

**ORDINANCE No. 1322**

AN ORDINANCE providing for the acceptance of the deed of D.D.Hackleman and Louisa Hackleman, his wife, bearing date the 10th day of September, 1929 and conveying to the City of Albany, Oregon, Blocks 2 and 3 in Hackleman's Heirs First Addition to said City for public playground and park purposes, subject to the conditions, reservations and restrictions in said deed expressed.

WHEREAS, D.D.Hackleman and Louisa Hackleman, his wife, have tendered to the City of Albany, Oregon, a deed of conveyance of Blocks 2 and 3 in Hackleman's Heirs' First Addition to the said City for public playground and park purposes, upon the terms and conditions in said deed expressed, which said deed is in wards and figures ~~XXXXXX~~ ~~XXXXXXXXXX~~ as follows:

THIS INDENTURE WITNESSETH: That D.D.Hackleman and Louisa Hackleman, his wife, in consideration of the conditions and stipulations hereinafter contained, to be kept and performed by the City of Albany, Oregon, have given and granted, and by these presents do give, grant and quit-claim unto the said City of Albany, Oregon, a municipal corporation, the following described real property situated in the County of Linn and State of Oregon, to wit:

Blocks two (2) and three (3) the Hackleman's Heirs 1st Addition to the City of Albany, Linn County, Oregon, as the same appear and are designated upon the recorded maps and plats thereof now on file and of record in the office of the Recorder of Conveyances in and for said County and State.

To have and to hold the said premises, with the appurtenances unto the said City of Albany and its successors forever, subject, however, to the following conditions, restrictions and reservations:

- First: The above described premises shall be used only as and for a children's Playground and Park perpetually.
- Second: Said Public Playground and Park shall be known by such name as the grantors herein may hereafter designate;
- Third: The management and control of said public playground and park, and the moneys which may from time to time be appropriated for the purpose of maintaining, equipping and improving said playground and park, shall be vested in the common Council of the City of Albany, provided however, that nothing herein contained shall prevent or prohibit any individual or organization from doing any work in improving, beautifying or equipping said park with his or its own funds and labor, under the control and direction of the Council of said City;
- Fourth: In the event of the grantee herein should at any time cease to use and maintain said premises for the purposes, and in the manner hereinabove set forth, or should grantee cease to comply with any of the above conditions, then, and in such event, the grant herein contained shall be liable to forfeiture to the grantors, their heirs and assigns.

IN WITNESS WHEREOF the grantors have hereunto set their hands and seals this 10th day of September, 1929.

Done in the presence of,  
Victor Olliver  
Mrs. E.E.Davis

D.D.DHACKLEMAN (seal)  
LOUISA HACKLEMAN (seal)

STATE OF OREGON,  
County of Linn,

ss. On this the 10th day of September, A.D., 1929, personally came before me, a Notary Public in and for said County, the within named D.D.Hackleman and Louisa Hackleman, his wife, to be known to be the identical persons described in, and who executed the foregoing conveyance, and acknowledged to me that they executed the same freely, and for the use and purposes therein named.

WITNESS MY HAND and Notarial seal this 10th day of September, A.D., 1929.  
VICTOR OLLIVER,  
Notary Public for Oregon.  
My commission expires April 30th, 1932.

WHEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:--

Section 1. That said deed of D.D.Hackleman and Louis Hackleman, his wife, conveying to the City of Albany, Oregon, Blocks 2 and 3 in Hackleman's Heirs 1st Addition to said City, dated September 10, 1929, for public playground and park purposes, subject to the conditions, restrictions and reservations in said deed set forth, be and the same is hereby accepted, and the Recorder of the City of Albany is hereby directed to file said deed for record in the office of the County Recorder of Linn County, Oregon, immediately upon this ordinance becoming in full force and effect.

Passed by the Council September 11, 1929  
Attest: Approved by the Mayor September 11, 1929  
F.P.Nutting, Recorder of the City of Albany, Oregon. V.L.SALAVAN, Mayor.

STATE OF OREGON,  
County of Linn

ss. I, F.P.Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1322, has been by me carefully compared with the original ordinance Bill No. 1429, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1429, passed by the Council Sept. 11, 1929 and approved by the Mayor September 11, 1929

WITNESS MY HAND and official signature and the seal of the City of Albany this 13th day of September, 1929.

*F.P. Nutting*  
Recorder of the City of Albany.