

ORDINANCE NO. 598-A

Introduced by Commissioner Delbert E. Shepherd

AN ORDINANCE VACATING THE WESTERLY EIGHT FEET OF PINE STREET ALSO KNOWN AS NORTHWEST DATE COURT, CONTIGUOUS TO BLOCK 53, SECOND EXTENSION TO WARRENTON.

WHEREAS, the City of Warrenton has deemed it to be in the best interests of the City of Warrenton, Oregon, to vacate that certain portion of a certain named street in the City of Warrenton, County of Clatsop, State of Oregon, to-wit:

The Westerly 8 feet of even width of Pine Street also known as Northwest Date Court, extending from the Northeast corner of Lot 1, and the Southeast corner of Lot 8, Block 53, Second Extension of Warrenton in the City of Warrenton, Clatsop County, Oregon,

and

WHEREAS, Milford L. Mickle and Emma Lee Mickle, husband and wife have requested the City of Warrenton to vacate that portion of the aforementioned street after completion of three separate surveys of the location of their dwelling on Block 53 in relation to the street, and it was determined to the satisfaction of the Commission that said dwelling did encroach on the street right of way, and further, that the Mickles are willing to convey a like amount of land so that the right of way between Blocks 53 and 54 would remain at the same width, and

WHEREAS, the City Commission of the City of Warrenton having found no other reason manifestly existing why the vacation of that portion of Pine Street should not be allowed in whole or in part, and upon the Commission's own motion, therefore initiated these vacation proceedings and the notice having fixed the time for a formal hearing upon

the petition at the hour of 8:00 p.m. on June 18th at the City Hall of the City of Warrenton, and

WHEREAS, due notice of the time and place of the hearing was given as lawfully required and as set out in the affidavit of E. R. Baldwin who caused the required notice to be posted 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

WHEREAS the vacation proceedings were heard by the City Commission and none of the owners from the majority of the area affected thereby objected in writing thereto, and the written consent of the Mickles was given in their warranty deed to the City of Warrenton and the City Commission examined and determined that all abutting property owners' consents were obtained and that the owners of a majority of the area affected made no objections and that requisite notices were duly given and the public interest would not be prejudiced by the vacation of that portion of Pine Street also known as Northwest Date Court which Milford L. and Emma Lee Mickle had requested to be vacated and that the matters having been determined in favor of the vacation by the City of Warrenton and the City Commission,

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

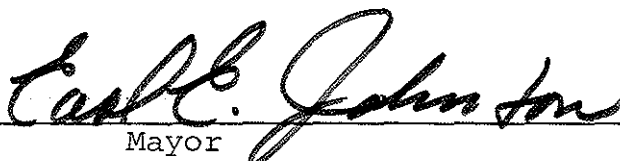
Section 1. That those parts of the street in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as

The Westerly 8 feet of even width of Pine Street also known as Northwest Date Court, extending from the Northeast corner of Lot 1 and the South east corner of Lot 8, Block 53, Second Extension of Warrenton, in the City of Warrenton, Clatsop County, State of Oregon

be and the same is hereby vacated and said vacation of that portion of that certain named street is hereby made a matter of record, but it is expressly provided that Milford L. and Emma Lee Mickle shall forthwith pay the costs of obtaining the necessary changes on the public record so as to indicate, as required by law, such vacation and it is hereby provided that the City Auditor shall file with the County Clerk of Clatsop County, Oregon a certified copy of this ordinance and shall file a certified copy of this ordinance with the County Assessor and the County Surveyor. Nothing contained herein shall cause or require removal or abandonment of any sewer, water main, conduit of any kind, wires, trees, poles or any other thing used or intended to be used for any public service as is now existing and the right is hereby reserved to maintain continual repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things existing prior to the effective date of this ordinance.

Passed by the City Commission of the City of Warrenton this 18th day of June, 1973.

Signed and approved by the Mayor of the City of Warrenton this 18th day of June, 1973.



Mayor

ATTEST: 

Auditor and Police Judge