

ORDINANCE NO. 446A

Introduced by Commissioner EARD Johnson

AN ORDINANCE VACATING THAT PORTION OF S.E. THIRD STREET, FORMERLY KNOWN AS EIGHTH STREET, ADJACENT TO LOTS 9, 10, 11 AND 12 OF BLOCK 29 AND LOTS 5, 6, 7 AND 8 OF BLOCK 32, WARRENTON PARK, CITY OF WARRENTON, CLATSOP COUNTY, STATE OF OREGON

WHEREAS, CHARLES MALAGAMBA and CAROLINE MALAGAMBA, husband and wife, filed a Petition with the City Auditor and Police Judge asking for the vacation of that portion of S. E. Third Street, formerly known as Eighth Street, adjacent to Lots 9, 10, 11 and 12, of Block 29 and Lots 5, 6, 7 and 8 of Block 32, Warrenton Park, City of Warrenton, Clatsop County, 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 1st day of July, 1963, 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 formal hearing upon said Petition as August 5, 1963, at the hour of 7:30 o'clock P.M. of said day at the City Hall of the City of Warrenton in 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 Auditor and Police Judge, E. R. Baldwin, which was signed 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 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 above described in the plat described herein and which the Petitioners ask to be vacated and these matters having been determined in favor
Page One, Ordinance.

of the Petitioners by the City of Warrenton City Commission,


NOW THEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That that portion of S. E. Third Street, formerly known as Eighth Street, adjacent to Lots 9, 10, 11 and 12 of Block 29 and Lots 5, 6, 7 and 8, of Block 32 Warrenton Park, City of Warrenton, County of Clatsop, State of Oregon be and the same is hereby vacated, and that the said vacation of said part of said street in Warrenton Park 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 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 Commissioners of the City of Warrenton this 5th day of August, 1963.

Submitted and approved by the Mayor of the City of Warrenton, State of Oregon this 5th day of August, 1963.



Mayor

ATTEST:



Auditor and Police Judge