

ORDINANCE NO. 5397

Introduced by Commissioner Earl Johnson

AN ORDINANCE VACATING IN THE W. C. SMITH'S ADDITION OF WARRENTON, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON, ALL OF SOUTHWEST CEDAR AVENUE (FORMERLY DATE STREET) LYING SOUTH OF THE SOUTH LINE OF FOURTH STREET AND NORTH OF THE NORTH LINE OF FIFTH STREET, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON, EXCEPTING THEREFROM THAT PORTION LYING WITHIN CEDAR AVENUE EXTENSION (BEING FORMERLY DATE STREET) AS DESCRIBED IN DEDICATION RECORDED JUNE 11, 1954 IN BOOK 226, PAGE 387 DEED RECORDS OF CLATSOP COUNTY, OREGON

WHEREAS, the City of Warrenton has deemed it to the best interests of the City of Warrenton, Oregon to vacate in the town plat of W. C. Smith's Addition of Warrenton, City of Warrenton, County of Clatsop, State of Oregon all of Southwest Cedar Avenue (formerly Date Street) lying South of the South Line of Fourth Street and North of the North line of Fifth Street, City of Warrenton, County of Clatsop, State of Oregon, excepting therefrom any portion lying within Cedar Avenue Extension (being formerly Date Street) as described in Dedication recorded June 11, 1954 in Book 226, Page 387 Deed Records of Clatsop County, Oregon, and

WHEREAS, the City Commission of the City of Warrenton on December 15, 1969 initiated such vacation proceedings and found no reason manifestly existing why said vacation of said street in said plat should not be allowed in whole or in part and by Resolution initiated said vacation proceedings and fixed the time for formal hearing upon said Resolution as February 2, 1970 at the hour of 7:30 o'clock P.M. of said day at the City Hall of the City of Warrenton, 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 which was filed by him and the Affidavit of the Columbia Press which is filed herein by them, and

WHEREAS, said formal hearing was held at the appointed time and place and Resolution initiating said vacation proceedings and objections thereto were heard by the City Commission and none of the owners of a majority of the area affected objected in writing thereto and the written Consents of all the abutting property owners were obtained and the City Commission examined and determined that said abutting owners Consents were obtained and that owners of a majority of the area affected made no objections and that Notice has 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 asked to be vacated, and these matters having been determined in favor of the City by the Commission, Page One, Vacation Ordinance.

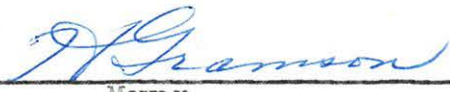
NOW THEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That that part of the street in the town plat of W. C. Smith's Addition of Warrenton, City of Warrenton, County of Clatsop, State of Oregon known as Southwest Cedar Avenue, being all of Southwest Cedar Avenue (formerly Date Street) lying South of the South line of Fourth Street and North of the North line of Fifth Street, City of Warrenton, County of Clatsop, State of Oregon, excepting therefrom that portion lying within Cedar Avenue Extension (being formerly Date Street) as described in dedication recorded June 11, 1954 in Book 226, Page 387 Deed Records of Clatsop County, Oregon be and the same is hereby vacated and that the said vacation of said part of said street in said plat is hereby made a matter of record, but it is hereby expressly provided that the City shall forthwith pay the costs 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 the 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.

Passed by the City Commission of the City of Warrenton, Oregon this 2nd day of February, 1970.

Examined and approved by the Mayor of the City of Warrenton, Oregon this 2nd day of February, 1970.

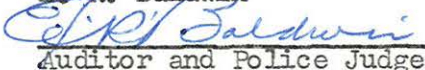
H. Gramson



Mayor

ATTEST:

E. P. Baldwin



Auditor and Police Judge