

3/4/47

ORDINANCE BILL NO. 3 FOR 1947

ORDINANCE ~~BILL~~ NO. 640

AN ORDINANCE TO PROVIDE FOR ARBITRATION OF DAMAGES FOR TAKING PRIVATE PROPERTY FOR CITY IMPROVEMENTS AND DECLARING AN EMERGENCY

The people of the city of Lebanon do ordain as follows:

SECTION 1. Whenever it shall become necessary for the City to take private property for the use of the City, or for the making of public improvements, including the opening, widening and changing of streets, and the owner of such property shall indicate his willingness to do so, the City of Lebanon, acting by and through its Recorder, shall enter into proper written arbitration agreements providing for the appointment of a board of arbitrators consisting of three persons of legal age and residents of Linn County, Oregon, one to be appointed by the City, one to be appointed by the property owner and a third by those two, and to agree to be bound by the award made by said board, subject only to the laws of the State of Oregon governing arbitration of disputes; provided, further, that such contracts shall provide that the property owner shall also be bound thereby and that the award of said board shall be made in writing and agreed upon by at least two members thereof and filed with the parties to said agreement within thirty (30) days from the date of the appointment of the first two members; provided, further, that said contract shall also provide that in the determination of such damages, said board of arbitrators shall consider not only the damage to the owner by the taking of said property but also the benefits to the remaining property by virtue of the improvements to be made upon the property taken and abutting upon the property remaining.

SECTION 2. Since public improvements are about to be made which will require the taking of private property and some of the owners thereof are willing to arbitrate the damages by virtue of said taking, this ordinance is for the peace, health, safety and general welfare of the people of the City of Lebanon, an emergency is, therefore, 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 and approved by the mayor this 4th day of March, 1947.

R. J. Tweed  
Mayor

ATTEST:

Geo. A. Kasper  
City Recorder