

53-R0002

11-18-52

RESOLUTION

0002

Upon Motion duly made by Councilman Young and seconded by Councilman Lesmeister the following Resolution was adopted by the Council:

RESOLUTION

WHEREAS heretofore there was officially platted that certain area of land which is described upon that certain Map entitled "Plat No. 1, Brookings, Curry Co., Oregon" which was recorded on December 1, 1920, Book 1, Page 5, Record of Plats, Curry County, Oregon; and

WHEREAS said area of land is now within and constitutes a part of the City of Brookings; and

WHEREAS by virtue of the same having been platted, said area of land is divided into Blocks, Lots, Streets and Alleys, as shown upon said map, and said Streets and Alleys are dedicated to the public for use as highway; and

WHEREAS by virtue of such dedication there exists an alley twenty (20) feet wide between Block 12 and Block "B", extending from a prolongation of the most easterly property lines of said Blocks 12 and "B" to Center Street, as the same is shown upon said map; and

WHEREAS that portion of said alley which extends from a twenty (20) foot northerly prolongation of the easterly property line of Lot 11 of said Block 12 to the easterly right of way line of said Center Street, as shown on said map, is now and always has been unopened and unused; and

WHEREAS by virtue of a highway widening project on Chetco Avenue (a street abutting upon the southerly line of said Block 12)

which was heretofore accomplished, the depth of Lots 1 through 12 of said Block 12 were shortened considerably and as a result thereof said alley was left in too close proximity to said Chetco Avenue and has rendered said Lots 1 through 12 virtually unsuitable for buildings or other purposes; and

WHEREAS it is to the benefit of the whole of this City that said Lots 1 through 12 be of sufficient depth as to cause them to be available and suitable for building sites; and

WHEREAS all of said Lots 1 through 12 and all of said Block "B" are owned by the same person, Elmer Bankus, and a vacation of the hereinafter described portion of said alley would revert the title thereto to the owner of said Lots and Block, thereby enabling him to extend the usable depth of said lots; and

WHEREAS said owner has promised that if the City vacates said portion of said alley he will dedicate to the public for highway use (and to take the place of said vacated portion) the following described strip of land, to-wit:

A strip of land, 20.0 feet in width, lying in Block B, Brookings, as per Plat No. 1 of Brookings, Curry County, Oregon, as approved December 1, 1920, and filed in Book 1, Page 5 of the Official Record of Town Plats of Curry County, Oregon, said strip of land being described as follows:

Beginning at a point on the South line of Block B, said point being North 32 deg. 31 min. 40 sec. West, 20.0 feet from the Northeast corner of Lot 11 in Block 12 of Brookings; Thence South 76 deg. 31 min. 40 sec. West 73.0 feet; Thence South 89 deg. 50 min. West 80.0 feet, more or less, to a point on the Northerly line of Block B; Thence following said Block line Southwesterly 25.0 feet; Thence North 89 deg. 50 min. East 98.0 feet to a point on the Southerly line of Block B, said point being North 26 deg. 27 min. 40 sec. West, 20.0 feet from the Northeast corner of Lot 8 in Block 12; Thence following said Southerly line of Block B, North-easterly 74.48 feet to the point of beginning.

WHEREAS a dedication of such strip of land would be and constitute a continuation of the unvacated portion of said alley thereby leaving available to the public alley extending from a prolongation of the most easterly property lines of said Blocks 12 and "B" to said Center Street; and

WHEREAS in the opinion of the Council the public and all concerned would be best served by such vacation and by the dedication promised by Elmer Bankus,

NOW, THEREFORE, be it resolved by the Council of the City of Brookings, Oregon, that the Council proceed, upon this, its own Motion, to cause to be vacated the hereinafter described portion of that alley which now exists between Blocks 12 and "B", which alley is shown upon that certain map entitled "Plat No. 1, Brookings, Curry Co., Oregon", recorded December 1, 1920, in Book 1, Page 5 Record of Plats for Curry County, Oregon, said portion to be vacated is thus described:

Beginning at the Northwest corner of Lot 1, Block 12, Brookings; Thence following the North line of Block 12 to the Northeast corner of Lot 11 in said Block 12; Thence South 76 deg. 31 min. 40 sec. West, diagonally across said alley or roadway, 77.16 feet to a point on the South line of Block B; Thence following said South line of Block B, Southwesterly to the Southwest corner of Block B; Thence South 23 deg. 15 min. West 20.0 feet, more or less, to the point of beginning.

BE IT RESOLVED FURTHER that the City Engineer prepare a map showing thereon that area which is to be so vacated and that area which Elmer Bankus has promised to dedicate.

BE IT FURTHER RESOLVED that the Mayor and the Recorder cause the necessary notices to be published in the BROOKINGS-HARBOR PILOT, a newspaper published in the City of Brookings, which, for the purposes hereof, is declared the City Official Newspaper.

BE IT FURTHER RESOLVED that Elmer Bankus pay all costs of such vacation and such dedication.

BE IT RESOLVED STILL FURTHER that a public hearing should be and is hereby ordered to be held in the Chambers of the Council in the Brookings City Hall at the hour of 8 P.M. on the 7th day of January, 1953, for the purpose of hearing said motion to vacate and any and all written objections and remonstrances thereto which shall have been filed with the City Recorder prior to the time of said hearing.

Mayor

Attest: _____
Recorder

Ordinance #33 was read the second time by title-- Nov. 18, 1952

Mr. Hall reported that the fire district was in the process of a re-distribution of assets within the incorporated area and the non-incorporate. He recommended that we take our time in this matter in order to get the benefit of any back taxes.

The West Coast Tel. Company asked that we not penalize telephone trucks for over-time parking in Brookings. The recorder was asked to write the Crescent City office and inform them that it's trucks will not be bothered while men are at work but any and all other times they will come under regular meter regulations.

Fire Chief Nelson reported that very few turned out for the volunteer firemen's meeting. It was pointed out that this was a very important and necessary meeting. Those present promised to do whatever possible to arouse more public interest in the matter.

The application of Joseph & Edith Taylor for a sale of liquor by the glass license at the Chetco Inn, was read. No action was taken at this time.

A letter advising of a F.B.I conference in Portland, was read. Chief Brown asked that he might take time off to attend. On motion by Mr. Young, second by Mr. Fox, the Chief was given permission to attend and allowed car mileage carried.

The Mayor brought up the matter of providing funds for side-curbs & gutters for the State's paving project on Pacific Ave. He suggested a meeting of all property owners, in this area.

Motion was made by Mr. Fox that we adjourn until Dec. 9th.

Gladys Kanick, Recorder