

RESOLUTION NO. 18 FOR 1943

WHEREAS the City of Lebanon by Resolution No. 15 for 1943, passed by the Council and approved by the Mayor on the 21st day of September, 1943, declared it necessary and expedient to open, lay out and establish Milton Street as a forty (40) foot street, instead of a twenty (20) foot street as theretofore existing, from Main Street East to the West line of Home Addition, by acquiring sufficient land on either side thereof therefor, in accordance with the map and plat thereof made by G. E. Whitcomb, a competent surveyor, changing and marking the boundaries thereof as a forty (40) foot street, together with the report made by him containing a full and complete description of such street and of the boundaries thereof and of the portions of said lots and tracts of land to be appropriated therefor, together with the names of the owners thereof; and

WHEREAS said report and map was filed and adopted by Ordinance No. 600, embodying the same, passed by the Council and approved by the Mayor on the 21st day of September, 1943;

WHEREAS sixty (60) days had not elapsed since the adoption of said report at the time of adoption of said Resolution No. 15 for 1943; and

WHEREAS by said Resolution No. 15 for 1943, J. C. Mayer, J. E. Estep and R. Oldham were appointed viewers to view the portion of said street to be widened and to make an assessment of the damage and benefits to each parcel of land to be taken by said street widening as provided by the Charter of the City of Lebanon, and the 7th day of October, 1943, at the hour of 7:30 P.M. of said day, at the City Hall of the City of Lebanon was assigned as the day, time and place

for said viewers to meet; and

WHEREAS the City Recorder of the City of Lebanon caused notices to be given in writing to the respective owners of the property affected by said street widening of the appointment of such viewers, stating their names and the time and place appointed for them to meet, which notices specified with convenient certainty the boundaries of the proposed street widening and the boundaries of the portions of private property to be appropriated for such purpose, which notices were personally served by the marshal of said City on the respective owners, or reputed owners, of the property affected thereby in said City upon the 25th day of September, 1943, due proof thereof being on file with said City; and

WHEREAS thereafter, and on the 7th day of October, 1943, said viewers, each having theretofore and on the 4th day of October, 1943, been duly sworn to assess the benefits and damages of said street widening and faithfully discharge the duties assigned to each of them as such viewers, which oath is on file with said City, and determined that the benefits of said street widening to the remainder of the parcels, after the taking of the land proposed to be taken therefor, off-set the damages to each thereof and that the benefits were equal to or greater than the damage thereto as to each of the respective parcels of land involved and that no damages should be paid by the City of Lebanon to the owners of the remainder, after the taking of said portions of said parcels for said proposed street widening in any case, which said report was made in writing on October 18, 1943, signed by said viewers and on said date filed with the City of Lebanon; and

WHEREAS thereafter by Ordinance No. 603, passed by the Council and approved by the Mayor on the 2nd day of November, 1943, the report of said viewers was adopted; and

WHEREAS no appeal has been taken by the owners of the property to be taken by said street widening and the time provided therefor by the Charter of said City has passed,

NOW, THEREFORE, IT IS HEREBY DECLARED that Milton Street, from Main Street East to the West line of Home Addition is hereby changed and widened to a forty (40) foot street, in accordance with the map and plat thereof attached hereto and made a part hereof, marked "Exhibit A"; and that the parcels of land taken thereby, together with the names of the respective owners thereof, are as follows:

Parcel 1. Eugene Powers, single, owner.

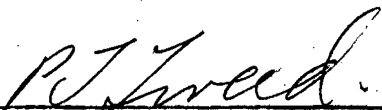
Beginning at the Southeast corner of Block 24, in William Ralston's Addition to the City of Lebanon, Linn County, Oregon; and running thence North $0^{\circ} 09'$ East along the East line of said Block 10.85 feet to a $\frac{3}{4}$ " Iron pipe; thence South $89^{\circ} 53'$ East along the North line of Milton Street 165.0 feet to a $1\frac{1}{4}$ " Iron pipe; thence South $0^{\circ} 09'$ West 10.78 feet; thence North $89^{\circ} 54\frac{1}{2}'$ West 165.0 feet to the place of beginning.

Parcel 2. Thomas Williams, single, owner.

Beginning at a point which is South $89^{\circ} 54\frac{1}{2}'$ East 330.0 feet from the Southeast corner of Lot 2 of Block 24, William Ralston's Addition to the City of Lebanon, Linn County, Oregon; and running thence North $0^{\circ} 09'$ East 10.70 feet to a $\frac{5}{8}$ " Iron rod on the North line of Milton Street; thence South $89^{\circ} 53'$ East along said street line 330.0 feet to a $\frac{3}{8}$ " Iron rod; thence South $0^{\circ} 09'$ West 10.55 feet; thence North $89^{\circ} 54\frac{1}{2}'$ West 330.0 feet to the place of beginning.

