

Ordinance No 243

Ord 243
 An Ordinance Appointing W. C. Jewedale
 N. H. Allen and Louis Viereck as Viewers
 to meet and view certain Rights of Way for
 the purpose of constructing and maintaining
 certain sewers by the City of Albany
 over and across certain private property
 in said City

Whereas, on the 12 day of April 1892 the
 Common Council of the City of Albany, by
 Resolution No 19 declared that it is nec-
 essary and expedient to lay and construct
 the following sewers, to-wit:

A sewer over and across block No 112 in
 Hacklemans Addition to said City, and a
 sewer over and across block No 113 in
 Hacklemans Addition to said City in a
 direction parallel with the North boundary
 line of said blocks the same being
 private property; and,

Whereas said Council did at said last
 mentioned date declare by Resolution No.
 20 that it is necessary and expedient
 to lay and construct the following
 sewers in said City, to-wit:

A sewer over and across block No 26
 a sewer over and across block No 27
 and a sewer over and across ^{block} No 23
 and a sewer over and across block
 No 17 and a sewer over and across
 block No 29 and a sewer over and across
 block No 20, all of said blocks being
 in Hacklemans second addition to
 said City, all of said sewers to run
 in a direction parallel with the
 North boundary line of said blocks
 respectively, the land over and across
 which such sewers are proposed
 to be constructed being private property,
 and,

Whereas said Council did on said 12 day of April 1892 by Resolution Nos 19 and 20 direct the City Surveyor of said City to survey and make a full and perfect description and plat of the boundaries of the respective portions of said blocks and parcels of land therein, necessary to be appropriated as and for rights of way for such sewers respectively, and to mark the boundaries of such sewers and the parcels of land required for such rights of way for the laying and construction of such sewers respectively and to report such surveys in writing to the Council; and,

Whereas said surveyor did make such surveys as so directed and on the 26 day of April 1892 duly reported the same in writing to said Council, which said report of said surveyor was duly adopted by the Council by Ordinance No 242 on the 26 day of April 1892; and,

Whereas W. C. Swedale W. H. Allen and Louis Vireck are each and all disinterested free holders of said City of Albany no kin to any owner or person interested in any property to be appropriated for any of said rights of way for any of the sewers above mentioned and all possessing and having the qualifications of jurors of the Circuit Court of the County of Linn in the State of Oregon; therefore

The People of the City of Albany do ordain as follows

Section 1 That the said W. C. Swedale W. H. Allen and Louis Vireck be and they are hereby appointed as Viewers

Whereas said Council did on said 12 day of April 1892 by Resolution Nos 19 and 20 direct the City Surveyor of said City to survey and make a full and perfect description and plat of the boundaries of the respective portions of said blocks and parcels of land therein, necessary to be appropriated as and for rights of way for such sewers respectively, and to mark the boundaries of such sewers and the parcels of land required for such rights of way for the laying and construction of such sewers respectively and to report such surveys in writing to the Council; and,

Whereas said surveyor did make such surveys as so directed and on the 26 day of April 1892 duly reported the same in writing to said Council, which said report of said surveyor was duly adopted by the Council by Ordinance No 242 on the 26 day of April 1892; and,

Whereas W. C. Swedale W. H. Allen and Louis Vireck are each and all disinterested free holders of said City of Albany no kin to any owner or person interested in any property to be appropriated for any of said rights of way for any of the sewers above mentioned and all possessing and having the qualifications of jurors of the Circuit Court of the County of Lincoln in the State of Oregon therefore

The People of the City of Albany do ordain as follows

Section 1 That the said W. C. Swedale W. H. Allen and Louis Vireck be and they are hereby appointed as Viewers

to meet and view the above mentioned and proposed rights of way for the constructing and maintaining of the respective sewers mentioned in said Resolutions Nos 19 and 20 and said reports of said surveyor and Ordinance No 242 and to assess and determine how much less valuable, if any, any lands, tenements, hereditaments, or premises or any part thereof, through or over which, or any part of which, either of said proposed sewers is to be laid constructed or maintained, will be rendered, by the laying, constructing, establishing and maintaining thereof and make a just and equitable estimate and assessment of the value of the benefits and advantages of each of said proposed sewers to be laid out, established and maintained to the respective owners, lessees and other persons interested in any lands, tenements, hereditaments and premises, any part of which is required for the laying, constructing or maintaining of either of said proposed sewers, in excess of the damages such owner, lessee or other person interested will sustain by reason of the laying, constructing, or maintaining of either of said sewers and the value of the benefits and advantages of each of said sewers to the respective owners, lessees or other persons interested in any lands, tenements, hereditaments and premises along the line of either of said proposed sewers.

Section 2, That Saturday the 11th day of June A.D. 1892 at the hour of 10 o'clock A.M. of said day is hereby assigned and fixed as the time when the Viewers mentioned in section 1 of this ordinance shall meet at the chambers of the City Council in the City of Albany, Oregon, and then and there take an oath faithfully to discharge the duties assigned them by this Ordinance

Section 3 The Marshall of said City is hereby ordered and directed to forthwith give notice of the appointment of said Viewers, and of the time and place of their meeting as assigned and fixed by section 2 of this ordinance for them to meet, and of all other things and matters appertaining to the appropriation of any of the private property over and across to be laid and constructed, as required by section 96 of the Charter of said City, by publishing such notice at least once a week for four consecutive weeks in some newspaper of general circulation, published in the City of Albany Oregon

Section 4 This ordinance shall be in full force and effect from and after its approval by the Mayor

Passed the Council May 30th 1892.

Attest:

W. H. Stewart
Recorder of the City of Albany.

Approved May 7th 1892.

J. L. Corran
Mayor of the City of Albany.

Recorder's Certificate to Ordinance No. 243.

Office of the City Recorder.

State of Oregon } ss.
County of Linn }

I, W. J. Henton, Recorder of the City of Albany Oregon, do hereby certify that the foregoing ordinance No. 243, has been by me, carefully compared with the original ordinance bill no. 250, and that it is a true and correct transcript of all and the whole of said ordinance bill no. 250, as passed by the Council of said City May 3rd 1892.

In testimony whereof I have hereunto set my hand, and affixed the seal of the City of Albany this 5th day of May, A. D. 1892.

W. J. Henton
Recorder of the City of Albany.

