



Recording Instrument Number 200010286

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of Pages 3 Fee \$56

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ORDINANCE NO. 1040-A

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CLATSOP COUNTY CLERK _____

INTRODUCED BY COMMISSIONER: Jeff Hazen

VACATING PORTIONS OF RAILROAD AVENUE; REPEALING
ORDINANCE NO. 1032-A

Whereas, The Warrenton City Commission deems it to be in the best interest of the City to vacate portions of Railroad Avenue in the City of Warrenton, County of Clatsop, State of Oregon: 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 *The Columbia Press*, which printed the newspaper publications; 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; and

WHEREAS, John R. and Sandra K. Kalander have petitioned the Warrenton City Commission for vacation of the public right-of-way; 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 August 18, 1999, in the Warrenton Community Center;

NOW, THEREFORE, the City of Warrenton ordains as follows:

Section 1. That the public right-of-way in the City of Warrenton, Clatsop County, State of Oregon, described below is hereby vacated:

A parcel of land located in Section 22, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon, more particularly described as follows:

Commencing at the southwest corner of Block 24, First Extension to East Warrenton; thence easterly along the southerly boundary of Block 24 to the southeast corner of Lot 14 of Block 24; thence southerly to a point on the north boundary of that abandoned railroad right-of-way described in that Judgment Quieting Title Case No. 98-2316 entered

on or about January 25, 2000, by the Circuit Court of Clatsop County, for the State of Oregon, which point is the intersection of the northerly extension of the line common to Lots 2 and 3, Block 17, First Extension to East Warrenton, where such extension intersects with the north boundary of the abandoned railroad right-of-way referred to herein; thence westerly along the north boundary of said abandoned railroad right-of-way to a point which is the intersection of the west line of Block 17, as if said west line was extended to the North line of said abandoned railroad right-of-way; thence in a northerly direction to the southwest corner of Block 24, First Extension to East Warrenton, which is the point of beginning.

Section 2. Said vacation 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.

Section 3. 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.


Section 4. Ordinance No. 1032-A is hereby repealed.

PASSED by the City Commission of the City of Warrenton, Oregon this 15th day of November, 2000.

EXAMINED AND APPROVED by the Mayor of the City of Warrenton, Oregon this 15th day of November, 2000.


Barbara Balensifer, Mayor

ATTEST:


Scott Derickson, City Manager

After Recording Return to:

c:\wpdocs\ordinanc\kalander.vac

City of Warrenton
PO Box 250
Warrenton, OR 97146

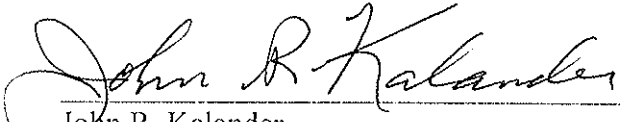
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City of Warrenton
P.O. Box 250
Warrenton, Oregon 97146

ACCESS CONTROL LINE ASSIGNMENT

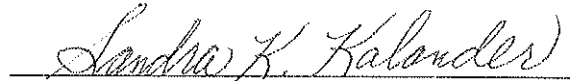
John R. Kalander and Sandra K. Kalander, Husband and Wife, hereby grant and assign to the City of Warrenton, an Oregon Municipal Corporation, its heirs, successors and assigns, all driveway access rights to access East Harbor Drive for Lots 1-8 Block 17, First Extension of East Warrenton, in the City of Warrenton, State of Oregon. This Assignment is perpetual.

This assignment is given in fulfillment of conditions precedent for an Oregon Department of Transportation permit allowing the construction of Northeast Iredale Street, which is the whole consideration.

Dated this 10th day of January, 2000.



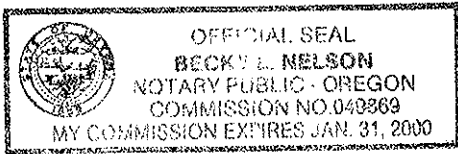
John R. Kalander



Sandra K. Kalander

STATE OF OREGON)
) ss.
County of Clatsop)

This instrument was acknowledged before me on the 10th day of January, 2000 by John R. Kalander and Sandra K. Kalander.





NOTARY PUBLIC FOR OREGON
My Commission Expires: 01-31-2000