BE IT FURTHER RESOLVED that the Recorder of the City of Lebanon file for record with the Recorder for Linn County, Oregon, a copy of this Resolution and a plat of said street and of the property so appropriated for public use.

Passed by the Council and approved by the Mayor this 6th day of December, 1943.

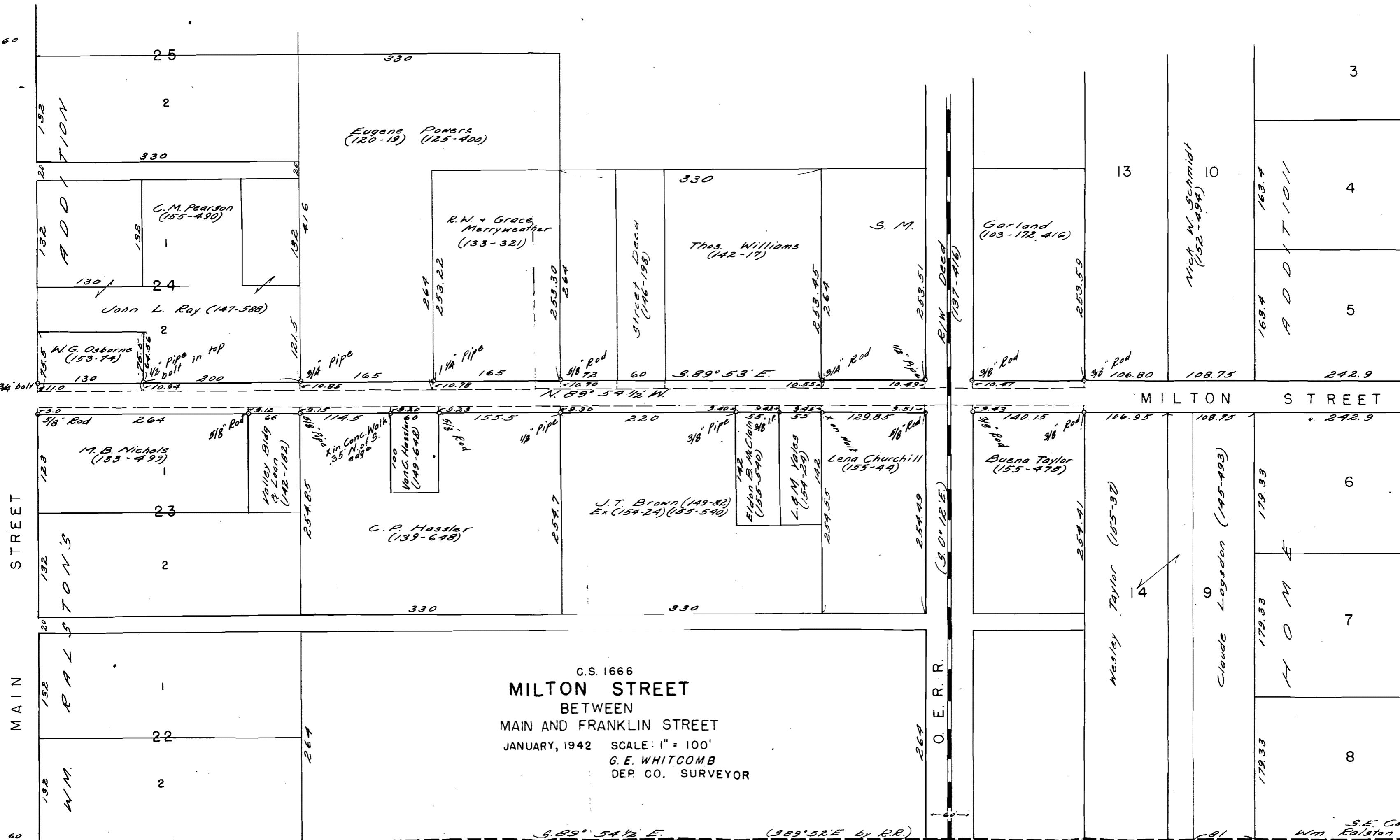


Mayor

ATTEST:



Recorder



C.S. 1666
MILTON STREET
 BETWEEN
 MAIN AND FRANKLIN STREET
 JANUARY, 1942 SCALE: 1" = 100'
 G. E. WHITCOMB
 DEP. CO. SURVEYOR

