

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE THE EXPENDITURES OF \$14,656.⁰⁰ AMOUNT FROM THE STATE GAS TAX REFUND FOR THE PURPOSES OF ACQUIRING THE PROPERTY EASEMENTS AND THE COST OF CONSTRUCTION OF A CULVERT UNDER THE SANTIAM ROAD AT A POINT WHERE PERIWINKLE CREEK CROSSES THEREUNDER AND FOR THE RELOCATION OF SAID STREAM BED AT SAID POINT FOR ENGINEERING PURPOSES AND RATIFYING THE ADVERTISEMENT FOR BIDS OF SAID CONSTRUCTION BY THE CITY RECORDER

WHEREAS the City Council of the City of Albany did by motion at a regular council meeting on the 14th day of March, 1951, did direct the City Engineer to prepare plans and specifications for a culvert to be placed on Periwinkle Creek at the point where it intersects the Santiam Road, and

WHEREAS, for expediency the Council, by motion at a regular meeting of the City Council on the 28th day of March, 1951, did authorize the City Recorder to advertise for bids on the said proposed construction, and

WHEREAS, the plans and specifications prepared by the City Engineer are now on file with the City Recorder and contain alternate specifications as to the type of construction.

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

1. That the City Treasurer of the City of Albany shall pay from the gas tax refund fund a sum of not exceeding \$1,000.⁰⁰ amount for the acquisition of the fee to the property below described for the purpose of straightening the stream bed of Periwinkle Creek.

Beginning at a point on the North Easterly property line of the Santiam Highway which point lies 161.8 feet North Westerly from the South East corner of Lot 12, Block 2, Bryants Second Addition to Albany, From this beginning point run N 1 degree 30 minutes E 158 feet; thence S 87 degrees W 17.5 feet; thence S 21 degrees W 147 feet; thence S 74 Degrees 30 minutes E 68.6 feet along said property line of the Santiam Highway to the point of beginning.

2. That the acting City Manager and the Mayor of the City of Albany are authorized to enter into agreements with the First Methodist Church for the purpose of acquiring an easement of the following described property:

Beginning at the North West Corner of Lot 1, Block 7, Hackleman's Heirs Addition to Albany.

From this beginning point run southeasterly along west boundary of said Lot 1 a distance of 50 feet; thence S 74 degrees 30 minutes W 123.5 feet; thence N 10 degrees 33 minutes W 50 feet; thence N 74 degrees 30 minutes W along the north boundary of Lot 1 and Lot 2, Block 7, in said addition a distance of 123.5 feet to the point of beginning.

3. That the acting City Manager and the Mayor of the City of Albany are authorized to enter into an agreement with Fannie Erb for the purpose of acquiring an easement of the following described property:

Beginning at a point on the North Easterly property line of the Santiam Highway which point lies 230.4 feet Northwesterly from the South East corner of Lot 12, Block 2, Bryants Second Addition to Albany.

From this beginning point run N 21 degrees E 147 feet; thence S 38 degrees W 96 feet; thence S 27 degrees W 59 feet; thence S 74 degrees 30 minutes E 34 feet along said property line of the Santiam Highway to the point of beginning.

4. That the acting City Manager and the Mayor of the City of Albany are authorized to enter into a contract agreement with Salem Sand and Gravel for the construction of a culvert in accordance with the plans and specifications of said culvert now on file with the City Recorder and accepting plan A; said construction to be under the supervision of the City Engineer and in accordance with the plans and specifications hereinabove mentioned and payment to be made as in those specifications

5. That the City Treasurer of the City of Albany is hereby authorized to pay from the Gas Tax Refund Fund such funds, not to exceed \$14,656.⁰⁰ amount to the above named contractor in payments as provided for on the plans and specifications of the construction of said culvert on file with the City Recorder, after having first having obtained the written approval of the said proportionate payment from the City Engineer.

6. That the advertisement for bids for the construction of said culvert conforms with the alternate plans and specifications approved now on file with the City Recorder as authorized by a motion at a regular Council meeting of the City of Albany on the 28th day of March, 1951, is hereby ratified.

7. That the peace, health and safety of the City of Albany require this ordinance shall become immediately effective, therefor an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its final passage by the Council and approval by the Mayor.

Passed by Council 5-9-51

Approved by Mayor 5-10-51

ATTEST:

E. J. Eastman
Recorder

W. Bain
Mayor