

ORDINANCE NO. 176^a

INTRODUCED BY COMMISSIONER Geo. W. Kelly

An Ordinance vacating a certain portion of the Plat of Lower Harbor City, Clatsop County, Oregon, consisting of all of Blocks 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33; also all of Dixon Street, all of Heckart Street, all of Spencer Street, all of Hidden Street, all of Twenty-third Street, all of Twenty-fourth Street, all of Twenty-fifth Street, all of Twenty-sixth Street, all of Twenty-seventh Street, all of Twenty-eighth Street, all of Twenty-ninth Street, all of Thirtieth Street, all of Thirty-first Street and all of Thirty-second Street, all being in the Plat of Lower Harbor City, Clatsop County, Oregon;

WHEREAS, on the 17th day of December, 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; and J. W. Ellis, 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, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33; also, all of Dixon Street, all of Heckart Street, all of Spencer Street, all of Hidden Street, all of Twenty-third Street, all of Twenty-fourth Street, all of Twenty-fifth Street, all of Twenty-sixth Street, all of Twenty-seventh Street, all of Twenty-eighth Street, all of Twenty-ninth Street, all of Thirtieth Street, all of Thirty-first Street and all of Thirty-second Street, all being in the Plat of Lower Harbor City, 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

ning east and west and is fifty feet wide; that Thirty-first Street is a street in said plat running east and west and is fifty feet wide; that Thirty-second Street is a street in said plat running east and west and is twenty-five feet wide; and the parts of said streets which are proposed to be vacated are those parts of said streets described as follows, to-wit:

All of Dixon Street, all of Heckart Street, all of Spencer Street, all of Hidden Street, all of Twenty-third Street, all of Twenty-fourth Street, all of Twenty-fifth Street, all of Twenty-sixth Street, all of Twenty-seventh Street, all of Twenty-eighth Street, all of Twenty-ninth Street, all of Thirtieth Street, all of Thirty-first Street, all of Thirty-second Street, all in Lower Harbor City, Clatsop County, Oregon.

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

Commencing at the Southwest corner of the N. A. Ebermand Donation Land Claim, Township 8 North, Range 10 West, Willamette Meridian; thence north $1^{\circ}39\frac{1}{2}'$ east, 1058.17 feet to an iron pipe; thence south $81^{\circ}45\frac{1}{2}'$ east along the center line of the County Road 120.34 feet to an iron pipe; thence south $76^{\circ}05'$ east, 277.66 feet to an iron pipe; thence south $84^{\circ}58'$ east 196.35 feet to an iron pipe; thence north $84^{\circ}11'$ east 450.5 feet to an iron pipe; thence north $72^{\circ}51'$ east 153.42 feet to an iron pipe, the initial point, and that the following is an accurate description of the tract of land embraced in and represented on this plat, to-wit:

Commencing at the southwest corner of the N. A. Ebermand Donation Land Claim, Township 8 North, Range 10 west, Willamette Meridian; thence north $1^{\circ}39\frac{1}{2}'$ east 1058.17 feet to an iron pipe; thence south $81^{\circ}45\frac{1}{2}'$ east along the center line of the County Road 120.34 feet to an iron pipe; thence south $76^{\circ}05'$ east 277.66 feet to an iron pipe; thence south $84^{\circ}58'$ east 196.35 feet to an iron pipe; thence north $84^{\circ}11'$ east 450.5 feet to an iron pipe; thence north $72^{\circ}51'$ east 153.42 feet to an iron pipe, the point of beginning of land herein described. Thence south $13^{\circ}48'$ east 1071.0 feet to an iron pipe; thence north $89^{\circ}52\frac{1}{2}'$ east 403.13 feet to an iron pipe; thence north $14^{\circ}45'$ east 1752.0 feet to a concrete monument; thence north $89^{\circ}30\frac{1}{2}'$ east 648.5 feet; thence south $0^{\circ}02\frac{1}{2}'$ east 417.23 feet to an iron pipe; thence south $14^{\circ}45'$ west 120.8 feet to an iron pipe; thence south $0^{\circ}02\frac{1}{2}'$ east 1970.2 feet; thence south $82^{\circ}46'$ west 1050.0 feet; thence north $0^{\circ}02\frac{1}{2}'$ west 535.22 feet; thence north $13^{\circ}48'$ west 1285.01 to a point in the center of the County Road; thence north $84^{\circ}11'$ east along the center of the County Road 242.55' to an iron pipe; thence north $72^{\circ}51'$ east 153.42 feet to the point of beginning, all being in Lower Harbor City, City of Warrenton, Clatsop County, Oregon.

That all of said Blocks 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,

19,20,21,22,23,24,25,26,27,28,29,30,31,32 and 33, and all parts of said streets in the plat of Lower Harbor City proposed to be vacated are con-

tained 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;

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 1,2,3,4,5,6,7,8,9,10,11,12, 13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32 and 33, Plat of Lower Harbor City, Clatsop County, Oregon, as laid out and platted by the Lower Harbor Realty Company as an unincorporated town on the 20th day of August, 1913, and duly recorded in the office of the County Clerk of Clatsop County, Oregon, on the 25th day of August, 1913, in Book 6, Page 17, Records of Town Plats of Clatsop County, Oregon, be, and the same is hereby vacated.

Section II: That all of Dixon Street, all of Heckart Street, all of Spencer Street, all of Hidden Street, all of Twenty-third Street, all of Twenty-fourth Street, all of Twenty-fifth Street, all of Twenty-sixth Street, all of Twenty-seventh Street, all of Twenty-eighth Street, all of Twenty-ninth Street, all of Thirtieth Street, all of Thirty-first Street, as laid out and platted by the Lower Harbor Realty Company on the 20th day of August, 1913, and recorded on the 25th day of August, 1913, in Book 6, Page 17, Records 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 and J. W. Ellis, the petitioners herein and the owners of all the blocks bordering upon said portions of said streets in the Plat of Lower Harbor City, as laid out and platted by the Lower Harbor Realty Company on Ordinance, Page IV.

the 20th day of August, 1913, and duly recorded in the office of the County Clerk of Clatsop County, Oregon, on the 25th day of August, 1913, in Book 6, Page 17, Records 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 Lower Harbor City, 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 19th day of March, 1935.

W. H. Francis
Mayor

Attest:

G. Clifford Barlow
Auditor and Police Judge