

RESOLUTION NO. LVIII

A RESOLUTION TO INITIATE VACATION PROCEEDINGS FOR THAT PORTION OF NORTH ELM STREET IN THE DE MERRITT ADDITION TO THE CITY OF CANBY; AND FIXING A TIME FOR HEARING.

WHEREAS, that portion of North Elm Street in the De Merritt Addition of Canby, Clackamas County, State of Oregon, is now a dedicated City street; and said part of North Elm Street in the De Merritt Addition is 80 feet in width and extends from Northwest Fifth Avenue northerly a distance of 300 feet to a deadend terminus at the private property of John and Margaret Meek; and

WHEREAS, School District No. 86 of Clackamas County, Oregon, now owns all of the lots in said De Merritt Addition excepting Lots 2, 3 and the Southeasterly 4 feet of Lot 6 which abut on Northwest Fifth Avenue and are owned by Wayne A. and Claire O. Conner, husband and wife, and the major portion of that part of North Elm Street in said De Merritt Addition is not improved for street purposes but is occupied and traversed to a great extent during school hours by playing children, and the School authorities have requested the Canby City Council to initiate proceedings to vacate the street; and

WHEREAS, the Canby City Council has investigated the matter and being fully informed on the matter has determined that it would be in the best interests of the City and the inhabitants thereof if that portion of North Elm Street in the De Merritt Addition were in fact vacated; and that there is no further need for such portion of said Street for City street purposes, and that its existence as a City street creates a real danger to school children. Said street does not provide any necessary means of access to the private property of others, and it is not improved or maintained as a City street or public thoroughfare by either the City of Canby or by any other person or persons; now, therefore,

BE IT RESOLVED by the Canby City Council in regular session convened that:

1. The portion of North Elm Street in the De Merritt Addition to Canby, Clackamas County, State of Oregon, which portion lies northerly

of Northwest Fifth Avenue and extends a distance of 300 feet to its terminus at the John Meek, et ux property should be vacated so that the title to the same shall attach to the lands bordering on such area as provided in Oregon Revised Statutes 271.140.


2. A public hearing on the question of such vacation is hereby called to be held at the Canby City Hall, Canby, Clackamas County, State of Oregon, at 8:00 o'clock p.m., Oregon Daylight Saving Time, on Tuesday, September 7, 1965, at which hearing the Canby City Council will hear and consider any objections to or remonstrance against the proposed vacation.

3. The Canby City Recorder shall and he is hereby directed to give notice of the proposed vacation and hearing thereon by publishing a Notice in the Canby Herald once each week for four consecutive weeks prior to the time of hearing; and he shall also post "NOTICE OF STREET VACATION" in the manner and at the places and for the time required by Oregon Revised Statutes 271.110.

Adopted by the Canby City Council this 2nd day of August, 1965.

  
FRED STEFANI - Mayor

ATTEST:

  
J. R. RICHARDSON - City Recorder