

ORDINANCE No. 705-AIntroduced by Commissioner Max Bingaman

VACATING THAT PORTION OF SW MAIN COURT LOCATED BETWEEN SW SECOND STREET AND THE EASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

WHEREAS, the City of Warrenton has deemed it to be in its best interest to vacate certain portions of SW Main Court, described as:

That portion of SW Main Court located between SW Second Street and the easterly right-of-way line of the Burlington Northern Railroad, 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 portion of said street should not be allowed, 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 7:30 PM on the 7th day of January 1981, 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 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 7th day of January 1981, on the motion of the City 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 City being the owner of such property; the commission found that this vacation will not substantially affect the market value of abutting property, therefore no need to pay damages for same; that the requisite notices were given by posting and publication and that the public interest would not be prejudiced by said vacation and that matters having been determined in favor of such vacation;

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

Section 1. That said portion of SW Main Court located between SW Second Street and the easterly right-of-way line of the Burlington Northern Railroad, WARRENTON, all in the City of Warrenton, County of Clatsop, State of Oregon, be and the same is hereby vacated and said vacation 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. It is determined said portion to be vacated contains no utility lines but right is hereby reserved to maintain, 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 21st day of January 1981.

Examined and approved by the Mayor of the City of Warrenton this 21st day of January 1981.

ATTEST:

Gilbert Gramson
Auditor and Police Judge

Leslie Newton
Mayor

