from the date hereof.

The property which is covered by this waiver of remonstrance is described as follows:

(Describe real property)

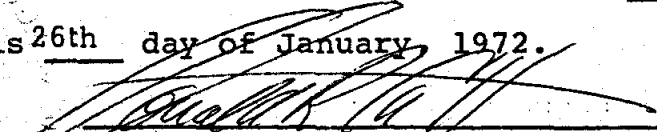
It is understood that the right of remonstrance which is hereby waived is that right which is particularly described in Section 42, Chapter 8 of the Charter of the city of Albany, and it is intended that this remonstrance shall be binding on ourselves and all subsequent owners of said property and shall run with title to the property above described.

DATED this 26th day of January, 1972.

Subscribed and sworn to before me this ___ day of _____, 19__.

Notary Public for Oregon
My Commission expires: _____"

DATED this 26th day of January, 1972.



Mayor

ATTEST:


Ernest W. Seham
City Recorder