60
 MAIN STREET
 20
 132
 132
 132
 60

MILTON STREET

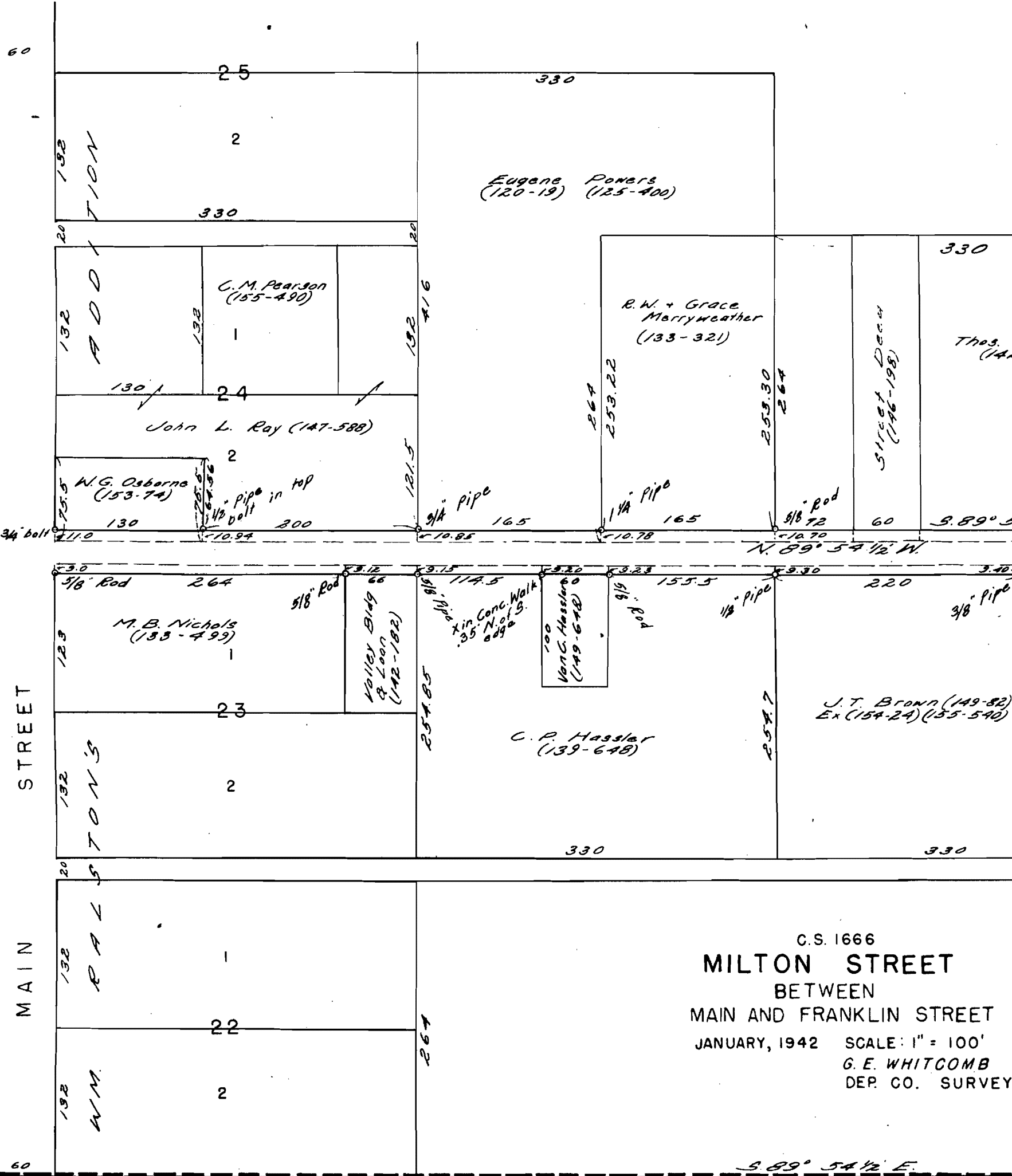
S.E. Cor.
 Wm. Ealston C.

