

ORDINANCE NO. 547 A

Introduced by Commissioner Delbert Shepherd

AN ORDINANCE VACATING IN THE TOWN PLAT OF CHELSEA, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON, ALL THAT PORTION OF SOUTHEAST GALENA COURT BEGINNING WITH THE SOUTHWEST CORNER OF THE TRACT CONVEYED TO JAMES A. ELLIOTT ET UX BY DEED RECORDED IN BOOK 167, PAGE 381, DEED RECORDS OF CLATSOP COUNTY, OREGON; THENCE NORTH $18^{\circ} 12'$ EAST ALONG THE WEST LINE OF SAID ELLIOTT TRACT TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF U. S. HIGHWAY 101; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY LINE TO THE EAST LINE OF BLOCK 5 OF CHELSEA; THENCE SOUTH $18^{\circ} 21'$ WEST TO THE SOUTHEAST CORNER OF BLOCK 5 OF CHELSEA; THENCE EASTERLY TO THE POINT OF BEGINNING.

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 Chelsea, City of Warrenton, County of Clatsop, State of Oregon all that portion of Southeast Galena Court beginning with the Southwest corner of the tract conveyed to James A. Elliott et ux by deed recorded in Book 167, Page 381 Deed records of Clatsop County, Oregon; thence North $18^{\circ} 12'$ East along the West line of said Elliott tract to the Southeasterly right of way line of U. S. Highway 101; thence in a Southwesterly direction along said right of way line to the East line of Block 5 of Chelsea; thence South $18^{\circ} 21'$ West to the Southeast corner of Block 5 of Chelsea; thence Easterly to the point of beginning, and

WHEREAS, the City Commission of the City of Warrenton on June 15, 1970 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 August 3, 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 property owners consents were obtained and that owners of a 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 asked to be vacated, and these matters having been determined in favor of the City by the Commission,

NOW THEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That that part of the street in the Town Plat of Chelsea, City of Warrenton, County of Clatsop, State of Oregon being all that portion of Southeast Galena Court beginning with the Southwest corner of the tract conveyed to James A. Elliott et ux by deed recorded in Book 167, Page 381 Deed records of Clatsop County, Oregon; thence North $18^{\circ} 12'$ East along the West line of said Elliott tract to the Southeasterly right of way line of U. S. Highway 101; thence in a Southwesterly direction along said right of way line to the East line of Block 5 of Chelsea; thence South $18^{\circ} 21'$ West to the Southeast corner of Block 5 of Chelsea; thence Easterly to the point of beginning, be and the same is hereby vacated and that said vacation of that 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 3rd day of August, 1970.

Examined and approved by the Mayor of the City of Warrenton, Oregon this


3rd day of August, 1970.

ATTEST:

E. R. Baldwin


Auditor and Police Judge

H. Gramson


Mayor