

ORDINANCE NO. 193 A

INTRODUCED BY COMMISSIONER

*Geo. P. Fyfe*

AN ORDINANCE VACATING BLOCKS 1, 6, 7, and 12, AND ADJOINING STREETS, IN HARRIMAN, AS LAID OUT, PLATTED, AND RECORDED BY LAURA P. BARKER, IN CLATSOP COUNTY, OREGON.

THE CITY COMMISSION OF THE CITY OF WARRENTON DOES HEREBY FIND AS FOLLOWS:

Section (A): That heretofore, and on March 29th, 1938, Leslie Plummer and Mary Plummer, his wife, duly presented to the Auditor and Police Judge of this City their duly verified petition to vacate the whole of Blocks 1, 6, 7, and 12, of the plat of HARRIMAN, CLATSOP CO., OREGON, accordingly as laid out and recorded by Laura P. Barker, and recorded in the office of the County Clerk of Clatsop County, State of Oregon, at page 62, in Volume "3", Records of Town Plats for said County, together with all the lots embraced in the tract to be vacated, and those portions of 11th Street, 12th Street, and 13th Street, which lie east of the east line of Adair Avenue in said plat, and between said east line and the bank of the slough which forms the east boundary of said plat of HARRIMAN, CLATSOP CO., OREGON. That in said petition, there was duly set forth a correct description of that portion of said plat of Harriman, together with all the tracts, streets, lots and premises, sought to be vacated, and therein further set forth the purpose for which the said grounds and lands in said petition were sought to be and proposed to be vacated, together with the reasons for such vacation, and that appended to such petition as a part thereof and as a basis for granting the same was the written consent, duly executed and acknowledged, of the owners of all of the abutting property sought to be vacated and more than two-thirds in area of all the realty affected by such vacation accordingly as by law provided, together with a map and plat upon which was correctly

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delineated the boundaries of said tract and premises and all contiguous property affected by said vacation, together with all lots, blocks and streets within such plat. That such petition, map and plat and deeds of dedication were, by said Auditor and Police Judge of this City on said March 29th, 1938, duly examined and approved and by him, on that date, duly filed, accordingly as by law provided.

That the whole of said properties, lands and premises, sought to be vacated, is owned by the said petitioners, Leslie Plummer and Mary Plummer, his wife, and all city liens and taxes have been paid on such lands and premises.

That the said petition and map appended thereto and deeds of dedication forming a part thereof are, in all respects, accordingly as by law provided, and said petition contains all the allegations required by law to be contained in a petition of that kind.

Section (B): That the said petition, with the said map and plat appended thereto, and the said deeds of dedication, duly executed and acknowledged, was presented to the Commissioners of the City of Warrenton, and, after examining said petition, and on the 4th day of April, 1938, found and determined that no reason manifestly existed why said petition should not be allowed in whole, and by resolution adopted and passed on said date last mentioned, fixed the time for the formal hearing on said petition at the regular meeting of the Commissioners to be held on Monday, the 16th day of May, A. D. 1938, at the City Hall of said City of Warrenton, at the hour of 7:30 o'clock P. M., and by such resolution, the Auditor and Police Judge of this City was directed to cause notice to be given and published of the time and place of such hearing, accordingly as provided by law in such cases made and provided. That pursuant thereto, Ordinance, page 2.



the said Auditor and Police Judge, on the 6th day of April, 1938, posted three (3) written notices of the time and place of the formal hearing on said petition as aforesaid, each notice containing the names of the petitioners and a description of that portion of the plat of Harriman, together with adjoining streets, sought to be vacated, and that each of said notices was posted in one of the most conspicuous places in the City of Warrenton, and each of said notices was posted face outward so as to be easily read by all passersby, and said notices were posted at the following places, to-wit: One on the wall of the City Hall where public notices are generally posted; one on the wall of the City Library, where substantially all public notices are posted; and one on the wall of the United States Post Office at Warrenton, a place where public notices are generally posted.

That thereafter, and on the 6th day of April, A. D. 1938, said Auditor and Police Judge caused to be posted two (2) written notices in two (2) of the most public places in said Plat of Harriman, Clatsop Co., Oregon, aforesaid, and that each of said notices was posted at the following places in said plat of Harriman, namely: One on a building at the west end of Block 6, facing Adair Avenue, in said plat of Harriman; and one on a post at the west end of Block 12, facing Adair Avenue, in said plat of Harriman; each place above mentioned being one of the most public places within said plat of Harriman, and one of the most conspicuous places in said plat; and each notice was posted face outward so as to be easily read by all passersby.

That proof of the posting of said notices is filed in the office of the Auditor and Police Judge and is hereby referred to and made a part of this ordinance. That the posting of such notices was necessary for the reason that no newspaper of any kind was, at such time, published within the city limits of the City of  
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Warrenton, and that the Plat of Harriman, Clatsop Co., Oregon, aforesaid, lies wholly within the boundary lines of the City of Warrenton.

Section (C): That no objections to the vacation of said Blocks 1, 6, 7, and 12, of said plat of HARRIMAN, CLATSOP CO., OREGON, and adjoining streets, aforesaid, have been made or filed.

Section (D): That petitioners are entitled of right to an ordinance vacating the whole of said Blocks 1, 6, 7, and 12, of said Plat of HARRIMAN, CLATSOP CO., OREGON, and those portions of 11th Street, 12th Street, and 13th Street, which lie east of the east line of Adair Avenue in said plat, and between said east line and the bank of the slough which forms the east boundary of said plat of HARRIMAN, CLATSOP CO., OREGON.


NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That the whole of Blocks 1, 6, 7, and 12, of the plat of HARRIMAN, CLATSOP CO., OREGON, accordingly as laid out and recorded by Laura P. Barker, and recorded in the office of the County Clerk of Clatsop County, State of Oregon, at page 62, in Volume "3", Records of Town Plats for said County, together with all the lots embraced in the tract to be vacated, and those portions of 11th Street, 12th Street, and 13th Street, which lie east of the east line of Adair Avenue in said plat, and between said east line and the bank of the slough which forms the east boundary of said plat of HARRIMAN, CLATSOP CO., OREGON;

be, and the same are hereby vacated.

Passed by the Commissioners of the City of Warrenton,  
this ~~16th~~ day of ~~June~~ 1938.

Approved by the Mayor this ~~16th~~ day of ~~June~~ 1938.

  
MAYOR

Attest:

  
Auditor and Police Judge.