

ORDINANCE BILL NO. 27 FOR 1925.

ORDINANCE NO. 346

A BILL FOR AN ORDINANCE reciting the purchase by the City of Lebanon from R. W. Stanton and Amanda C. Stanton, his wife, of certain lands and authorizing and directing the acceptance by the City Recorder of a deed to said lands and authorizing and directing the City Recorder to pay to the said R. W. Stanton and Amanda C. Stanton the sum of One Thousand Dollars in the manner herein specified.

WHEREAS, R. W. Stanton and Amanda C. Stanton are the owners of the following described tract of land:

Beginning at the Northwest corner of the DLC of L.T. Woodward, it being Claim No. 45 (Not. No. 2340) in Tp. 12 South Range 2 West of Will. Merd., Oregon, and running thence W. 60 ft; thence North 339.7 ft; thence approximately 155.5 feet on a radius of 1402.5 feet to the North line of R. W. Stanton's land; thence running East approximately 68.4 feet to the N.E. corner of said R. W. Stanton's land; thence running South 495 ft. to the point of beginning, excepting that portion already dedicated by public use as a city street, in Lebanon, Linn County, Oregon.

AND, WHEREAS, the City of Lebanon has negotiated with the State Highway Commission for the building of a State Highway through the City of Lebanon over and across said described lands, and

WHEREAS, the City of Lebanon has commenced proceedings to condemn a right-of-way over and across the lands of the said R. W. Stanton and Amanda C. Stanton, the particular description of the right-of-way being the description of the property above set out, and

WHEREAS, the City of Lebanon and the said R. W. Stanton and Amanda C. Stanton, his wife, have come to an amicable agreement as to the amount to be paid by the City of Lebanon for said right-of-way, which said agreement is as follows:

That the said City pay to the said R. W. Stanton and Amanda C. Stanton the sum of Two Hundred and Fifty Dollars in cash and credit the assessment of the said R. W. Stanton and Amanda C. Stanton, which has been levied against their property, to the amount of Seven Hundred and Fifty Dollars and further that the City of Lebanon assume the portion of the assessment for the pavement of the intersection of Main and Wheeler streets which has been assessed against the property of the said R. W. Stanton and Amanda C. Stanton, his wife, and

WHEREAS, it is to the advantage and best interest of the City of Lebanon and the inhabitants thereof that said right-of-way be purchased.

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

SECTION 1: The City of Lebanon hereby agrees to purchase from R. W. Stanton and Amanda C. Stanton the lands described in the deed hereinafter set out and agrees to pay therefor, in cash, the sum of Two Hundred and Fifty Dollars, and as further consideration agrees to credit the assessment levied against <sup>the property of the</sup> said R. W. Stanton and Amanda C. Stanton for the improvement of North Main Street to the amount of Seven Hundred and Fifty Dollars and the said city further agrees to assume the payment of said part of the assessment levied against the property of the said R. W. Stanton and Amanda C. Stanton for the pavement of the intersection of Main and Wheeler Streets and further to perform on its part all the covenants in said deed contained to be performed by it.

SECTION 2 : The City Recorder, for and on behalf of the City of Lebanon, is hereby authorized and directed to accept from the said R. W. Stanton and Amanda C. Stanton a deed to said property which said deed, **omitting** the execution, is substantially as follows:

THIS INDENTURE WITNESSETH That We, R. W. Stanton and Amanda C. Stanton, his wife, for the consideration of the sum of One Thousand Dollars, Two Hundred and Fifty Dollars being in cash and remainder to apply on street assessment for pavement of Main St., Lebanon, Oregon, to us paid, have bargained and sold, and by these presents do bargain, sell and convey unto City of Lebanon, a Municipal Corporation in Linn County, Oregon, the following described premises, to-wit:

Beginning at the Northwest corner of the D.L.C. of L.T. Woodward, it being Claim No. 45 (Not. No. 2340) in Tp. 12 South Range 2 West of Will. Merd., Oregon, and running thence W. 60 ft; thence North 339.7 ft; thence approximately 155.5 feet on a radius of 1402.5 feet to the North line of R. W. Stanton's land; thence running East approximately 68.4 feet to the N.E. corner of said R. W. Stanton's land; thence running South 495 ft. to the point of beginning, excepting that portion already dedicated by public use as a city street, in Lebanon, Linn County, Oregon.

(It is understood, as part of the consideration of this deed that the grantee, City of Lebanon, will extend the cement culvert to be constructed under the fill to be built over and across said premises as far as the West boundary line of the above described real estate, and it is further understood that the grantee, City of Lebanon, will assume the portion of the assessment for the pavement of the intersection of Main and Wheeler street, which is assessed against the property of the grantors.)

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said City of Lebanon, a Municipal Corporation in Linn County, Oregon, its successors and assigns forever. And we, the said R. W. Stanton and Amanda C. Stanton, his wife, do hereby covenant to and with the said City of Lebanon, a Municipal Corporation in Linn County, Oregon, its successors and assigns, that we are the owners in fee simple of said premises; that they are free from all incumbrances, except the above mentioned assessment for the intersection of Main and Wheeler Streets, and that we will warrant and defend the same from all lawful claims whatsoever, except said assessment.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this  
day of \_\_\_\_\_, 1925.

SECTION 3: The City Recorder is further authorized and directed upon acceptance of this deed to issue and deliver to the said R. W. Stanton and Amanda C. Stanton a warrant of the City of Lebanon in the sum of Two Hundred and Fifty Dollars and to immediately thereafter credit the assessment of the said R. W. Stanton and Amanda C. Stanton for the improvement of North Main Street with the sum of Seven Hundred and Fifty Dollars, and further to charge to the City of Lebanon the cost of the paving of the intersection of Main and Wheeler streets that has heretofore been levied against the property of the said R. W. Stanton and Amanda C. Stanton.

SECTION 4: In as much as the acquisition of the above property is necessary for the immediate construction of a Highway over and across said right-of-way and for the preservation of the public peace, health and safety of the City of Lebanon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by the Council this 20th day of October, 1925.

Approved by the Mayor this 20th day of October, 1925.

Attest:

Max Stewart  
Acting Mayor.

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Recorder.