

ORDINANCE NO. 172^A

INTRODUCED BY COMMISSIONER M. J. R. [Signature]

An ordinance vacating a certain portion of the plat of Flavel Center, Clatsop County, Oregon, consisting of all of Blocks 28 and 29 and all of Lots 1 to 20, both inclusive, Block 30, and all that part of Howard Avenue south of Ninth Street, all that part of Rogers Avenue south of Ninth Street, all being in the plat of Flavel Center, Clatsop County, Oregon;

WHEREAS, on the 30th day of July, 1934, C. E. Sigurdson, O. Sigurdson and H. E. Sigurdson filed with the Auditor of the City of Warrenton, Clatsop County, State of Oregon, their petition to have vacated the following described Blocks and Streets adjacent thereto, to-wit:

Blocks 28 and 29 and all of Lots 1 to 20, both inclusive, Block 30, and all that part of Howard Avenue south of Ninth Street, and all that part of Rogers Avenue south of Ninth Street, all in the Plat of Flavel Center, Clatsop County, Oregon.

WHEREAS, due and legal notice for hearing of said petition was duly given in the manner provided by law by the Auditor of the City of Warrenton by causing to be posted due and legal notices of such hearing at or near each end of said proposed vacation, copies of said notice headed "Notice of Plat and Street Vacation", said notices containing description of property to be vacated, which were and remained posted for more than thirty days before the date of said hearing;

WHEREAS, the said petition was duly advertised and presented to the City Commission on the date named in said notice, which petition duly set forth the particular circumstances of said case and the reason for said vacation, and a distinct description of the property to be vacated and the names of the persons to be particularly affected thereby, and to which petition there was appended as a part thereof a written consent duly acknowledged before a Notary Public in and for the State of Oregon of the owners in fee simple of all of the property immediately adjoining or affronting on all sides of all the streets, alleys and avenues in said petition proposed to be vacated, and of all the property that would be particularly affected by such vacation; and that

there are no non-consenting owners of property immediately adjoining the streets proposed to be vacated;

WHEREAS, said plat of Flavel Center, Clatsop County, Oregon, was laid out and platted by W. G. Howell as an unincorporated town and recorded on the 24th day of October, 1892, in Page 55, Book 2, Records of Town Plats of Clatsop County, Oregon, and situated within the boundaries of the City of Warrenton, Oregon, and the streets, alleys or public highways therein were dedicated to the use of the public in said town plat or unincorporated town, that said town did not improve nor are there any streets or alleys therein improved or put to use as public highways;

WHEREAS, Howard Avenue is an avenue in said plat running north and south, being eighty feet wide, and that Rogers Avenue is an avenue in said plat running north and south and being eighty feet wide; and the parts of avenues proposed to be vacated are those parts of said avenues described as follows, to-wit:

All the part of Howard Avenue south of Ninth Street and all the part of Rogers Avenue south of Ninth Street, Flavel Center, City of Warrenton, Clatsop County, Oregon;

WHEREAS, the boundaries of the tract proposed to be vacated are as follows, to-wit:

Beginning at the southwest corner of the plat of Flavel Center, Clatsop County, Oregon; thence north along the west line of Flavel Center to the southwest corner of Ninth Street in said plat; thence east along the south line of said Ninth Street to the northeast corner of Lot 1, Block 30, Flavel Center; thence south to the southeast corner of Lot 20, Block 30, of said plat; said point being on the south line of Flavel Center; thence west along said south line to the point of beginning. All being in Flavel Center, Clatsop County, Oregon.

That all of said blocks numbered 28 and 29 and all of lots 1 to 20, both inclusive, in Block 30, and part of avenues and alleys proposed to be vacated, are contained within the boundaries above set forth;

WHEREAS, the petitioners are the owners of all of the lots, blocks and property abutting and bordering upon, adjacent to and immediately adjoining that part of said streets, avenues and alleys proposed to be vacated, and are the only parties owning lots, blocks or property within said boundaries and bordering upon said streets and

avenues and portions of said streets and avenues contained within said boundaries, and are the only parties interested in said vacation; and

WHEREAS, the public interest will not be prejudiced by the said vacation prayed for, and that the charters and ordinances of the City of Warrenton pertaining to the vacation of streets and plats have in all respects been complied with;

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

Section I: That blocks 28 and 29 and all of Lots 1 to 20, both inclusive, Block 30, and alleys in said blocks, in the Plat of Flavel Center, Clatsop County, Oregon, as laid out and recorded by W. G. Howell on the 24th day of October, 1892, and recorded in Book 2, Page 55, Town Plats of Clatsop County, Oregon, be and the same is hereby vacated.

Section II: That all that part of Howard Avenue south of Ninth Street and all that part of Rogers Avenue south of Ninth Street in the Plat of Flavel Center, Clatsop County, Oregon, as laid out and recorded by W. G. Howell on the 24th day of October, 1892, and recorded in Book 2, Page 55, Town Plats of Clatsop County, Oregon, and which streets, avenues and alleys are bordering upon the blocks above vacated, be and the same are hereby vacated and vested in C. E. Sigurdson, O. Sigurdson, and H. E. Sigurdson, the owners of all the blocks bordering upon said portions of said streets, avenues and alleys in the Plat of Flavel Center as laid out and recorded by W. G. Howell on the 24th day of October, 1892, and recorded in Book 2, Page 55, Town Plats of Clatsop County, Oregon, and included within the boundaries more particularly heretofore described.

Section III: That the petitioners herein shall record a certified copy of this ordinance with the County Clerk of Clatsop County, Oregon, and thereafter, upon the payment of the sum of \$2.50 by said petitioners to the Surveyor of Clatsop County, Oregon, said Surveyor shall be hereby authorized to trace upon the original plat of said Flavel Center with red ink the portion of said plat so vacated and write thereon

the word "Vacated" and making a notation thereon of the recording of
this ordinance.

Passed by the City Commission this 13th day of Nov,

1934.



MAYOR

Attest:


Auditor and Police Judge