

ORDINANCE NO. 135

AN ORDINANCE AUTHORIZING THE MAYOR AND THE COMMON COUNCIL TO ENTER INTO A LEASE AGREEMENT WITH R. A. BEEBE AND CHRISTINA BEEBE, HIS WIFE, FOR LEASE OF SOUTHEAST QUARTER, SECTION 18, TOWNSHIP 21 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, STATE OF OREGON, FOR A PERIOD OF TEN YEARS FOR CITY DUMP GROUNDS, IN ACCORDANCE WITH LEASE, COPY OF WHICH IS HERETO ATTACHED, MARKED EXHIBIT "A" AND MADE A PART HEREOF.

WHEREAS negotiations have been had with ones R. A. BEEBE and CHRISTINA BEEBE, his wife, for the rental of the hereinafter described real property for the use of the City of Drain for city dump grounds upon the terms and conditions hereinafter set forth, for a period of ten (10) years at the rental of \$25.00 per year; and

WHEREAS the Common Council believes that said agreement is acceptable.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:

Section 1: That the Mayor and the City Recorder of the City of Drain be and they are hereby authorized and empowered to enter into a written lease agreement with R. A. BEEBE and CHRISTINA BEEBE, his wife, for the rental of the rental of the following described premises, to-wit:

Southeast Quarter, Section 18, Township 21 South, Range 5 West of Willamette Meridian, Douglas County, State of Oregon.

for City dump grounds, for a period of ten (10) years from the 6th day of May, 1946, to and including the 5th day of May, 1956, at an annual rental of \$25.00 per year.

Section 2: The Mayor and the City Recorder are hereby authorized and empowered to enter into and do each and every act and thing necessary to consummate and close said rental agreement.

Passed by the Common Council this 7th day of May, 1946.

Presented to the Mayor for his approval this 7th day of May, 1946.

Filed with the Recorder approved this 7th day of May, 1946.

APPROVED:

R. F. PFISTER

Mayor.

ATTEST:

L. C. APPLIGATE

Recorder

EXHIBIT "A"

DUMP GROUND LEASE

THIS INDENTURE OF LEASE, Made in duplicate at Drain, Douglas County, Oregon, on this 6th day of May, 1946, by and between R. C. BEEBE and CHRISTINA BEEBE, his wife, of Drain, Douglas County, Oregon, hereinafter called the lessors, and CITY OF DRAIN, a municipal corporation, hereinafter called the lessee.

W I T N E S S E T H :

That for and in consideration of the covenants, agreements and stipulations herein contained, on the part of the said lessee to be paid, kept and faithfully performed by said lessee, the said lessors do hereby lease, demise and let unto said lessee those certain premises known and described as follows, to-wit:

Southeast Quarter, Section 13, Township 21 South, Range 5 West of Willamette Meridian, Douglas County, State of Oregon.

TO HAVE AND TO HOLD said premises hereby leased for a period of ten (10) years from the 6th day of May, 1946, to and including the 5th day of May, 1956, said lessee paying and yielding as rental therefor during said term the sum of \$25.00 per year, \$25.00 having been paid on the signing and execution hereof, the receipt of which is hereby acknowledged, and the remainder of said payments to be paid on the 6th day of May of each year thereafter in advance, and all of said payments to be made at the City Recorder's Office, Drain, Douglas County, State of Oregon.

It is expressly understood and agreed that said premises are being leased for dump ground purposes, and that the lessee has the right and privilege of causing debris, refuse of all kinds and nature from the City of Drain to be dumped on said premises, cared for and disposed of, and that the payment of the aforesaid rent is payment in full for any and all damages to said premises and/or the use thereof.

IN WITNESS WHEREOF the said lessors have caused these presents to be signed, and the said lessee, CITY OF DRAIN, a municipal corporation, pursuant to Ordinance No. 135, passed by the Common Council and approved by the Mayor on the 7th day of May, 1946, has caused these presents to be signed by its Mayor and Recorder, and its corporate seal to be hereto affixed this _____ day of May, 1946.

Roy A. BEEBE (S&M)

Christina Beebe (S&M)

--Lessors

CITY OF DRAIN

By R.F. Pfister, Mayor

By L.C. Applegate, Recorder
--Lessee