B/W Deed
 (137-416)

(S. 0° 12' E)

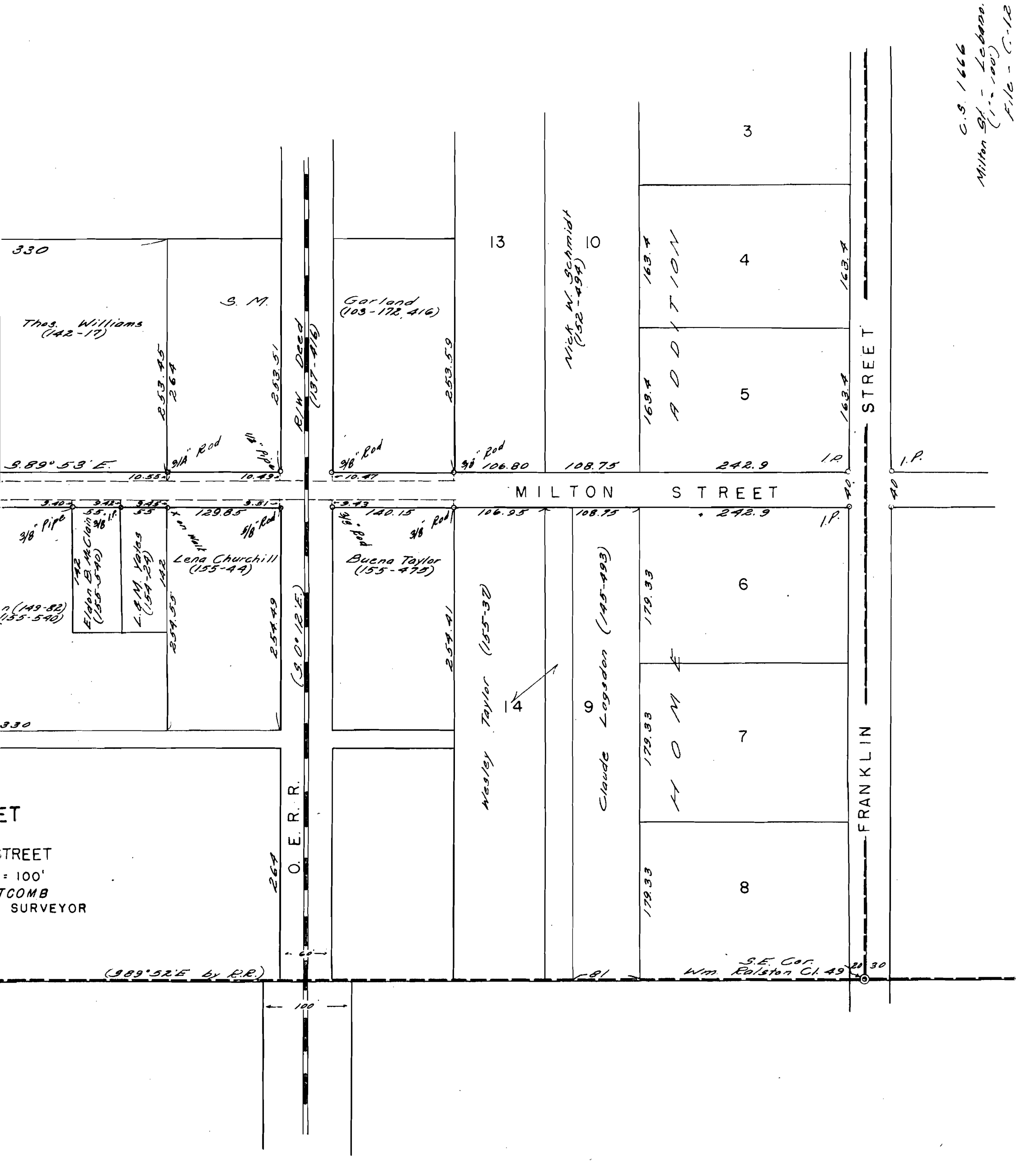
O. E. R. R.

100



C.S. 1666
MILTON STREET
 BETWEEN
 MAIN AND FRANKLIN STREET
 JANUARY, 1942 SCALE: 1" = 100'
 G. E. WHITCOMB
 DEP. CO. SURVEYOR

" Exhibit 17 "



330

Thos. Williams
(142-17)

S. M.

Garland
(103-172, 416)

Nick W. Schmidt
(152-494)

ADDITION

STREET

MILTON STREET

FRANKLIN

O. E. R. R.

330

Eldon B. McClain
(155-540)

L. M. Yates
(154-254)

Lena Churchill
(155-44)

Buena Taylor
(155-475)

Wesley Taylor (155-37)

Claude Logsdon (145-493)

HOME

ET

STREET

100'
T. COMBS
SURVEYOR

(989°52'E by R.R.)

S.E. Cor.
Wm. Ralston Cl. 49

C.S. 1666
Milton St. - Lebaron.
(155-100)
File - C-12