

ORDINANCE NO. 682-AIntroduced by Commissioner MASON

AN ORDINANCE VACATING ALLEYWAY LOCATED WITHIN BLOCK 69 FLAVEL, BETWEEN ITS INTERSECTION WITH NORTHWEST ELEVENTH STREET, NOW VACATED, ON THE NORTH, AND NORTHWEST TENTH STREET, NOW VACATED, ON THE SOUTH, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, the City of of Warrenton has deemed it to be in the best interest of the City of Warrenton to vacate an alleyway located within Block 69, Flavel, between its intersection with Northwest Eleventh Street, now vacated, on the North, and Northwest Tenth Street, now vacated, on the South, City of Warrenton, County of Clatsop, State of Oregon, and

WHEREAS, the City Commission of the City of Warrenton having found no reason manifestly existing why the vacation of that part of said alleyway should not be allowed in whole or in part, and on the Commission's own motion, therefore initiated these vacation proceedings, and notice having fixed the time for formal hearing on this petition at the hour of 8:00 o'clock p.m. on the 17th day of October, 1979, in the City Commission Chambers of the City Hall, Warrenton, Oregon, and

WHEREAS, due notice of the time and place of said hearing was given as by law required and as set out in the affidavit of Gilbert 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 the 17th day of October, 1979, on the motion of the Commission of the City of Warrenton which initiated these vacation proceedings and no objections to such vacation were heard by the city commission, and none of the owners of a majority of the area affected thereby, computed on the basis provided in ORS 271.080 objected in writing thereto, and although written consents of the owners of abutting property were not obtained, the commission found that this vacation will not substantially affect the market value of the abutting property owners, therefore there is no need for the city to pay for damages to the same; that the requisite notices were given by posting and by publication and that the public interest would not be prejudiced by vacation of the alleyway described herein which the City of Warrenton has moved be vacated, and that matters having been determined in favor of such vacation by the city of Warrenton and its City Commission,

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

Section 1. That the alleyway located within Block 69, Flavel, between its intersection with Northwest Eleventh Street, now vacated, on the North and Northwest Tenth Street, now vacated, on the South. City of Warrenton, County of

Clatsop, State of Oregon, be and the same is hereby vacated and said vacation of those portions of that certain alleyway described herein is hereby made a matter of public record and it is expressly provided that the City of Warrenton 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 the County of Clatsop, 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 17 day of October, 1979.

Examined and approved by the Mayor of the City of Warrenton this 17 day of October, 1979.

Leslie Newton
Mayor

ATTEST:

Milbert Gramson
Auditor and Police Judge

796138

STATE OF OREGON, }
County of Clatsop } ss.

I hereby certify that the within instrument was received for record and recorded in the record of

DEED

of said county on

OCT 22 1 30 PM '79

In Book

513

On Page

364

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Witness my hand and Seal of office affixed

NORMA HUNSINGER

County Clerk.

By Shelby Conithorne
Deputy.