

RESOLUTION NUMBER 128

WHEREAS, for the purpose of widening, improving, and maintaining First Avenue, a Public Street within the City of Stayton, Marion County, Oregon, it is necessary for the City of Stayton to acquire property of various persons bordering said street; and,

WHEREAS, the City of Stayton has been unable to agree upon the price to be paid for such lands hereinafter described,

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAYTON, OREGON:

Section 1. That the Council deems it necessary and expedient and in the public interest that for the purposes of widening, improving, and maintaining said street that the City of Stayton acquire the property hereinafter described, and that the appropriation of such land is necessary for said street, and that the construction, widening, and improving of such street has reached a point where immediate possession of said property is necessary.

Section 2. The property necessary for the aforesaid street is described as follows, to-wit:

The West 5 feet of the east 15 feet of the following described premises, to-wit: Beginning on the quarter section line extending north and south through the center of Section 10, in Township 9 South, Range 1 West of the Willamette Meridian in Marion County, Oregon, at a point which is south 0° 13' east 352.08 feet and north 89° 47' east 10 feet from the southeast corner of Lot 26 of Potter's Addition to the Town of Stayton, in Marion County, Oregon; thence south 89° 47' west, a distance of 110 feet; thence south 0° 13' east, a distance of 83 feet; thence north 84° 44' west, a distance of 326.38 feet; thence north 0° 13' west 218.38 feet to the south line of a 20 foot strip of land conveyed to the City of Stayton, Marion County, Oregon, by deed recorded in Volume 399, Page 602, Deed Records for Marion County, Oregon; thence north 89° east, a distance of 435 feet; thence south 0° 13' east 172.08 feet to the place of beginning, excepting that portion lying within First Avenue. SAVE AND EXCEPT: Beginning at a point which is north 89° east 225 feet and 115

feet south 0° 13' east from the northwest corner of a tract of land conveyed to Leslie Mullen, et ux, by deed recorded November 27, 1956, in Volume 495, Page 108, Deed Records for Marion County, Oregon, and running thence north 0° 13' west, a distance of 115 feet; thence south 89° west 225 feet to the northwest corner of said Mullen tract; thence south 0° 13' east along the west line thereof 218.38 feet to the southwest corner of same; thence south 84° 44' east along the south line of said tract, a distance of 273.38 feet; thence North 0° 13' west, 130 feet, more or less, to a point which is north 89° east from the place of beginning; thence south 89° west to the place of beginning.

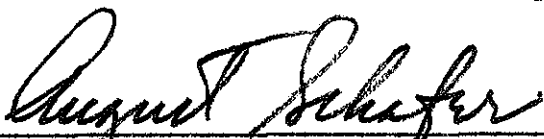
Section 3. That the City of Stayton has not been able to agree with the owners of said premises as to the price of damages to be paid for such property and injuries to the owners thereof; and that the City Attorney is authorized to further negotiate in an attempt to agree with said owners as to the compensation to be paid for the taking, and in the event no satisfactory agreement can be reached, the City Attorney is directed and authorized to commence and prosecute to final determination, such eminent domain proceedings under the general laws as may be necessary for the acquisition by the City of Stayton of the property hereinbefore described.

ADOPTED BY THE COUNCIL this *5TH* day of *FEBRUARY, 1968.*



Harold O. Freres, Mayor

ATTEST:



August Schaefer, City Recorder