

ORDINANCE NO. 1001-A

INTRODUCED BY COMMISSIONER Leslie Newton

Vacating a Portion of Second Street (commonly known as West Harbor Street - Also Known as Warrenton Addition to Astoria), City of Warrenton, County of Clatsop, State of Oregon, Fully Described Below; and Declaring an Emergency

WHEREAS, the Warrenton City Commission deemed it to be in the best interest of the City to vacate all that portion of Second Street (commonly known as West harbor Street) in the City of Warrenton, County of Clatsop, State of Oregon, being more particularly described as follows:

All that portion of Second Street (commonly known as West Harbor Street) in the plat of Town of Warrenton (also known as Warrenton Addition to Astoria, Oregon, as laid out by D.K. Warren) County of Clatsop, State of Oregon, lying between the northerly extension of the east boundary of Main Street, as recorded on said plat, and the southwesterly boundary of that tract of land described as Parcel No. 5 in Case No. 39-2079, Stipulated Final Judgement, filed August 12, 1991, Circuit Court Registry of Action, County of Clatsop, State of Oregon.

WHEREAS, the applicants, Gene C. Cope and Richard Delphis, have petitioned the Warrenton City Commission for vacation of Second Street (commonly known as West Harbor Street); and

WHEREAS, the Warrenton City Commission has determined that there is no reason why said petition should not be granted and, therefore, a public hearing on this petition was held at the hour of 7:00 pm on May 6, 1998, in the Warrenton Community Center; and

WHEREAS, due notice of time and place for said hearing was given, as by law required, and as set out in the affidavit of Linda Engbretson, City Recorder, who posted the required notice, and the affidavit of COLUMBIA PRESS, which printed the newspaper publications, also filed herein; and

WHEREAS, the Warrenton City Commission examined and determined that the abutting property owners were said petitioners and that the owners of a majority of the area affected made no objections; and that the requisite notices were given by posting and publication; and that the public interest would not be prejudiced by vacation of that portion of the street r/w described above, which the petitioner requested be vacated; and that, matters having been determined in favor of the petitioners by the Warrenton City Commission;

NOW THEREFORE, the City of Warrenton does ordain as follows:

Section 1. That the public r/w in the City of Warrenton, Clatsop County, State of Oregon, described herein by, and the same is hereby vacated and said vacation herein described is hereby made a matter of public record; and it is expressly provided that the petitioners shall forthwith pay the costs of the necessary changes of public records, as required by law; and it is hereby provided that the City Recorder shall file with the clerk, the assessor and the surveyor of Clatsop County, a certified copy of this ordinance. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main conduit, utility line, pole or any other thing used or intended to be used, for any public service.

Section 2. Emergency Declaration; The City Commission of the City of Warrenton declares that an emergency exists. The passage of this ordinance will allow the area to be improved and cleaned up in order to improve the appearance of the downtown, and thus is deemed necessary for the health, safety and welfare of the citizens of the City of Warrenton. This ordinance shall go into full force and effect immediately following its passage.

PASSED by the City Commission of the City of Warrenton, Oregon this 20th day of May, 1998.

EXAMINED AND APPROVED by the Mayor of the City of Warrenton, Oregon this 20th day

of May, 1998.

Barbara Balensifer
Barbara Balensifer, Mayor

ATTEST:

Gilbert Gramson
Gilbert Gramson, City Manager/Auditor

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STATE OF OREGON }
County of Clatsop } *

I, Lori Davidson, Clerk of the County and State aforesaid, do hereby certify that the foregoing has been by me compared with the original, and it is a correct transcript therefrom, and of the whole or such as the same appears of record and on file at my office and in my custody. In testimony whereof, I have hereunto set my hand and affixed the seal of said County.

Dated 7-23-98
Lori Davidson, County Clerk
By [Signature]
Deputy