

ORDINANCE NO. 202A

Introduced by Commissioner Geo. W. Kelly

AN ORDINANCE VACATING BLOCKS 14, 44 and 52, and adjoining streets, IN SECOND EXTENSION OF WARRENTON AS LAID OUT AND RECORDED BY D. K. WARREN AND WIFE, IN CLATSOP COUNTY, OREGON

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

Section (A): That heretofore, and on July , 1940, Lee Layman and Ollie Lottie Layman, his wife, duly presented to the Auditor and Police Judge of this city their duly verified petition to vacate the whole of Blocks 14, 44 and 52 of the plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, Oregon, accordingly as recorded in the office of the County Clerk of Clatsop County, State of Oregon, at pages 20 and 21, in Volume 3, Records of Plats for said county, together with all the lots embraced in the tract to be vacated, and those portions of Jackson Avenue and Monroe Avenue which lie between the West line of Alder Street and the East line of Sycamore Street. That in said petition there was duly set forth a correct description of that portion of said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, 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

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 July , 1940, 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, Lee Layman and Ollie Lottie Layman, 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 22nd day of July, 1940, 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 9th day of September, 1940 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, the said Auditor and Police Judge, on the day of July, 1940 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 Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, Oregon, 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 day of July, 1940, said Auditor and Police Judge caused to be posted three (3) written notices in three of the most public places in said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, Oregon, aforesaid, and that each of said notices was posted at the following places in said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, namely:

- (1) one on the north side and the main entrance to a dwelling on Lot 4 Block 14.
- (2) one on the west side of the cabin on Jackson Street south of and adjacent to Lot 3 Block 14.
- (3) and one on a spruce tree facing east on Lot 14 Block 44, all in the second extension to Warrenton.

each place above mentioned being one of the most public places within said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, 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 Warrenton, and that the plat of Second Extension of Warrenton as laid out and recorded by D. K. Harriman and wife, Clatsop County, Oregon, aforesaid, lies wholly within the boundary lines of the City of Warrenton.

Section (C): That no objections to the vacation of said Blocks 14, 44 and 52 of said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, 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 14, 44 and 52 of said plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, Oregon, and those portions of Jackson Avenue and Monroe Avenue which lie between the West line of Alder Street and the East line of Sycamore Street.

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

Section 1. That the whole of Blocks 14, 44 and 52 of the plat of Second Extension of Warrenton as laid out and recorded by D. K. Warren and wife, Clatsop County, Oregon and recorded in the office of the County Clerk of Clatsop County, State of Oregon, at pages 20 and 21 in Volume 3, Records of Plats for said county, together with all the lots embraced in the tract to be vacated, and those portions of Jackson Avenue and Monroe Avenue lying between the West line of Alder Street and the East line of Sycamore Street be, and the same are hereby vacated.

Passed by the Commissioners of the City of Warrenton, this ^{23rd}~~25th~~ day of September, 1940.

Approved by the Mayor this ^{23rd}~~25th~~ day of September, 1940.

W. D. Peony
Mayor

Attest:

G. Clifford Barlow
Auditor and Police Judge

23rd Sept 1940
The City of Warrenton
Clatsop County, Oregon
has this day passed
the following ordinance
to wit:
The whole of Blocks 14, 44
and 52 of the plat of
Second Extension of
Warrenton as laid out
and recorded by D. K.
Warren and wife, Clatsop
County, Oregon and
recorded in the office
of the County Clerk of
Clatsop County, State
of Oregon, at pages 20
and 21 in Volume 3,
Records of Plats for
said county, together
with all the lots
embraced in the tract
to be vacated, and
those portions of
Jackson Avenue and
Monroe Avenue lying
between the West line
of Alder Street and
the East line of
Sycamore Street be,
and the same are
hereby vacated.