

ORDINANCE NO. 615-A

Introduced by Commissioner Roderick Gramson

AN ORDINANCE VACATING PORTIONS OF SOUTHEAST FOURTH STREET BETWEEN THE WESTERLY RIGHT OF WAY LINE OF THE OREGON COAST HIGHWAY (U.S. HIGHWAY 101 AND 26) AND THE EASTERLY BANK OF HOLBROOK SLOUGH IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON,

WHEREAS, the City of Warrenton has deemed it to be in the best interests of the City of Warrenton to vacate that certain portion of a named street in the City of Warrenton, to-wit: A portion of Southeast Fourth Street between the Westerly right of way line of the Oregon Coast Highway (U.S. Highway 101 and 26) and the Easterly bank of Holbrook Slough in the City of Warrenton, County of Clatsop, State of Oregon, and

WHEREAS, Southgate Development Company, an Oregon corporation, petitioned the City of Warrenton on or about the 15th day of September, 1975 to vacate that portion of the aforementioned streets, and the City Commission of the City of Warrenton having found no reason manifestly existing why the vacation of those portions should not be allowed in whole or in part, and notice having fixed the time for formal hearing on this petition at the hour of 8:00 P.M. on the 15th day of December, 1975 in the City Hall of the City of Warrenton, and

WHEREAS, due notice of the time and place of said hearing was given as by law required and as set out in affidavit of Gilbert G. Gramson, City Manager, who posted the required notice, and the affidavit of the Daily Astorian which performed the newspaper publications, which is also filed herein, and

WHEREAS, a formal hearing was held at the hour of 8:00 P.M. on December 15, 1975 and the petition initiating the vacation proceedings was read and no objections thereto were heard by the City Commission, and that none of the owners of a majority of the area affected thereby objected in writing thereto and the written consents of all of the abutting property owners as required by law were obtained, and were examined, and the City Commission examined and determined that the abutting property owners consents were obtained and that the owners of a majority of the area affected made no objections and that the requisite notices were given by posting and by publication and that the public interest would not be prejudiced by vacation of the portions of the streets described herein which the petitioners requested be vacated and that matters having been determined in favor of these petitioners by the City of Warrenton and its City Commission,

NOW, THEREFORE, the City of Warrenton does ordain as follows:

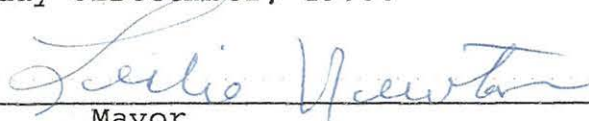
Section 1; That those parts of the streets in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as:

Portions of Southeast Fourth Street between the Westerly right of way line of the Oregon Coast Highway (U.S. Highway 101 and 26) and the Easterly bank of Holbrook Slough in the City of Warrenton, County of Clatsop, State of Oregon

be and the same are hereby vacated and that said vacation of those portions of that certain named street described herein is hereby made a matter of public record and it is expressly provided that the petitioners shall forthwith pay the costs of obtaining the necessary changes of public record so as to indicate, as required by law, such vacation, and it is hereby provided that the City Manager 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, pipe of any kind, including 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 now or hereafter in the future.

Passed by the City Commission of the City of Warrenton, Oregon this 15th day of December, 1975.

Examined and approved by the Mayor of the City of Warrenton this 15th day of December, 1975.



Mayor

ATTEST:



Auditor and Police Judge