

ORDINANCE NO. 903-AIntroduced by Commissioner Hugh MASON

AN ORDINANCE VACATING THAT PORTION OF SE ANCHOR AVENUE LYING BETWEEN THE NORTHERLY RIGHT-OF-WAY LINE OF SE 13th PLACE AND THE SOUTHERLY R/W LINE OF SE 13th STREET; AND THAT PORTION OF AN UNNAMED STREET, FORMERLY 19th STREET, LYING BETWEEN SE ANCHOR AVE. ON THE WEST AND THE SKIPANON RIVER ON THE EAST, BOTH STREETS BEING IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, the City of Warrenton has deemed it to be in its best interest to vacate that portion of SE Anchor Avenue lying between the northerly right-of-way line of SE 13th Place and the southerly r/w line of SE 13th Street; and that portion of an unnamed street, formerly 19th Street, lying between SE Anchor Avenue on the west and the Skipanon River on the east, both streets being in the City of Warrenton, County of Clatsop, State of Oregon; and

WHEREAS, Donell I. Dyer petitioned the City of Warrenton to vacate those portions of the above-mentioned streets, and the Warrenton City Commission 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 7:30 PM on the 3rd day of December 1980, in the Warrenton City Hall; 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 Donald E. Lampi, Administrative Assistant, who posted the required notice, and the affidavit of the Columbia Press, which performed the newspaper publications, which is also filed herein; and

WHEREAS, a formal hearing was held at the hour of 7:30 PM on the 3rd day of December 1980, 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 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 petitioner requested be vacated and that matters having been determined in favor of that petitioner by the City of Warrenton and its 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:

that portion of SE Anchor Avenue lying between the northerly right-of-way line of SE 13th Place and the southerly r/w line of SE 13th Street; and that portion of an unnamed street, formerly 19th Street, lying between SE Anchor Ave. on the west and the Skipanon River on the east, both streets being in the City of Warrenton, County of Clatsop, State of Oregon

be and the same are hereby vacated and said vacation of those portions of the above-described streets are hereby made a matter of public record and it is expressly provided that the petitioner 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 3rd day of December 19 80.

Examined and approved by the Mayor of the City of Warrenton, Oregon, this 3rd day of December 19 80.

Leslie Newton
Mayor

ATTEST:

Gilbert Hanson
Auditor and Police Judge

I certify that the within instrument was received for the record and recorded in Clatsop County, State of Oregon.

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Lori D. Davidson By *LD*
LORI D. DAVIDSON, Clatsop County Clerk

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