

ORDINANCE No. 1159

A BILL FOR AN ORDINANCE authorizing and directing the Recorder of the City of Albany, Linn County, Oregon, to accept certain deeds of conveyance, wherein the City of Albany, a municipal corporation, is named as the grantee, and declaring the property described in said deeds of conveyance as a part of East Second Street, and authorizing and directing said Recorder to execute a warrant upon the City of Albany, Oregon, in favor of Joseph Hume, in the sum of Fifty Dollars (\$50.00) and deliver the same to him.

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

That WHEREAS, the Council of the City of Albany deems it expedient and necessary that Second Street from a point which is the Northwest corner of Lot No. Ten (10) in Block No. One (1) in Schaefer's Addition to Albany, Oregon; running thence in an Easterly direction parallel with the North line of said street to the West boundary line of Geary Street, making said street as proposed to be widened a width of fifty-six (56) feet; and

WHEREAS, the various owners of real property have executed and delivered deeds of conveyance to said real property to the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a sufficient quantity of real property to comply with the desire of the Council in the furtherance of the proposition to widen said street; and

WHEREAS, Joseph Hume and Kittie L. Hume, his wife, have executed a deed of conveyance under date of the 30th day of December, 1924, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. One (1) and

WHEREAS, G.A.Lutz and Katie Lutz, his wife, have executed a deed of conveyance under date of the 31st day of January, 1925, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. Two (2); and

WHEREAS, J.O.Brown and E. Brown, his wife, have executed a deed of conveyance under date of the 24th day of December, 1924, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. Three, (3); and

WHEREAS, Sarah A. Adkins, unmarried, has executed a deed of conveyance under date of the 3d day of January, 1925, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. Four (4); and

WHEREAS, William R. Kirk and Mary J. Kirk, his wife, have executed a deed of conveyance under date of the Third day of January, 1925, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. Five (5); and

WHEREAS, V.C.Wait, unmarried, has executed a deed of conveyance under date of the 23d day of December, 1924, which is properly witnessed, executed and acknowledged, and deposited the same with the Recorder of the City of Albany, Oregon, proposing to convey to the City of Albany, a municipal corporation, the real property hereinafter described as Tract No. Six (6); and

WHEREAS, each and all of said deeds contain the following covenant:

"It is hereby covenanted and agreed between the grantors and the grantee that the acceptance of this deed upon the part of the City of Albany shall be upon this condition, that the City of Albany shall, within one year from the date hereof, cause to be improved East Second Street in the City of Albany, Linn County, Oregon, from Cleveland Street to Geary Street, by grading and gravelling said portion of said street without any of the cost or expense thereof being assessed against the remaining property of the grantors. Provided further, that in the event the said City of Albany fails and neglects to make said improvement within said time, then this conveyance shall be null and void and of no force or effect whatsoever, and said above described premises shall revert to the above named grantors, their heirs or assigns."

Section 1.. The Recorder of the City of Albany, Oregon, be and he is hereby authorized and directed to accept the deeds of conveyance hereinabove described

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and now in his possession for and behalf of the City of Albany, Oregon, a municipal corporation, and to cause said deeds of conveyance, and each of them, to be filed in the County Recorder's office of Linn County, Oregon, and recorded in the deeds records of said county, which said deeds of conveyance convey to the City of Albany, Oregon, a municipal corporation, the following described real property:

TRACT NO. 1.--Joseph Hume and Kittie L. Hume, his wife:

Beginning at the Northeast corner of Lot 9 in Block No. 1 in Dubruille & Ketchum's Addition to the City of Albany, in Linn County, Oregon;; thence South 1° 35' East along the East line of said lot 40 feet; thence South 81° West parallel with the North line of Second Street in said City 177½ feet to the West line of Lot 5 in said Block 1 in said Addition; thence North 9° West 27 feet to the Northwest corner of said Lot No. 5; thence North 77° East 183 feet to the place of beginning.

