

~~09902182~~

99 FEB 19 AM 11:01

B1001P337

REC'D BY: LORI DAVIDSON.

CLATSOP COUNTY CLERK D.

9902183

\$20-5

**ORDINANCE NO. 1011-A**

**INTRODUCED BY COMMISSIONER Scott Holman**

**VACATING A PORTION OF SW DATE AVENUE, PLAT OF SMITH'S WARRENTON ADDITION, CITY OF WARRENTON, COUNTY OF CLATSOP STATE OF OREGON**

(VACATION #101)

WHEREAS, the Warrenton City Commission deemed it to be in the best interest of the City to vacate that portion of SW Date Avenue, Plat of Smith's Addition, City of Warrenton, County of Clatsop, State of Oregon, more fully described below:

**Parcel 1:**

Beginning at the southwest corner of Block 30 in the plat of W.C. Smith's Warrenton, Clatsop County, Oregon; thence N00 degrees 11'E along the west boundary of said Block 30 a distance of 282.02 feet to the angle point in the west boundary of said Block 30; thence continuing N00 degrees 11'E to an intersection with the northwesterly extension of the north boundary of said Block 30; thence N66 degrees 07'W along the northwesterly extension of the north boundary of said Block 30 to an intersection with the center line of Alder Street (commonly known as S.W. Date Avenue) as recorded on said plat; thence S00 degrees 11'W along said center line to an intersection with the easterly extension of the south boundary of Lot 6, Block 29, of said plat; thence N89 degrees 49'W along said easterly extension a distance of 40 feet to the southeast corner of said Lot 6; thence S00 degrees 11' W along the east boundary of said Block 29 a distance of 231.9 feet to the southeast corner thereof; thence southeasterly to the point of intersection of the center line of said Alder Street with south boundary of 8th Street as recorded on said plat of W.C. Smith's Warrenton; thence N89 degrees 46'30"E along said south boundary a distance of 40 feet to the point of beginning.

**Parcel 2:**

Beginning at the southwest corner of Block 23 in the plat of W.C. Smith's Warrenton, County of Clatsop, State of Oregon; thence N00 degrees 11'E along the west boundary of said block 436.83 feet to the northwesterly corner thereof; thence northwesterly to the northeast corner of Block 24, said plat of W.C. Smith's Warrenton; thence S00 degrees 11'W along the east boundary of said Block 24 a distance of 400 feet to the southeast corner thereof; thence southeasterly to the point of beginning.

and;

WHEREAS, William and Jackie Kerr have petitioned the Warrenton City Commission for vacation of the public right of ways as described above; 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 September 16, 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 right-of- ways described above, which the petitioners 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 right-of- ways 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, drainage, water main conduit, utility line, pole or any other thing used or intended to be used, for any public service.

PASSED by the City Commission of the City of Warrenton, Oregon this 21st day of October, 1998.

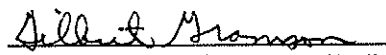
EXAMINED AND APPROVED by the Mayor of the City of Warrenton, Oregon this 21st day of October, 1998.

First Reading: October 1, 1998

Second Reading: October 21, 1998

  
Barbara Balensifer, Mayor

ATTEST:

  
Gilbert Gramson, City Manager/Auditor

C:\docume~1\Ordinanc\vtctn101

After Recording Return to:  
City of Warrenton  
PO Box 250  
Warrenton, OR 97146