

AN ORDINANCE DECLARING THE NECESSITY FOR )  
TAKING FOR A PUBLIC USE AND PURPOSE CERTAIN )  
PROPERTY, AND FOR A TEMPORARY EASEMENT ON )  
PROPERTY, ADJACENT TO THE CITY LIMITS, )  
DIRECTING THAT CONDEMNATION PROCEEDINGS BE )  
COMMENCED, AND DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 32  
for 1965  
ORDINANCE NO. 1196

WHEREAS the City of Lebanon has recently attempted through negotiation to obtain easements and to purchase the property described below, for sewer purposes; and

WHEREAS the City's attempts to obtain the use of said premises or to purchase the same through negotiation have been unsuccessful,

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

Section 1. The City of Lebanon hereby determines that it is necessary for the City to acquire by condemnation fee simple title to the property described below as Tract I, and a temporary easement for the use of and right-of-way over and upon the property described below as Tract II, for the public use and purpose of installing a sewer line.

Section 2. The City Attorney of the City of Lebanon is hereby directed to commence in the Circuit Court for Linn County, Oregon, a suit for condemnation so as to acquire title to the property described below as Tract I, and to acquire a temporary easement for the use of and right-of-way over and upon the property described below as Tract II, for the construction period of the sewer line in said Tract I, as follows:

Tract I. Beginning at a  $\frac{1}{2}$ " iron pipe which is North 89° 39' East 3504.72 feet and South 0° 21' East 250.00 feet from the Northwest corner of the Jeremiah Ralston D.L.C. #49 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and running thence North 89° 39' East 123.69 feet to the west line of Penny Addition to the City of Lebanon, Oregon, and the TRUE point of beginning; thence South 0° 21' East along the said west line of the said Penny Addition 630.44 feet to the Southwest corner of the said Penny Addition; thence South 89° 39' West 15 feet; thence North 0° 21' West parallel to the said west line of the said Penny Addition 630.44 feet; thence North 89° 39' East to the TRUE point of beginning, Linn County, Oregon.

Tract II. Beginning at a  $\frac{1}{2}$ " iron pipe which is North 89° 39' East 3504.72 feet and South 0° 21' East 250.00 feet from the Northwest corner of the Jeremiah Ralston D.L.C. #49 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and running thence North 89° 39' East 123.69 feet to the west line of Penny Addition to the City of Lebanon, Oregon, and thence South 89° 39' West 15.0 feet to the TRUE point of

beginning; thence South 0° 21' East parallel with the west line of the said Penny Addition 630.44 feet; thence South 89° 39' West 35 feet; thence North 0° 21' West parallel to the west line of said Penny Addition 630.44 feet; thence North 89° 39' East 35 feet to the TRUE point of beginning.

Section 3. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this 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 19th day of October, 1965.

  
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Mayor

ATTEST:

  
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City Recorder