TRACT NO. 2.--G.A.Lutz and Katie Lutz, his wife:

Beginning at the Northeast corner of Lot 4 in Block 1 in Dubruille's & Ketchum's Addition to the City of Albany, in Linn County, Oregon; thence South 9° East 27 feet; thence South 81° West parallel with the North line of Second Street in said City 62 feet to the West line of Lot 3 in Block 1 in said Addition; thence North 9° West 23 feet to the Northwest corner of Lot 3 in said Addition; thence North 77° East 62 feet to the place of beginning.

TRACT NO. 3.--J.O.Brown and R. Brown, his wife:

Beginning at the Northeast corner of Lot 2 in Block 1 in Dubruille's & Ketchum's Addition to the City of Albany, in Linn County, Oregon; thence South 9° East 23 feet; thence South 81° West parallel with the North line of Second Street in said City 31 feet to the West line of Lot 2 in Block 1 in said Addition; thence North 9° West 21 feet to the Northwest corner of said Lot 2; thence North 77° East 31 feet to the place of beginning.

TRACT NO. 4.--Sarah A. Adkins, unmarried.

Beginning at the Northwest corner of Lot 1 in Block 1 in Dubruille's & Ketchum's Addition to the City of Albany, in Linn County, Oregon; thence South 9° East 21 feet; thence South 81° West Parallel with the North line of Second Street in said City, 41 feet to the West line of said Lot No. 1; thence North 4° 30' West 18 feet to the Northwest corner of said Lot No. 1; thence North 77° East 41 feet to the place of beginning.

TRACT NO. 5.--William R. Kirk and Mary J. Kirk, his wife;

Beginning at the Northeast corner of Lot 1 in Block 1 in Schmeer's Addition to the City of Albany, in Linn County, Oregon; thence South 4° 30' East 18 feet; thence South 81° West parallel with the North line of Second Street in said City 208 feet to the West line of Lot 8 in Block 1 in said Addition; thence North 4° 30' West 3.2 feet to the Northwest corner of said Lot No. 8 in Block 1 in said Addition; thence North 77° East 210.16 feet to the place of beginning.

TRACT NO. 6.--V.O.Wait, unmarried.

Beginning at the Northeast corner of Lot 8 in Block 1 in Schmeer's Addition to the City of Albany in Linn County, Oregon; thence South 4° 30' East 3.2 feet; thence South 81° West parallel with the North line of Second Street in said City 44 feet to a point which is South 9° East 56 feet distant from the North line of said Second Street; thence North 77° East 45 feet to the place of beginning.

Section 2. That the Recorder of the City of Albany, Linn County, Oregon, be and he is hereby authorized to draw a warrant in the sum of(\$50.00) Fifty Dollars upon the City of Albany, Linn County, Oregon, in favor of Joseph Hume the same being for the purchase price in addition to the covenant contained in the said deed of Joseph Hume and Kittie L. Hume, his wife, for the conveyance of certain real property to the City of Albany, a municipal corporation.

Section 3. That the hereinabove described real property, and the whole thereof, be and the same is hereby declared as a public street and a part and parcel of East Second Street, Albany, Oregon, and to be known as such.

Section 4. That the Recorder of the City of Albany, Linn County, Oregon, be and he is hereby authorized and directed to draw a warrant upon the general fund of the City of Albany, Oregon, in a sufficient amount in favor of the County Recorder of Linn County, Oregon, in payment of the fees for the recording of the above described deeds of conveyance and each of them.

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Passed by the Council Feb'y 11, 1925

Approved by the Mayor Feb'y 12, 1925.

J.G. HALL.
Mayor Protem.

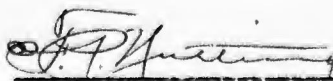
Attest :

F.P. NUTTING.
Recorder of the City of Albany.

STATE OF OREGON,
County of Linn, ss.

I, F.P.Nutting, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1159 has been by me carefully compared with the original Ordinance Bill No. 1257, now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1257, passed by the Council Feb. 11, 1925, and approved by the Mayor Feb. 12, 1925.

WITNESS my hand and official ^{Signature} ~~signature~~ and the seal of the City of Albany, this 13th day of February, 1925.



Recorder of the City of Albany.