

ORDINANCE NO. 173^R
INTRODUCED BY COMMISSIONER H. E. J. Berven.

An ordinance vacating a certain portion of the plat of Canal Addition of Warrenton in Section 22, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon, consisting of Blocks 1, 2 and 3, and all of Grove Street and all of Bay Street, all being in the plat of Canal Addition to Warrenton, Clatsop County, Oregon;

WHEREAS, on the 18th day of Sept, 1934, Clatsop County, by and through its duly elected, qualified and acting officers, Guy Boyington, County Judge; James Elliott, County Commissioner; William Larson, County Commissioner, filed with the Auditor of the City of Warrenton, Clatsop County, State of Oregon, its petition to have vacated the following described blocks, and streets adjacent thereto, to-wit:

All of Blocks 1, 2 and 3; also all of Grove Street and all of Bay Street, in the Plat of Canal Addition of Warrenton, 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 effected thereby, and the names of the owners interested and in possession of all 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 im-

mediately adjoining the streets proposed to be vacated;

WHEREAS, said plat of Canal Addition of Warrenton was on the 23rd day of February, 1914, laid out and platted by Henry A. Sprague and Marjorie Nichols Sprague as an unincorporated town, and the streets, alleys and public highways therein were dedicated for the use of the public in said town plat or unincorporated town, and the map or plat thereof was duly recorded in the office of the County Clerk of Clatsop County, Oregon, on the 14th day of March, 1914, in Book 6, Page 21, Records of Town Plats of Clatsop County, Oregon, reference to which is hereby made;

WHEREAS, Bay Street is a street in said plat running east and west and being fifty feet wide, and that Grove Street is a street in said plat running east and west and is fifty feet wide on the west end and 51.1 feet wide on the east end, and the parts of said streets and avenues which are proposed to be vacated are those parts of said avenues and streets described as follows, to-wit:

All of Grove Street and all of Bay Street, all in the Canal Addition to 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 N. A. Wherman D.L.C. in Township 8 North, Range 10 West, W. W.; thence east along the south line of said D.L.C. 1507.6 feet to the southwest corner of said tract number 5 of Chelsea; thence north 3° east along the west line of tracts number 5, 4, 3 and Blocks 8, 9, 10, 15, 17, 18 and 15 of said Chelsea 5817 feet to the southwest corner of tract number 2 of said Chelsea, the initial point. And that the following is an accurate description of the land embraced in and represented on this plat, to-wit: all of tract number 2 of Chelsea as recorded in the office of the Recorder of Clatsop County, Oregon;

That all of said Blocks 1, 2 and 3, and all parts of said streets in the plat of Canal Addition to Warrenton proposed to be vacated are contained within the boundaries above set forth;

WHEREAS, the petitioner is the owner 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 the said boundaries and bordering upon said streets and avenues and portions of said streets and avenues contained within said boundaries, and is the only party 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 all of Blocks 1, 2 and 3, Plat of Canal Addition to Warrenton, in Section 22, Township 8 North, Range 10 West, Willamette Meridian, Clatsop County, Oregon, as laid out and recorded by Henry A. Sprague and Marjorie Nichols Sprague as an unincorporated town on the 14th day of March, 1914, in Book 6, Page 21, Records of Town Plats of Clatsop County, Oregon, be and the same is hereby vacated.

Section II: That all of Grove Street and all of Bay Street in Canal Addition to Warrenton, Clatsop County, Oregon, as laid out and recorded by Henry A. Sprague and Marjorie Nichols Sprague on the 14th day of March, 1914, and recorded in Book 6, Page 21, Record of Town Plats of Clatsop County, Oregon, which streets are bordering upon the blocks above vacated, be and the same are hereby vacated and vested in Clatsop County, the owner of all the blocks bordering upon said portions of said streets in the Plat of Canal Addition to Warrenton as laid out and recorded by Henry A. Sprague and Marjorie Nichols Sprague on the 14th day of March, 1914, and recorded in Book 6, Page 21, Record of Town Plats of Clatsop County, Oregon, and included within the boundaries more particularly heretofore described.

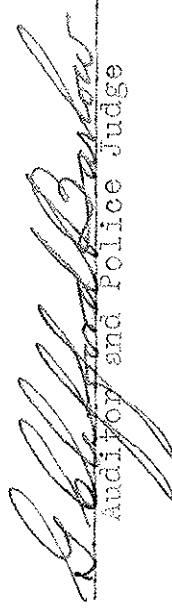
Section III: That the petitioner herein shall record a certified copy of this ordinance with the County Clerk of Clatsop County, Oregon, and thereafter, upon the payment of the sum of \$2.50 by said petitioner to the Surveyor of Clatsop County, Oregon, said Surveyor shall be hereby authorized to trace upon the original plat of said Canal

Addition to Warrenton, 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 20th day of Nov, 1934.

Mayor

Attest:



Auditor and Police Judge