

ORDINANCE BILL NO. 6 for 1923.

ORDINANCE NO. 300

A BILL FOR

An ordinance directing the City Attorney to institute action to condemn certain lands needed for constructing a dike, appointing three viewers.

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

Sec. 1. Whereas on the 25th day of June, 1923, at an election held in Lebanon, Linn County, Oregon, the City Council of said City of Lebanon, Linn County, Oregon, by majority vote, were duly authorized to issue bonds of the said City of Lebanon for the purpose of constructing a dike and securing rights of way therefor, and whereas all the rights of way for said dike have been secured except through what is known as the Simms place at the extreme South end of said proposed dike, described as follows:

Beginning at a point which is West  $16\frac{1}{2}$  feet distant and North 495 feet distant from the Southeast corner of the North  $\frac{1}{2}$  of the Donation Land Claim of Russell T. Hill, being Notification No. 2342 and Claim No. 77 in Township 12 South Range 2 West of the Will. Merd., Oregon; thence South  $1^{\circ} 54'$  East 578 feet; thence East 20 feet; thence North  $1^{\circ} 54'$  West 578 feet; thence West 20 feet to the place of beginning, containing  $\frac{27}{100}$  of an acre, all lying in Linn County, Oregon,

and whereas the said City Council is unable to agree with the owners of said tract of land as to the price to be paid therefor, the owners demanding the sum of \$1000.00 therefor, and whereas, the Council of the said City of Lebanon deems said sum to be excessive, and whereas it appears to be to the best interests of all the people of Lebanon that said dike be constructed in accordance with the wish of the majority of the qualified electors of said City, and that said dike is a public necessity.

Sec. 2. Therefore the City Attorney of Lebanon, Oregon, be and he is hereby instructed to bring, in the name of and on behalf of said City of Lebanon, Linn County, Oregon, proceedings in the Circuit Court of the State of Oregon to condemn a right of way over and across said tract of land against the owners thereof, and to appropriate the same to the public use for the construction of said dike.

Sec. 3. J. C. Irvine, S. O. Wallace and Paul Mitchell are hereby appointed viewers to view said premises and report to the Council the value of the property and the rights and interests of the several persons having interests therein.

Passed by the Council August 7th, 1923. Approved by the Mayor Aug. 7, 1923.

Thad Stealing  
Mayor.

Chas. W. Vitman  
Recorder.

Brother Board

Ord Bill #6-1923

Ord. # 300.

Instructing Atty to institute  
condemnation proceedings  
for right of way for Dike  
& Appurtenant easements

Passed 8/21/23

C. H. Wetman

Recorder