

ORDINANCE NO. 4506

AN ORDINANCE VACATING THAT PORTION OF 25TH AVENUE SW WHICH IS LOCATED EAST AND WEST OF THE ALBANY-SANTIAM CANAL AND EAST OF THE SOUTHERN PACIFIC RAILROAD TRACKS, REPEALING ORDINANCE NO. 4493, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Albany did by adoption of Resolution No. 2315, City of Albany Resolutions, at the council meeting held on the 10th day of March, 1982, set the hour of 7:15 pm o'clock on the 14th day of April, 1982, as the time for hearing of objections to the proposed vacation of a portion of 25th Avenue SW which is located east and west of the Albany-Santiam Canal and east of the Southern Pacific railroad tracks as described on the attached legal description; and

WHEREAS, the said notice has been posted and published as required by law; and

WHEREAS, the said hearing on the 14th day of April, 1982, has been duly held and parties were given an opportunity to be heard and the council being fully informed.

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

Section 1: That a portion of 25th Avenue SW located east and west of the Albany-Santiam Canal and east of the Southern Pacific railroad tracks as described on the attached legal description is hereby vacated.

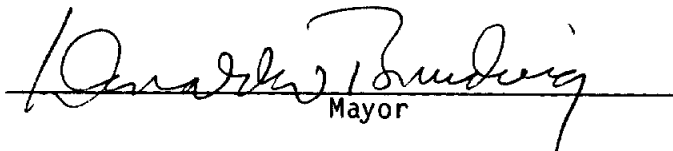
Section 2: That Ordinance No. 4493 is hereby repealed.

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon passage by the City Council and approval by the Mayor.

Passed by the Council: May 26, 1982

Approved by the Mayor: May 26, 1982

Effective Date: May 26, 1982



Mayor

ATTEST:



City Recorder

Legal Description for Vacation of 25th Avenue

Revised April 2, 1982

FOR PROPERTY
LYING EAST
OF THE
SANTIAM CANAL

Beginning at a point on the northerly right-of-way line of 25th Avenue, said point also lying South 01°29'30" East 1861.72 feet, South 82°09'03" West 684.85 feet, South 17°50'01" East 620.00 feet, South 17°52'23" East 215.09 feet and South 85°54'30" East a distance of 99.68 feet from the northwest corner of the Hiram Smead Donation Land Claim No. 53 in Township 11 South and Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 01°02'00" East a distance of 50.00 feet to southerly right-of-way of said 25th Avenue; thence South 88°58'00" West along said right-of-way 45.86 feet; thence northwesterly along a 200.00 foot radius curve right a distance of 36.82 feet (the long chord of which bears North 85°45'33" West 36.77 feet) to the east right-of-way of the Albany Santiam Canal; thence North 17°52'23" West 58.01 feet to the northerly right-of-way of said 25th Avenue, thence southeasterly along a 200.00 foot radius curve right a distance 12.23 feet (the long chord of which bears South 76°41'40" East 12.23 feet); thence southeasterly along a 150.00 foot radius curve left a distance of 42.13 feet (the long chord of which bears South 82°59'17" East 41.99 feet); thence North 88°58'00" East 45.86 feet to the true place of beginning.

FOR PROPERTY
LYING WEST
OF THE SANTIAM
CANAL

Beginning at a 5/8" iron rod 2795.50 feet South and 416.85 feet West of the Northeast corner of the Isaac Hutchins D.L.C. No. 70 in T. 11 S., R. 3 W. of the Will. Mer., Linn County, Oregon; said 5/8" iron rod being at the Southeast corner of a parcel conveyed to Oregon Freeze Dry Foods, Inc., and described in Linn County Microfilm Records Volume 211, page 428 and as shown on County Survey Number 16462; and running thence S. 89°00'W., along the South line of said Oregon Freeze Dry Foods parcel, 137.00 feet; thence on the arc of a 50.0 foot radius curve to the right (the centerpoint of said curve bears N.1°00'W. 50.0 feet and the chord of said curve bears N.39°12'10" E. 76.38 feet) a distance of 227.25 feet; thence on the arc of a 10.0 foot radius curve to the left (the centerpoint of said curve bears N.79°24'20"E. 10.0 feet and the chord of said curve bears S.50°47'50"E. 12.91 feet) a distance of 14.03 feet to a point 50.0 feet North of the South line of said Oregon Freeze Dry Foods parcel; thence N.89°00'E., parallel to said South line, 62.73 feet to the Easterly line of said parcel; thence S.17°49'14"E. 52.23 feet to the point of beginning.