

ORDINANCE NO. 1779
INTRODUCED BY COMMISSIONER Geo. W. Kelly

An ordinance vacating a certain portion of the plat of Flavel, Clatsop County, Oregon, consisting of all of Blocks 34, 35, 36, 37, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 110, 111, 112, 113, 114 and 115, including the alleys in said blocks; also tracts or blocks "C", "D", "E", "F", "G" and "H"; that part of Third Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Fifth Street from the west line of New Jersey Avenue to the west line of said plat; that part of Sixth Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Seventh Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; also, all of Ohio Avenue from the south line of First Street extending southerly to the south line of said addition; all that part of Delaware Avenue from the south line of First Street to the south line of said plat; all that part of Virginia Avenue from the south line of Third Street to the south line of said plat; all that part of Maryland Avenue from the south line of Third Street to the north line of Fourth Street; all that part of Caroline Avenue from the south line of Third Street to the south line of said plat;

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, 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 34, 35, 36, 37, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 110, 111, 112, 113, 114 and 115, including the alleys in said blocks; also, tracts or blocks "C", "D", "E", "F", "G" and "H"; that part of Third Street extending westerly from the westline of New Jersey Avenue to the west line of said plat; that part of Fifth Street from the west line of New Jersey Avenue to the west line of said plat; that part of Sixth Street extending westerly

from the west line of New Jersey Avenue to the west line of said plat; that part of Seventh Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; also, all of Ohio Avenue from the south line of First Street extending southerly to the south line of said addition; all that part of Delaware Avenue from the south line of First Street to the south line of said plat; all that part of Virginia Avenue from the south line of Third Street to the south line of said plat; all that part of Maryland Avenue from the south line of Third Street to the north line of Fourth Street; all that part of Caroline Avenue from the south line of Third Street to the south line of said plat, all being in the Plat of Flavel, 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 the names of the owners interested and in possession of all the property immediately adjoining or affronting all sides of all the streets, alleys and avenues in said petition proposed to be vacated, and all the property that would be particularly affected by such vacation; and there are no non-consenting owners of property immediately adjoining the streets proposed to be vacated;

WHEREAS, said Plat of Flavel was, on the 4th day of December, 1895, laid out and platted by the Flavel Land and Development Company 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 3rd day of July, 1896, in Book 5, Pages 13, 14 and 15, Records of Town Plats of Clatsop County, Oregon; reference to which is hereby made;

WHEREAS, all the streets in said plat and the streets proposed to be vacated are eighty feet wide, and the alleys therein are sixteen feet wide, and the parts of said streets, avenues and alleys which are proposed to be vacated are those parts of streets, avenues and alleys described as follows, to-wit:

That part of Third Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Fifth Street from the west line of New Jersey Avenue to the west line of said plat; that part of Sixth Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Seventh Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; also, all of Ohio Avenue from the south line of First Street extending southerly to the south line of said addition; all that part of Delaware Avenue from the south line of First Street to the south line of said plat; all that part of Virginia Avenue from the south line of Third Street to the south line of said plat; all that part of Maryland Avenue from the south line of Third Street to the north line of Fourth Street; all that part of Caroline Avenue from the south line of Third Street to the south line of said plat; all being in the Plat of Flavel, Clatsop County, Oregon.

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

Beginning at the southeast corner of Block 110, thence running north along the west side of New Jersey Avenue to its intersection with First Street, which is the northeast corner of Block 34; thence west along the south line of First Street to its intersection with the west boundary line of said plat of Flavel; thence south along the west line of said plat to the north line of Third Street; thence west along the north line of Third Street to its intersection with the west line of the plat of Flavel; thence south along the west line of said plat to the southwest corner thereof, which is the southwest corner of Block 115 in said plat; thence east along the south line of said plat to the southeast corner of Block 110, which is the point of beginning; all being in the Plat of Flavel, City of Warrenton, Clatsop County, Oregon.

That all of said Blocks 34,35,36,37,54,55,56,57,58,59,60,61,62,63, 64,65,82,83,84,85,86,87,88,89,90,91,92,93,110,111,112,113,114 and 115, including the alleys in said blocks; also, tracts or blocks "C", "D", "E", "F", "G" and "H", and all the parts of said streets in the plat of Flavel proposed to be vacated are contained within the boundaries as 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 34, 35, 36, 37, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 62, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 110, 111, 112, 113, 114 and 115, including the alleys in said blocks; also, tracts or blocks "C", "D", "E", "F", "G" and "H", the Plat of Flavel in the City of Warrenton, Clatsop County, Oregon, as laid out and platted by the Flavel Land and Development Company as an unincorporated town on the 4th day of December, 1895, and recorded on the 3rd day of July, 1896, in Book 5, Pages 13, 14 and 15, Records of Town Plats of Clatsop County, Oregon, be, and the same is hereby vacated.

Section II: That all that part of Third Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Fifth Street from the west line of New Jersey Avenue to the west line of said plat; that part of Sixth Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; that part of Seventh Street extending westerly from the west line of New Jersey Avenue to the west line of said plat; also, all of Ohio Avenue from the south line of First Street extending southerly to the south line of said addition; all that part of Delaware Avenue from the south line of First Street to the south line of said plat; all that part of Virginia Avenue from the south line of Third Street to the south line of said plat; all that part of Maryland Avenue from the south line of Third Street to the north line of Fourth Street; all that part of Caroline Avenue from the south line of Third Street to the south line of said plat, in Plat of Flavel, City of Warrenton, Clatsop County, Oregon, as laid out and platted by the Flavel Land and Development Company as an unincorporated town and recorded in the Records of Town Plats of Clatsop County, Oregon, on the 3rd day of July, 1896, in Book 5, Pages 13, 14 and 15, which streets

Ordinance, Page IV.

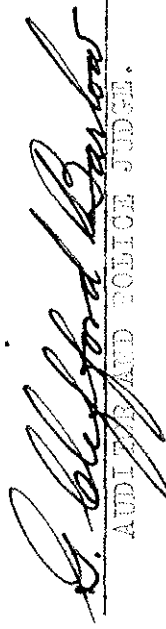
are bordering upon the blocks above vacated, be and the same are hereby vacated and vested in Clatsop County, the petitioner herein and the owner of all the blocks bordering upon said portions of said streets in the Plat of Flavel as laid out and recorded by the Flavel Land and Development Company on the 4th day of December, 1895, and recorded in Book 3, Pages 13, 14 and 15, 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 Flavel, 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.


MAYOR


AUDITOR AND POLICE JUDGE.

Attest: