

Jan. Ord. 2305

AN ORDINANCE ADOPTING THE REPORT OF THE ENGINEER AND PROVIDING FOR THE OPENING OF PINE STREET FROM THE SOUTHERLY LINE OF EIGHTH AVENUE TO THE CENTER OF NINTH AVENUE IN THE CITY OF ALBANY.

Whereas, by resolution of the City Council at a regular council meeting on the 20th day of June, 1951, there were therein proposed that a survey be made, plat prepared and written report made concerning the proposed opening of Pine Street from the southerly line of Eighth Avenue and the center line of Ninth Avenue as required by Chapter VIII, Art. 1 of the Charter of the City of Albany, and

Whereas, the survey has been made and plat, together with the written report have been filed with the City Recorder,

The people of the City of Albany do ordain as follows:

Section 1. That the report of the City Engineer concerning the proposed opening of Pine Street describing the proposed opening as follows, to-wit:

A street 66 feet in width, being 33 feet in width on either side of the center line thereof, said center line being described as follows:

Beginning at the intersection of the center line of Pine Street in the City of Albany, projected southerly with the southerly line of Eighth Avenue in said City of Albany and from said point running south 9 degrees 8' east along the extended projection of the center line of said Pine Street southerly 237.25 feet to an iron rod in the center of Ninth Avenue in said City of Albany projected easterly.

shall be and is hereby adopted.

Section 2. That the Mayor shall within ten days from the effective date of this ordinance appoint three persons recommended by the Streets and Public Property Committee to act as viewers, who shall have qualifications of a juror for Linn County, State of Oregon, and being residents of the City of Albany to act as viewers to ascertain the damage to the adjacent or within property holders of the above-described premises and to ascertain any benefits or damage to property within 150 feet in all directions from the outer boundaries of the proposed opening as above-described.

Section 3. That the said viewers so appointed shall take an oath to faithfully fulfill their duties as required by law and thence on the 29th day of August, 1951, at the hour of ten o'clock, the said viewers shall meet upon the premises above-described and proceed to perform their duties as above-described and shall forthwith, upon viewing the property, cause to be filed with the City Recorder, not later than the 5th day of September, a written report containing their findings.

Section 4. That the Recorder of the City of Albany shall cause notice to be given personally and in person to the viewers as above appointed and to all persons owning property situated within 150 feet in all directions from the outer boundaries of the proposed opening should they reside within the City of Albany, but should the said property owners reside beyond the City limits of the City of Albany, the Recorder shall cause to be mailed a copy of the said notice to these parties and provided further that said notice shall be given not less than ten days before the meeting of the viewers as above set forth. In addition thereto the Recorder shall cause to be published in a newspaper of general circulation within the City of Albany, once a week for two successive weeks, a copy of the said notice; the notice shall contain the day, hour and place of the proposed meeting of viewers as above set forth.

Section 5. Any property owner owning property within 150 feet in all directions from the outer boundaries of the proposed opening may, within five days from the 5th day of September, file a written remonstrance to the viewers report as above provided. The Council of the City of Albany will then hear objections set forth in the said remonstrances at the regular Council meeting on the 12th day of September, 1951, at the hour of seven o'clock.

Section 6. Whereas, the peace, health, and safety of the People of the City of Albany require that this ordinance become immediately effective, therefore an emergency is hereby declared to exist and this ordinance shall become effective immediately upon passage by the Council and approval of the Mayor.

Passed by Council 8 - 8 - 1951

Approved by the Mayor P-14-1951

ATTEST:

E. J. ... Recorder
Paul Bain Mayor