

ORDINANCE No. 205A

Introduced by Commissioner

W. J. Hepner

AN ORDINANCE VACATING ALL THE LOTS IN BLOCKS NUMBERED FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), and SEVENTEEN (17), AND ALL OF THE LOTS AND PARTS AND PORTIONS THEREOF IN BLOCK NUMBERED THIRTEEN (13), LYING SOUTH OF THE SOUTH BOUNDARY LINE OF THE OREGON COAST HIGHWAY, IN THE PLAT OF HARRIMAN, IN CLATSOP COUNTY, STATE OF OREGON, AND 15th STREET and 16th STREET in their ENTIRETY LYING WITHIN SAID PLAT OF HARRIMAN, AND ALSO ALL OF BRENNHAM AVENUE AND ADAIR AVENUE LYING SOUTH OF THE SOUTH BOUNDARY LINE OF THE COUNTY ROAD EXTENDING FROM THE CITY OF SEASIDE TO THE CITY OF ASTORIA AND GENERALLY REFERRED TO AS THE "OREGON COAST HIGHWAY," IN CLATSOP COUNTY, STATE OF OREGON.

THE CITY COMMISSIONERS OF THE CITY OF WARRENTON DO
HEREBY FIND AS FOLLOWS:

Section (a) That heretofore, and on the 15th day of December, A. D. 1940, J. O. CONVILL and ELSIE C. CONVILL, husband and wife, duly presented to the Auditor and Police Judge of this City their duly verified Petition to vacate the following described property, situated in CLATSOP COUNTY, STATE OF OREGON, to-wit:

All the LOTS in BLOCKS numbered Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), and all of the LOTS and parts and portions thereof in BLOCK numbered Thirteen (13), lying South of the South boundary line of the OREGON COAST HIGHWAY, in the Plat of HARRIMAN, in Clatsop County, State of Oregon, and 15th Street and 16th Street in their entirety lying within said Plat of HARRIMAN, and also all of Brenham Avenue and Adair Avenue lying South of the South boundary line of the County Road extending from the City of Seaside to the City of Astoria and generally referred to as the "OREGON COAST HIGHWAY," in CLATSOP COUNTY, STATE OF OREGON.

That said Petition, amongst other things, set forth the purpose for which the said lands, premises and grounds in said petition were sought and proposed to be vacated, together with the reasons for such vacation, and appended to such petition and as a part thereof and as the basis for granting the same was the written consent, duly executed and acknowledged, of all the owners of the abutting property sought to be vacated, and the owners of more

than two-thirds of the area of all of the realty affected by such vacation, accordingly as by law provided, together with a map and plat upon which were correctly delineated the boundaries of said premises sought to be vacated and of all the abutting and contiguous property affected by said vacation. That such petition, map and plat were, by said Auditor and Police Judge of this City, on the 16th day of December, A. D. 1940, 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, J. C. CONVILL and ELSIE C. CONVILL, husband and wife, and all city liens, assessments and taxes have been paid on such lands and premises.

That the said petition and map and plat appended thereto 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, duly executed and acknowledged, was presented to the Commissioners of the City of Warrenton, and after examining said petition, and on the 16th day of December, A. D. 1940, said Commissioners 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 20th day of January, A. D. 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 17th day of December, A. D. 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 the property sought to be vacated, and that said notices were posted in three (3) 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 bulletin board in the lobby of the United States Postoffice at the City of Warrenton, in Clatsop County, State of Oregon, where public notices are generally posted; one on the bulletin board in the window of the City Library, in the City of Warrenton, in Clatsop County, State of Oregon, where substantially all public notices are posted; and one on the bulletin board in the window of the City Hall where public notices are generally posted.

That thereafter, and on the 17th day of December, A. D. 1940, said Auditor and Police Judge caused to be posted three (3) like written notices in three (3) of the most public places in the PLAT OF HARRIMAN, in Clatsop County, State of Oregon, that is, on the property sought to be vacated, and that said notices were posted at the following places, namely: One on a board placed on Lot 9, in Block 14, on 14th Street; one on a board placed on Lot 16, in Block 13, on 14th Street; and one on a board placed on the Southeast corner of intersection of 14th Street and Adair Avenue. That each of said notices was posted face outward and placed at a height so as to be easily read by all passersby, and each of said notices was posted facing North on the Oregon Coast Highway, and each place above mentioned was one of the most public and conspicuous places within said Plat of Harriman.

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 HARRIMAN aforesaid lies wholly within the boundary lines of the City of Warrenton.

Section (c) That no objections to the vacation of said lands and premises sought to be vacated have been made or filed.

Section (d) That petitioners are entitled of right to an ordinance vacating said lands and premises described in said petition and above described.

NOW, THEREFORE, THE CITY COMMISSIONERS OF THE CITY OF WARRENTON DO ORDAIN AS FOLLOWS:


Section 1. That the following described lands and premises, situated in CLATSOP COUNTY, STATE OF OREGON, to-wit:

All the LOTS in BLOCKS numbered Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), and all of the LOTS and parts and portions thereof in BLOCK numbered Thirteen (13), lying South of the South boundary line of the OREGON COAST HIGHWAY, in the Plat of HARRIMAN, in Clatsop County, State of Oregon, and 15th Street and 16th Street in their entirety lying within said Plat of HARRIMAN, and also all of Brenham Avenue and Adair Avenue lying South of the South boundary line of the County Road extending from the City of Seaside to the City of Astoria and generally referred to as the "OREGON COAST HIGHWAY", in CLATSOP COUNTY, STATE OF OREGON,

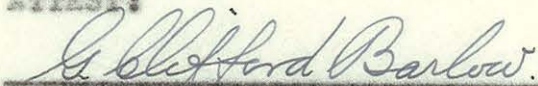
be and the same are hereby vacated.

Passed by the Commissioners of the City of Warrenton, this 3rd day of February, A. D. 1941.

Approved by the Mayor this 3rd day of February, A. D. 1941.


MAYOR.

ATTEST:


Auditor and Police Judge.