

Copy filed with County Clerk April 20, 1960

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ORDINANCE NO. 407A

Introduced by Commissioner George Stuckrath

AN ORDINANCE VACATING THAT PART OF N. E. BAY AVENUE (FORMERLY WATER STREET) BETWEEN A LINE EXTENDED EAST FROM THE SOUTH LINE OF LOT 6, BLOCK 117, SECOND EXTENSION TO WARRENTON, CITY OF WARRENTON, COUNTY CLATSOP, STATE OF OREGON, EAST TO THE EAST LINE OF N. E. BAY AVENUE AND THE NORTH LINE OF LOT 5, BLOCK 117, SECOND EXTENSION TO WARRENTON, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON EXTENDED EAST TO THE EAST LINE OF N. E. BAY AVENUE, ALL BEING WITHIN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, the City of Warrenton has deemed it to the best interests of the City of Warrenton, Oregon, to vacate that part of N. E. Bay Avenue (formerly Water Street) between a line extended East from the South line of Lot 6, Block 117, Second Extension to Warrenton, City of Warrenton, County of Clatsop, State of Oregon, East to the East line of N. E. Bay Avenue and the North line of Lot 5, Block 117, Second Extension to Warrenton, City of Warrenton, County of Clatsop, State of Oregon extended East to the East line of N. E. Bay Avenue, and

WHEREAS, the City Commission of the City of Warrenton on March 7, 1960, initiated such vacation proceedings and found no reason manifestly existing why said vacation of said part of said street should not be allowed in whole or in part, and by Resolution initiated said vacation proceedings and fixed the time for a formal hearing upon said Resolution as April 18, 1960, at the hour of 7:30 o'clock P.M., of said day, at the City Hall of the City of Warrenton, at Warrenton, Oregon, and

WHEREAS, due notice of the time and place of this hearing was given as by law required, and as set out in the Affidavit of the City Auditor and Police Judge, Emerson R. Baldwin, which was filed by him, and

WHEREAS, the written consents of the owners of the abutting property to that part of the street proposed to be vacated have been obtained and filed with the Auditor and Police Judge, and

WHEREAS, said formal hearing was held at the appointed time and place and the Resolution initiating said vacation proceedings and objections thereto was heard by the City Commission and none of the owners of the majority of the area affected objected in writing thereto and the written consent of all the abutting property holders was obtained and the City Commission ascertained and determined that said abutting property owners consents were obtained and that the owners of the majority of the area affected made no objections and that notice had been duly given and that the public interest of the City of Warrenton would not be prejudiced by the vacation of that part of the street in the plat described herein and which the City asks to be vacated and these matters having been determined in favor of the City by the City Commission;

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

Section 1. That that part of N. E. Bay Avenue (formerly Water Street) between a line extended East from the South line of Lot 6, Block 117, Second Extension to Warrenton, City of Warrenton, County of Clatsop, State of Oregon, East to the East line of N. E. Bay Avenue and the North line of Lot 5, Block 117, Second Extension to Warrenton, City of Warrenton, County of Clatsop, State of Oregon extended East to the East line of N. E. Bay Avenue, be and the same is hereby vacated and that said vacation of said part of said

street in the plat is hereby made a matter of record, but it is hereby expressly provided that the City shall forthwith pay the cost of obtaining the necessary changes on the public records so as to indicate as required by law such vacation, and it is hereby provided that the City Auditor and Police Judge shall file with the County Clerk of Clatsop County, State of Oregon, a certified copy of this Ordinance and file a certified copy of this Ordinance with the County Assessor and County Surveyor. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main, conduit of any kind, wires, poles, or any other thing used or intended to be used for any public service, and the right is hereby reserved to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things.

Section 2. That this Ordinance shall be in full force and effect from and after its passage by the City Commission of Warrenton and its approval by the Mayor of the City of Warrenton.

Passed by the City Commission of the City of Warrenton, State of Oregon, this 18th day of April, 1960.

Submitted and approved by the Mayor of the City of Warrenton this 18th day of April, 1960.

Quincy V. Robinson
Mayor

ATTEST:
Emerson R. Baldwin

Emerson R. Baldwin
Auditor and Police Judge.