

ORDINANCE NO. 1514

AN ORDINANCE vacating Denver Street from the South line of Eighth Street to its termination on the South to the North line of Ninth Street, in the City of Albany, Linn County, Oregon, and declaring an emergency.

WHEREAS a petition was presented on the 13th day of March, 1940, by Berenice H. Gilchrist and T.M. Gilchrist, in which they alleged that they are the owners of land known as Block 3 in Hackleman's Park Addition to the City of Albany, Linn County, Oregon, and the West portion of Block 2 in Hackleman's Park Addition to the City of Albany, Linn County, Oregon, in which they request the vacation of the Street known as Denver Street from the extension on the South of U.S. Highway No. 99, which was formerly Eighth Street in the City of Albany, Linn County, Oregon, to its terminus on the South, which is the North line of Ninth Street in said City of Albany.

THAT WHEREAS, by resolution No. 4 passed by the City Council of the City of Albany on the 27th day of March, 1940, it was provided for a time and manner of vacating Denver Street from the South line of said street on Eighth Street to its termination on the South, to the North line of Ninth Street in said City of Albany; and

WHEREAS, the Mayor and Council of said City have deemed it expedient and to the advantage of the city of Albany, and Linn County, Oregon, and the territory surrounding said street to be vacated, that such portion of the street to be vacated as the same has not been used as a street or passageway, and the same has never been used by the public as a roadway, or otherwise; and

WHEREAS, pursuant to said resolution, the Recorder of the City of Albany caused notice to be made of the intended vacation of said portion of said street by publishing same in the Greater Oregon, a newspaper of general circulation published in the City of Albany, Linn County, Oregon, once a week for four successive weeks prior to the date of said hearing, which hearing was designated as the 8th day of May, 1940, at 7:30 o'clock P.M., at the Council Chambers in the City Hall in the City of Albany, Oregon, and that a copy of said notice, together with the proof of publication thereof is now on file in the office of the Recorder of said City; and

WHEREAS, pursuant to said resolution the Recorder caused to be posted notice of said hearing concerning the notice of said street vacation, and the time and place thereof, in the manner provided by law, and the proof of the posting of said notice on behalf of the City Recorder is now on file in the Recorder's office; and

WHEREAS the verified consent to the vacation was filed by Pauline Price, a widow, in which she joined in the application for the vacation of said street, and alleged that she was the owner of property located on the South of the termination of said Denver Street; and the consent of the owners of all the abutting property, to-wit, the petitioners T.M. Gilchrist and Berenice H. Gilchrist, and the owners of not less than two-thirds in area of the real property affected thereby, to-wit Pauline Price and the petitioners having been had; and

WHEREAS on the 8th day of May, 1940, at 7:30 o'clock in the evening of said day at the Council Chambers in the City of Albany, in Linn County, Oregon, the Council and Mayor met, and no objection appeared to have been filed, and no objections or no objectors appeared at the said time and place as set out herein, and no objections now appearing,

NOW, THEREFORE, the people of the City of Albany do ordain as follows:

Section 1. That Denver Street, from the South line of Eighth Street to the North line of Ninth Street in the City of Albany, Linn County, Oregon, is hereby vacated.

Section 2. WHEREAS, the peace, health and safety of the people of the City of Albany, Oregon, requires that this ordinance shall become immediately effective, therefore, an emergency is hereby declared to exist, and this ordinance shall be and become effective immediately upon its final passage by the Council and approval by the Mayor.

Passed by the Council, May 8, 1940.

Approved by the Mayor, May 8, 1940.

A.G. Senders

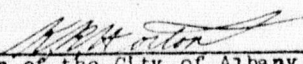
Mayor

ATTEST K.R. Horton
Recorder of the City of Albany, Oregon.

STATE OF OREGON)
COUNTY OF LINN (ss.
CITY OF ALBANY)

I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing copy of Ordinance # 1514, has been by me carefully compared with the original Ordinance Bill # 1634, now on file in this office and that same is a true and correct copy of the whole of said Ordinance Bill # 1634, as passed by the Council of the City of Albany, Oregon, on the 8th day of May, 1940, and approved by the Mayor on the same day.

Witness my hand and official signature and the seal of the City of Albany, Oregon, this 9th day of May, 1940.


Recorder of the City of Albany, Oregon.