

ORDINANCE NO. 418A

Introduced by Commissioner Noel Rawls

AN ORDINANCE VACATING THAT PART OF THE PLAT KNOWN AS BLOCK 78, FLAVEL, WITH THE EXCEPTION OF LOTS 23, 24, 47 AND 48 AND ALL OF THE ALLEYWAYS IN THIS BLOCK WITH THE EXCEPTION OF THE ALLEY SEPARATING 23, 24, AND 47 AND 48; AND THAT PART OF N. W. ELM AVENUE FROM THE SOUTH LINE OF TWELFTH STREET EXTENDED EAST TO THE EAST LINE OF N. W. ELM AVENUE, SOUTH TO THE SOUTH LINE OF LOT 46, BLOCK 78, FLAVEL, EXTENDED EAST TO THE EAST LINE OF N. W. ELM AVENUE; AND THAT PART OF THE STREET IN SAID PLAT OF FLAVEL KNOWN AS N. W. TENTH STREET, FROM THE EAST LINE OF N. W. WARRENTON DRIVE TO THE WEST LINE OF N. W. ELM AVENUE; AND THAT PART OF THE STREET IN THE PLAT OF FLAVEL KNOWN AS N. W. FIR AVENUE BETWEEN THE SOUTH LINE OF N. W. TWELFTH STREET AND THE NORTH LINE OF N. W. ELEVENTH STREET, ALL BEING IN THE PLAT OF FLAVEL, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, ARTHUR R. PETERSEN and IDA E. PETERSEN, husband and wife, filed a Petition with the City Auditor and Police Judge asking for the vacation of that part of the plat known as Block 78, Flavel, with the exception of Lots 23, 24, 47 and 48, and all of the alleyways in this block with the exception of the alley separating 23, 24, and 47, 48, and to vacate that part of N. W. Elm Avenue from the South line of Twelfth Street extended East to the East line of N. W. Elm Avenue to the South line of Lot 46, Block 78, Flavel, extended East to the East line of N. W. Elm Avenue in the City of Warrenton, County of Clatsop, State of Oregon and to vacate that part of the street in said plat of Flavel known as N. W. Tenth Street from the East line of N. W. Warrenton Drive to the West line of N. W. Elm Avenue and to vacate N. W. Fir Avenue from the South line of N. W. 12th Street to the North line of N. W. Eleventh Street, all being in the plat of Flavel, City of Warrenton, County of Clatsop, State of Oregon, and

WHEREAS, the Petitioners are interested in the above described real property and said Petition has been presented to the City Auditor and Police Judge who has examined said Petition and found it sufficient, and

WHEREAS, said Petition was presented to the City Commission of the City of Warrenton on the 20th day of March, 1961, who found no reason manifestly existing why said Petition should not be allowed in whole or in part and by Resolution fixed the time for a formal hearing upon said Petition as May 1, 1961 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

Page One, Ordinance.

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, E. R. Baldwin, which was filed by him, and

WHEREAS, said formal hearing was held at the appointed time and place and the Petition and objections thereto were heard by the City Commission who ascertained and determined that the consent of the owners of the requisite area had been obtained 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 plat and of the part of the streets in the plat described herein and which the Petitioners ask to be vacated, and these matters having been determined in favor of the Petitioners by the City Commission;

NOW THEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That that part of the Plat known as Block 78, Flavel with the exception of Lots 23, 24, 47 and 48, and all of the alleyways in this block with the exception of the alley separating 23, 24, and 47 and 48, City of Warrenton, County of Clatsop, State of Oregon and that part of N. W. Elm Avenue from the South line of Twelfth Street extended East to the East line of N. W. Elm Avenue, thence South along said N. W. Elm Avenue to the South line of Lot 46, Block 78, Flavel, extended East to the East line of N. W. Elm Avenue in the City of Warrenton, County of Clatsop, State of Oregon and that part of the street in said Plat known as N. W. Tenth Street, between the East line of N. W. Warrenton Drive and the West line of N. W. Elm Avenue and N. W. Fir Avenue between the South line of N. W. Twelfth Street and the North line of N. W. Eleventh Street, all being in the Plat of Flavel, City of Warrenton, County of Clatsop, State of Oregon, be and the same are hereby vacated, and that said vacation of said part of the plat and said parts of said streets and alleyways in the plat is hereby made a matter of record, but it is hereby expressly provided that the Petitioners shall forthwith pay into the City Treasury 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


Page Two, Ordinance.

Police Judge shall file with the County Clerk of Clatsop County, State of Oregon, a certified copy of this Ordinance and file with the County Assessor and the County Surveyor a certified copy of this Ordinance. 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.

Passed by the City Commission of the City of Warrenton, State of Oregon, this 1st day of May, 1961.

Submitted and approved by the Mayor of the City of Warrenton, State of Oregon, this 1st day of May, 1961.

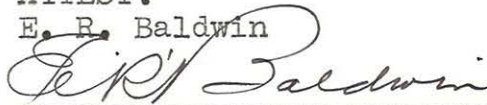
Harold Gramson



Mayor

ATTEST:

E. R. Baldwin



Auditor and Police Judge