

After Recording Return to:

City of Warrenton
PO Box 250
Warrenton, Or 97146

ORDINANCE NO. 1096-A



Recording Instrument #: 200610016
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Deputy: nstethem

INTRODUCED BY COMMISSIONER: Frank Orrell

VACATING A PORTION OF SE FLEET STREET

WHEREAS, The Warrenton City Commission deems it to be in the best interest of the City to vacate a portion of SE Fleet Street in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, the applicants, The Home Depot and Martin Nygaard, have petitioned the Warrenton City Commission for vacation of that portion of SE Fleet Street; and

WHEREAS, the Warrenton City Commission determined that there is no reason why said petition should not be granted and, therefore, a public hearing on the petition was held at the hour of 7:00 p.m. on July 25, 2006, in the Commission's Chambers at Warrenton City Hall; 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, also filed herein; and

WHEREAS, the Warrenton City Commission examined and determined that the abutting property owners of that portion to be vacated were the property owners and that the owners of a majority of the area affected made no objections; and that the public interest would not be prejudiced by vacation of that portion of the street right-of-way described above, which the petitioner requested be vacated; and that matters having been determined in favor of the petition by the Warrenton City Commission,

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

Section 1. That portion of public right-of-way in the City of Warrenton, Clatsop County, State of Oregon, described as:

Beginning at a point of intersection of lines parallel with and 1.00 foot southerly measured at right angles to the northwesterly line of parcel 1, partition plat no. 1995-024, and the northeasterly line of parcel 1, partition plat no. 1994-031; thence northeasterly along said offset line, parallel to the northwesterly line of parcel 1 of said partition plat no. 1995-024, to a point on the easterly right of way line of SE Fleet Street; thence southwesterly along said easterly right of way line to a point on the northeasterly line of vacated plat of "Lower Harbor City" originally recorded August 25, 1913; thence northwesterly along said northeasterly line to a point on the westerly right of way line of said SE Fleet Street; thence northeasterly along said westerly line to said line parallel with

and 1.00 foot southerly of the northeasterly line of parcel 1, partition plat no. 1994-031;
thence southerly along said line to the point of beginning,

is hereby vacated and said vacation herein described is hereby made a matter of public record;
and it is expressly provided that the petitioner 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. This ordinance will take effect 30 days after its adoption by the Warrenton City
Commission.

Adopted by the City Commission of the City of Warrenton, Oregon this 22nd day of August
2006.

First Reading: August 8, 2006
Second Reading: August 22, 2006

APPROVED:


Gilbert Gramson, Mayor

ATTEST:


Linda Engbretson, City Recorder

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