

Sept 3-1946

ORDINANCE BILL NO. 6 FOR 1946
ORDINANCE NO. 628

AN ORDINANCE VACATING THE WEST NINE FEET OF EVEN WIDTH OF FILBERT AVENUE BETWEEN MILTON STREET AND ELMORE STREET

WHEREAS, all of the owners of the property abutting upon Filbert Avenue between Milton Street and Elmore Street have petitioned the Council for the vacation of the West nine feet of even width of said Street, and

WHEREAS, Geo. E. Mitsch and Eleanor H. Mitsch, husband and wife, have tendered a deed to the City for the purpose of adding fifteen feet to the East side of the present street, so that upon the vacation of said portion of said street, and the acceptance of said deed, the street will be six feet wider than at present, and

WHEREAS, the moving of said street will avoid the removal of a row of valuable filbert trees, and

WHEREAS, said street is not now in line with any other street, and moving the same will not cause any jog or offset in an existing street with which Filbert Avenue connects, and

IT APPEARS, THEREFORE, that the public will not be inconvenienced by the vacation of said portion of said street.

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

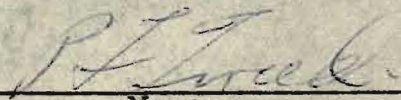
SECTION 1. That the petitioners for the vacation of said portion of said street being the owners of all the land on both sides of said street, no notice of vacation thereof is required or shall be given.

SECTION 2. That the West nine feet of even width of Filbert Avenue between Milton Street and Elmore Street be and the same is hereby vacated.

SECTION 3. That the deed of Geo. A. Mitsch and Eleanor H. Mitsch, husband and wife, to fifteen feet of even width along the East side of Filbert Avenue for street purposes be and the same is hereby accepted.


SECTION 4. That said portion of said street hereby vacated, being occupied by a row of valuable filbert trees which should not be removed and will lend shade and beauty to the surrounding premises, this ordinance is for the peace, health and safety of the people of the City of Lebanon, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after it is passed by the Council and approved by the Mayor.

Passed by the Council and approved by the Mayor this 3rd day of September, 1946.



Mayor

ATTEST:



City Recorder

Lebanon, Oregon, Dec. 17, 1946.

I, Geo H Randle, hereby certify that I am the duly elected, qualified and acting Recorder of the City of Lebanon, and that the attached Ordinance is a true and correct copy of the Ordinance accepting deed to the West 15 feet of even width of Block 2, Mitsch Addition to Lebanon, Linn County, Oregon for Street purposes.

Geo H Randle

Recorder of the City of
Lebanon.



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Passed by the Council and approved by the Mayor this 3rd day of September, 1946.

P. T. Tweed

Mayor

ATTEST:

Geo H Randle

City Recorder

This Indenture Witnesseth, That, GEO. A. MITSCH and

ELEANOR H. MITSCH, husband and wife,

for the

consideration of the sum of TEN DOLLARS, and other good and valuable consideration,

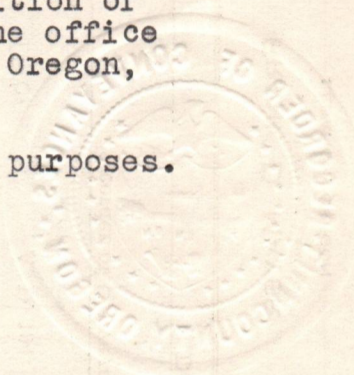
to them paid, have bargained and sold, and by these presents do bargain, sell

and convey unto CITY OF LEBANON

the following described premises, to-wit:

The West fifteen (15) feet of even width of Block Two (2), Mitsch Addition to Lebanon, Linn County, Oregon, as the same appears upon the recorded map and plat of said Addition of said City, on file and of record in the office of the City Recorder for Linn County, Oregon, as of the date of this deed.

The above is conveyed for Street purposes.



To Have and to Hold, the said premises, with their appurtenances, unto the said grantee, its heirs and assigns forever. And we the said grantors, do hereby covenant to and with the said grantee, its heirs and assigns, that we are the owners in fee simple of said premises, that they are free from all incumbrances, and that we will warrant and defend the same from all lawful claims whatsoever,

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 26th day of August, 1946.

Geo. A. Mitsch (SEAL)

Eleanor H. Mitsch (SEAL)

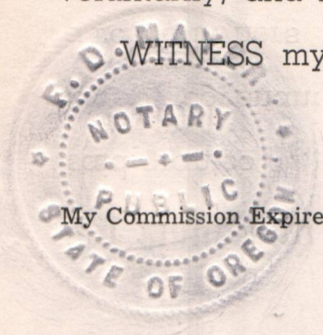
_____ (SEAL)

_____ (SEAL)

STATE OF OREGON, }
County of Linn, } ss.

On this 26th day of August, A. D. 1946, before me, a Notary Public in and for said County and State, personally appeared the within named GEO. A. MITSCH and ELEANOR H. MITSCH, husband and wife, to me personally known to be the identical persons described in and who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily, and for the uses and purposes therein named.

WITNESS my hand and Notarial Seal the day and year last above written



[Handwritten Signature]
Notary Public for Oregon

21437

Warranty Deed

From

GEO. A. MITSCH, et ux,

To PHOTOCOPY
INDEXED

CITY OF LEBANON

STATE OF OREGON, }
County of Linn } ss.

I hereby certify that the within written instrument was received for record on the 21st day of December 1946, at 8:00 o'clock A. M. and recorded in Book of Deeds, Vol. 187 Page 735, on the 21st day of December 1946.

WITNESS my hand hereunto set and seal of office affixed this 21st day of December, A. D. 1946.
Stella E. Hoover

Recorder of Conveyances.
By *[Signature]* Deputy

FRANK D. MAYER
ATTORNEY AT LAW
LEBANON, OREGON