

INTRODUCED BY COMMISSIONER

Geo. W. Kelly

An ordinance vacating a certain portion of the Plat of Flavel in the City of Warrenton, Clatsop County, Oregon, consisting of Blocks 5, 6, 7, 14, 15 and 16; and all of Multnomah Street from the westerly line of Ohio Avenue projected northerly to the north line of said addition to the west boundary line of said Plat of Flavel; Clackamas Street from the westerly line of Ohio Avenue to the west boundary line of the Plat of Flavel; Nehalem Avenue from the northerly line of Clatsop Street to the southerly line of Multnomah Street; Adams Avenue from the northerly line of Clatsop Street to the southerly line of Multnomah Street; and all alleys lying within the blocks herein above mentioned; all being in the Plat of Flavel, City of Warrenton, Clatsop County, Oregon; the same being part of the property petitioned to be vacated by Clatsop County.

WHEREAS, On the 18th Day of October, 1935, 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, Oregon, its petition to have vacated the following blocks and streets adjacent thereto, to-wit:

All of Blocks 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, and Blocks A and B; and all alleyways running through said blocks; also, Multnomah Street from the north line of First Street to the West boundary of the Plat of Flavel; Clackamas Street from the north line of First Street to the west boundary line of the plat of Flavel; Yamhill street from the north line of First Street to the west line of the plat of Flavel; Tillamook Street from the north line of First Street to the west boundary of the plat of Flavel; Massachusetts Avenue from the north line of Clatsop Street to the south line of Multnomah Street; Pennsylvania Avenue from the north line of Clatsop Street to the south line of Multnomah Street and from the south line of Clatsop Street to the north line of First Street; Ohio Avenue from the north line of Clatsop Street to the south line of Multnomah Street and from the south line of Clatsop Street to the north line of First Street; Adams Avenue from the north line of Clatsop Street to the south line of Multnomah Street and from the south line of Clatsop Street to the west line of the plat of Flavel; Nehalem Avenue from the north line of Clatsop Street to the south line of Multnomah Street and from the south line of Clatsop Street to the west boundary line of the plat of Flavel; also, that unnamed street from the north line of First Street to the west line of 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 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 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 to 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 3, Pages 13, 14 and 15, Records of Town Plats of Clatsop County, Oregon, reference to which is hereby made.

WHEREAS, MULTNOMAH Street is a street in said plat running easterly and westerly and being eighty feet wide; Clackamas Street is a street in said plat running easterly and westerly and is eighty feet wide; and Nehalem Avenue is an avenue in said plat running northerly and southerly and is eighty feet wide; and Adams Avenue is an Avenue

in said plat running northerly and southerly and is eighty feet wide; and the parts of said streets and avenues which are proposed to be vacated are those parts of said streets and avenues described as follows, to-wit:

All of Multnomah Street running north westerly from the west line of Ohio Avenue projected northerly to the northerly line of Multnomah Street to the west line of said Plat of Flavel; all of Clackamas Street from the westerly line of Ohio Avenue running north westerly to the west boundary line of said Plat of Flavel; all of Nehalem Avenue running northeasterly from the north line of Clatsop Street to the southerly line of Multnomah Street; all of Adams Avenue running northeasterly from the northerly line of Clatsop Street to the southerly line of Multnomah Street; all in the Plat of Flavel, 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 lot 14, block 16, Flavel, which point is also the north line of Clatsop Street; Thence in a southeasterly direction along the north line of Clatsop Street to the southeast corner of Lot 17, block 14, Flavel, said point also being an intersection of the westerly line of Ohio Avenue with the northerly line of Clatsop Street; thence in a northeasterly direction along the westerly line of Ohio Avenue to the intersection with the northerly line of Multnomah Street; thence in a northwesterly direction along the northerly line of Multnomah Street to the westerly boundary of Flavel, which point is north of the place of beginning; thence south to the place of beginning.

That all of Blocks 5, 6, 7, 14, 15 and 16 and all parts of said streets and alleys in the Plat of Flavel, City of Warrenton, Clatsop County, Oregon, 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 the 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 vacation of the aforesaid lots, blocks, streets and avenues to be vacated and that the charters and ordinances pertaining to the vacation of streets and plats have, in all respects, been complied with;

NOW, THEREFORE, The City of Warrenton does ordain that part of the property petitioned to be vacated by Clatsop County, be vacated as follows, to-wit:

Section I: That all of Blocks 5, 6, 7, 14 15 and 16 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 on the 4th day of December, 1895, and recorded as an unincorporated town on the 3rd day of July, 1896 in Book 3, Pages 13, 14 and 15, Records of Town Plats of Clatsop County, Oregon be and the same are hereby vacated, together with all alleys lying within said blocks.

Section II: That all that part of Multnomah Street from the West line of Ohio Avenue projected northerly to the northerly line of Multnomah Street, running northwesterly to the west line of said plat of Flavel; all of Clackamas Street running northwesterly from the west line of Ohio Avenue to the west line of said plat of Flavel; all of Nehalem Avenue running northeasterly from the northerly line of Clatsop Street to the southerly line of Multnomah Street; all of Adams Avenue running northeasterly from the northerly line of Clatsop Street to the southerly line of Multnomah Street; in the 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 on the 4th day of December, 1895, and recorded in the office of the County Clerk of Clatsop County, Oregon, on the 3rd day of July, 1896 in Book 3, pages 13, 14 and 15, 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, the owner of all the blocks bordering upon said portions of streets in the Plat of Flavel 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 3, Pages 14, 15 and 16, 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 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 17th day of December, 1935

Attest:

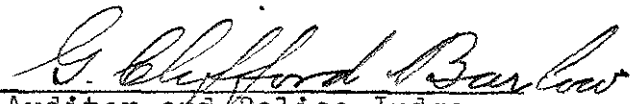
W. H. Francis
MAYOR

G. Clifford Barlow
Auditor and Police Judge

STATE OF OREGON)
 : ss
COUNTY OF CLATSOP)

I, G.Clifford Barlow, Auditor and Police Judge of the City of Warrenton, do hereby certify that I have compared the foregoing copy of Ordinance No. 182^a of the City of Warrenton with the original thereof, and that the same is a full, true and correct transcript of such original Ordinance No. 182^a of said city, and the whole thereof, as the same appears on file and recorded in my office and in my care and custody.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Warrenton affixed this 17th day of December, 1935.



Auditor and Police Judge
of the City of Warrenton