

ORDINANCE NO. 174^a

INTRODUCED BY COMMISSIONER Geo. W. Kelly

An ordinance vacating a certain portion of the plat of Flavel Center, Clatsop County, Oregon, consisting of Blocks 18, 19, 20, 23, 24, 25 and all of Lots 21 to 40, both inclusive, Block 20, and all of Blocks 31 and 32, including the alleys in said blocks; also all of Cornell Avenue and Johnson Avenue, and all that part of Troy Avenue south of Seventh Street, all that part of Ninth Street east of Rogers Avenue, and all of that part of Eighth Street east of Rogers Avenue, all being in the plat of Flavel Center, Clatsop County, Oregon;

WHEREAS, on the 18th day of Sept, 1934, Clatsop County, by and through its duly elected, qualified and acting officers, Guy Foyington, County Judge; James Willett, 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 18, 19, 20, 23, 24, 25 and all of Lots 21 to 40, both inclusive, Block 30, and all of Blocks 31 and 32, including the alleys in said blocks; also all of Cornell Avenue and Johnson Avenue, and all that part of Troy Avenue south of Seventh Street, all that part of Ninth Street east of Rogers Avenue, and all of that part of Eighth Street east of Rogers Avenue, 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 effected thereby, and the names of the owners interested and in possession of all the property immediately adjoining or abutting 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;

WYNNIAS, said plat of Flavel Center, Clatsop County, Oregon, was laid out and platted by T. C. Howell on an unincorporated town and recorded on the 24th day of October, 1898, in Book 9, Page 55, Records of Town Plats of Clatsop County, Oregon, and attached within the boundaries of the City of Warrenton, Oregon, and the streets, alleys and public highways therein were dedicated to the use of the public as said town plat or unincorporated town. My V said law did not improve nor are there any streets or alleys therein improved or not to use as public highways;

WYNNIAS, Cornhill Avenue is an avenue in said plat running north and south, being forty feet wide, and that Johnson Avenue is an avenue in said plat running north and south and is eighty feet wide, and that Gray Avenue is an avenue in said plat running north and south and being eighty feet wide; that Elkhorn Street is a street in said plat running east and west and is eighty feet wide; that the alleys running through the aforesaid block are sixteen feet wide; and the parts of said streets, avenues and alleys which are proposed to be vacated are those parts of said avenues, streets and alleys described as follows, to-wit:

All of Cornhill Avenue, all of Johnson Avenue, all of Gray Avenue south of the south line of Seventh Street, all of Eighth Street east of the east line of Rogers Avenue, and all of Ninth Street east of the east line of Rogers Avenue, and all of the alleys in the aforesaid blocks, all in Flavel Center, Clatsop County, Oregon;

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

Beginning at a point which is the southeast corner of Flavel Center, as laid out and recorded by T. C. Howell on October 26, 1898, which point is also the intersection of the east line of Cornhill Avenue and the south line of the above mentioned addition;

Thence west 500.0 feet to the west line of the 16 foot alley dividing Block 50;

Thence north a distance of 300.0 feet to the northeast corner of Lot 1 in Block 50;

Thence west a distance of 100.0 feet and along the south boundary of 9th Street to the northwest corner of Lot 1 in Block 50;

thence North a distance of 1300.0 feet and along the east line of Rogers Avenue to the northwest corner of Block 16; thence east 316.51 feet to a point on the east line of said addition;

thence South a distance of 600.0 feet to the quarter section corner between Sections 16 and 17 in Township 3 North, Range 10 West, Willamette Meridian, which point is also the southwest corner of the W. F. Raymond D.L.O.;

thence east along the north line of Blocks 19 and 20 in said addition, a distance of 305.00 feet to the intersection of the east line of Cornell Avenue and the north line of Block 20, produced easterly;

thence South a distance of 1470.2 feet to the point of beginning, all being in Tlevel Center, City of Warrenton, Clatsop County, Oregon.

That a ll of said blocks numbered 19, 19, 20, 25, 24, 25 and all of Lots 21 to 40, both inclusive, Block 20, and a ll of Blocks 51 and 52, and parts of avenues and alleys 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 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;

HCC, WHEREFORE, the City of Warrenton does ordain as follows: Section I: That blocks 19, 19, 20, 25, 24, 25 and all of lots 21 to 40, both inclusive, Block 20, and all of Blocks 51 and 52, and alleys in said blocks in the Plat of Tlevel Center, Clatsop County, Oregon, as laid out and recorded by J. P. Howell on the 24th day of October, 1899, and recorded in Book 2, Page 25, in the records of Town Plats of Clatsop County, Oregon, be and the same is hereby vacated.

Section II: That all of Cornell Avenue, and all of Johnson Avenue, and all that part of Troy Avenue south of Seventh Street, all that part of Ninth Street east of Rogers Avenue and all that part of Eighth Street east of Rogers Avenue in the Plat of Tlevel Center, Clatsop

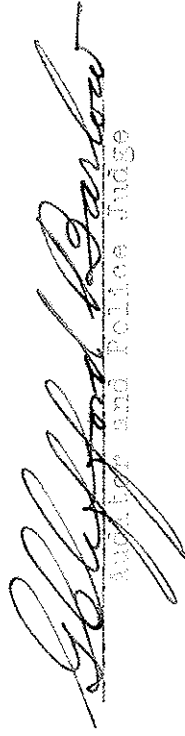
County, Oregon, as laid out and recorded by W. G. Howell on the 64th day of October, 1882, and recorded in Book 2, Page 55, Town Plats of Clatsop County, Oregon, and which streets, avenues and alleys are bordering upon the blocks above vacated, be and the same are hereby vacated and vested in Clatsop County, the owner of all the blocks bordering upon said portions of said streets, avenues and alleys in the Plot of Flavel Center as laid out and recorded by W. G. Howell on the 64th day of October, 1882, 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 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 \$3.50 by said petitioner to the Surveyor of Clatsop County, Oregon, said Surveyor shall be hereby authorized to trace upon the original plat of said Flavel Center with red ink the portion of said plot so vacated and write thereon the word "vacated" and make a notation thereon of the recording of this ordinance.

Passed by the City Commission this 20th day of Nov., 1954.

Mayor

Attest:



Recorder and Police Judge