

RESOLUTION NO. LX

A RESOLUTION TO INITIATE VACATION PROCEEDINGS FOR A PORTION OF N. E. FIFTH AVENUE IN THE CITY OF CANBY; AND FIXING A TIME FOR HEARING.

WHEREAS, N. E. Fifth Avenue in the City of Canby is a dedicated City street. The easterly portion of said street is 80 feet in width and extends from N. Ivy Street to the westerly end of N. Juniper Street. N. Juniper Street is 60 feet in width and the junction of the two streets of unequal width creates maintenance problems and a traffic hazard, and

WHEREAS, the unequal width of the two streets creates further problems in sidewalk and curb construction and makes it impossible to obtain uniformity of setback lines for building construction; and creates a condition generally which makes it difficult for property owners on the south side of N. E. Fifth Avenue to develop their properties in a proper and orderly manner according to existing City Building Codes, 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 the southerly 20 feet of N. E. Fifth Avenue from N. Ivy Street easterly to the junction with N. Juniper Street were vacated; now, therefore,

BE IT RESOLVED BY THE CANBY CITY COUNCIL in regular session convened that:

1. The southerly 20 feet of N. E. Fifth Avenue which extends from N. Ivy Street easterly to a junction with N. Juniper Street should be vacated so that the title to the vacated portion of said street shall attach to the lands bordering on such area as provided in Oregon Revised Statutes 271.140. The portion of said street to be vacated is particularly described as follows, to-wit:

A part of N. E. Fifth Avenue in the Philander Lee D.L.C. No. 58, Section 33, T. 3 S., R. 1 E. of the Willamette Meridian in Canby, Clackamas County, State

of Oregon, being a part of the tract conveyed to the City of Canby by George Fletcher and recorded June 26, 1947, in Clackamas County Deed Records Book 393, Page 83, and more particularly described as follows:

Beginning at a point which is South 27° East 80.0 feet from an iron pipe which is the point of beginning of Parcel One (1) of the aforementioned Deed; thence North 63° East 248.07 feet more or less to an iron pipe; thence North 0° 39' West 21.35 feet more or less to a point; thence South 63° West 257.87 feet more or less to a point; thence South 27° East 20.00 feet more or less to the point of beginning.

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. Pacific Standard Time on Monday, April 18, 1966, at which hearing the Canby City Council will hear and consider any objections to or remonstrances against the proposed vacation.

3. The Canby City Recorder shall, and he is hereby directed, to give notice of the proposed vacation and the 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 7th day of March, 1966.


FRED STEFANI - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder