

A BILL FOR AN ORDINANCE AUTHORIZING)
AND DIRECTING THE MAYOR AND RECORDER)
TO GRANT TO PACIFIC POWER & LIGHT)
COMPANY A PIPE LINE EASEMENT AND)
RIGHT OF WAY IN CONNECTION WITH A NEW)
BRIDGE OVER THE ALBANY-SANTIAM CANAL,)
AND DECLARING AN EMERGENCY.)

ORDINANCE BILL NO. 9
for 1967

ORDINANCE NO. 1240

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

Section 1. That the Mayor and the Recorder of the City of Lebanon are hereby authorized and directed to execute and deliver to Pacific Power & Light Company, a corporation, an easement and right-of-way for the construction, reconstruction, installation, operation, maintenance, etc. of a water pipe line and appurtenances, to be attached to the new bridge over the Albany-Santiam Canal north of Wheeler Street.

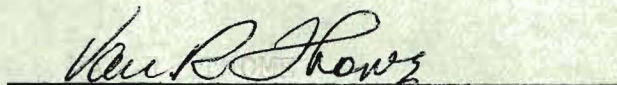
Section 2. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 7th day of March, 1967.



Mayor

ATTEST:



Recorder

PIPELINE EASEMENT

THE CITY OF LEBANON, a municipal corporation of the State of Oregon, hereinafter referred to as "The City", hereby grants to PACIFIC POWER & LIGHT COMPANY, a corporation, hereinafter referred to as "Pacific", an easement and right of way for the construction, reconstruction, installation, replacement, operation, maintenance and removal of a water pipeline and all necessary or desirable appurtenances thereto, to be attached to the new bridge over the Albany-Santiam Canal on the following described real property situated in Linn County, State of Oregon, to wit:

A tract of land in Section 11, Township 18 South, Range 2 West, W.M., Linn County, Oregon described as follows:

Beginning at a point which bears South 89° 55' West 1836.81 feet and North 0° 05' West 30.0 feet from the Southwest corner of the James M. Marks Donation Land Claim No. 44 in said township and range; thence North 0° 05' West 268.74 feet to a 5/8" bolt; thence North 24° 45' 30" East 216.82 feet to a 1" iron pipe; thence South 89° 55' West 168.28 feet to a 5/8" bolt; thence South 0° 05' East 265.50 feet; thence North 89° 55' East 11.43 feet; thence South 2° 54' East 200.1 feet; thence North 89° 55' East 60.0 feet to the point of beginning,

including the right of access over and across said real property for the purposes of constructing, reconstructing, installing, replacing, operating, maintaining and removing said water pipeline and appurtenances.

Pacific shall exercise the rights hereby granted so as not unreasonably to interfere with traffic over said bridge and on the road approaches to said bridge, or with the maintenance of the bridge itself.

Pacific shall indemnify and hold the City, its officers and employees harmless against and from any claims or liability for injury to persons or damage to property caused by Pacific's exercise of the rights granted hereunder, except as may be caused by the sole or concurring negligence of the City, its officers or employees.

Executed on behalf of the City of Lebanon this 8th day of March, 1967, as authorized by its City Council pursuant to Ordinance No. 1240 of said City passed and approved on the 7th day of March, 1967.

CITY OF LEBANON, OREGON

By Harold B. Spurrick
Mayor

(SEAL)

Attest:

Van R. Jones
Recorder

STATE OF OREGON)
) ss.
County of Linn)

On this 8th day of MARCH, 1967, personally appeared Kenneth B. Haevernick, who, being duly sworn, did say that he is the Mayor of the City of Lebanon, a municipal corporation of the State of Oregon, and that the seal affixed to the foregoing instrument is the seal of said municipal corporation, and that said instrument was signed and sealed on behalf of said municipal corporation by authority of its City Council; and he acknowledged said instrument to be its voluntary act and deed.

Before me:



Louise M. Miller
Notary Public for Oregon
My commission expires Nov. 17, 1969