

ORDINANCE BILL NO. 9
FOR 1949

ORDINANCE NO. 689

A BILL FOR AN ORDINANCE AUTHORIZING THE SALE OF TIMBER TO JESS FERGUSON AND EDWARD A. LEHNERT FOR \$250.00, AND DIRECTING THE MAYOR AND RECORDER TO EXECUTE AND DELIVER A TIMBER DEED CONVEYING SAID TIMBER TO JESS FERGUSON AND EDWARD A. LEHNERT, AND DECLARING AN EMERGENCY.

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

That the sale of the timber hereinafter specified by the Public Property Committee of the City Council of the City of Lebanon for TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS be and the same is hereby ratified, affirmed, and approved and the Mayor and the Recorder of said City are authorized and directed to execute and deliver to Jess Ferguson and Edward A. Lehnert, in the name of the City of Lebanon, a timber deed of which the following is a substantial copy:

KNOW ALL MEN BY THESE PRESENTS, That the CITY OF LEBANON, a municipal corporation, in consideration of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS, does hereby grant and convey unto JESS FERGUSON and EDWARD A. LEHNERT, and unto their heirs and assigns all of the merchantable timber located on the following described property:

Beginning at a point on the North line of and West 62.08 chains from the Northeast corner of the North projection of the William L. Smith D.L.C. Nos. 54 and 82 in Township 12 South, Ranges 1 and 2 West of the Willamette Meridian in Linn County, Oregon, said beginning point being 209.0 feet West of the westerly right of way line of Market Road # 24, and running thence South 208.7 feet; thence West parallel to the North line of said D.L.C. 82.0 feet; thence South 30° 44' West parallel to said road line 525.0 feet; thence East parallel to the North line of said D.L.C. 291.0 feet to the aforesaid road line; thence South 30° 44' West along said road line 690.5 feet, more or less to the South line of the land of the Grantor; thence West along said line to the West line of D.L.C. #82; thence North along said D.L.C. line 21.54 chains to the Northwest corner of said D.L.C. thence East 13.22 chains, more or less, to the place of beginning, containing 29.5 acres, more or less.

This conveyance is subject to and conditioned upon the following terms and conditions.

The loggers shall have the right to use the road now running into the above described property in connection with cutting and removing said timber and to use the premises for any and all reasonable purposes in connection with the logging operations, provided, however, that the loggers shall at all times keep the road in a good state of repair and shall not block or obstruct in any manner that portion of the road between said County road and the city dump ground meaning by this

provision, that the loggers shall not permit trucks to be parked upon or to use said portion of road in connection with loading the logs onto the trucks, and at all times give preference to W. A. Clendenen, who has a contract with the City of Lebanon for disposal of garbage,

The loggers shall have until the 1st day of July, 1949, within which to cut and remove said timber and any timber remaining on the premises after that date shall revert to and become the property of the owner free and clear of all claims by the loggers and thereafter the loggers shall have no further right upon the premises.

The loggers shall carry on their operations in an efficient workman like manner and in full compliance with the United States, State of Oregon, and all lawful rules and regulations of any lawful governmental authority which has jurisdiction over logging and logging operations and operation in the area where said timber is to be logged.

TO HAVE AND TO HOLD, the said premises, with their appurtenances, unto the said grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, said City of Lebanon, Oregon has, by authority of its Common Council, caused these presents to be executed in its Corporate name by its Mayor and Recorder and its Corporate Seal to be hereunto affixed this 15 day of March, 1949.

CITY OF LEBANON, OREGON

BY P. T. Tweed
Mayor

BY Ilda Unger
Recorder

That the said City of Lebanon having seriously depleted its funds, and this Ordinance therefore being required for the peace, health and safety of said City, an emergency is hereby declared and said Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 15 day of March, 1949.

P. T. Tweed
Mayor

ATTEST:

Ilda Unger
City Recorder

Lebanon, Oregon

Feb., 28, 1949

Dear Sirs:

We have looked the timber over that stands on the city dump-grounds. We estimated the fire timber at 35 or 40 thousand board feet and we would like to present our offer for you'r consideration.

The price of \$5.00 a thousand mill-scale or a cash sum of \$200. for the timber that is mentioned above.

We would like to use the present road for hauling out and would repair any damage done by us on said road and will put in spur for loading so as not to interfere with dumping traffic.

We are looking forward for you'r approval as soon as possible.

Sincerely You'rs,

Jess Ferguson
Phone 541
Edward A. Schmet.