

Introduced by Commissioner Roderick GRAMSON

AN ORDINANCE VACATING THE WESTERLY 20 FEET OF EVEN WIDTH OF NORTHWEST FIR AVENUE BETWEEN THE SOUTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 9TH STREET, FORMERLY 6TH STREET, AND THE NORTHERLY RIGHT-OF-WAY LINE OF NORTHWEST 8TH STREET, FORMERLY 7TH STREET, AND WEST OF BLOCK 96 AND EAST OF VACATED BLOCK 95, FLAVEL, IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON.

WHEREAS, HAROLD MUILENBURG and ROSE MUILENBURG, husband and wife, petitioned the City of Warrenton to vacate the Westerly 20 feet of even width of Northwest Fir Avenue between the Southerly right-of-way line of Northwest 9th Street, formerly 6th Street, and the Northerly right-of-way line of Northwest 8th Street, formerly 7th Street, and West of Block 96 and East of vacated Block 95, FLAVEL, in the City of Warrenton, County of Clatsop, State of Oregon, and

WHEREAS, the Warrenton City Commission having found no reason manifestly existing why the vacation of that portion 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 P.M. on the 1st day of April, 1981, in the Warrenton City Hall; and

WHEREAS, due notice of the time and place of hearing was given as by law required and as set out in the Affidavit of Gilbert G. Gramson who posted the required notices and the Affidavit of the Columbia Press which performed the newspaper publication, which is also filed herein, and

WHEREAS, a formal hearing was held at the appointed time and place and the petition initiating said vacation proceedings and objections thereto were heard by the City Commission and none of the owners of a majority of the area affected objected in writing thereto and the written consents of all the abutting property owners were obtained and the City Commission examined and determined that said abutting property owners consents were obtained and that Notice had been duly given and that the public interest of the City of Warrenton would not be prejudiced by the vacation of the portion of the street described herein which the petitioner requested be vacated and that the 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 part of the streets in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as:

The Westerly 20 feet of even width of Northwest Fir Avenue between the Southerly right-of-way line of Northwest 9th Street, formerly 6th Street, and the Northerly right-of-way line of Northwest 8th Street, formerly 7th Street, and West of Block 96 and East of vacated Block 95, Flavel, in the City of Warrenton, County of Clatsop, State of Oregon.

be and the same is hereby vacated and said vacation of that portion of the above described street is hereby made a matter of public record and it is expressly 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 Surveryor. 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 April, 1981.

Examined and approved by the Mayor of the City of Warrenton, Oregon this 15th day of April, 1981.

Leslie W. Newton
Mayor

ATTEST:

Gilbert Gronson
Auditor and Police Judge

812551

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

MAY 8 11 00 AM '81

In Book

551

On Page

910

Witness my hand and Seal of office affixed

NORMA HUNSINGER

County Clerk.

By

Sandra Ransua

Deputy.

Ord. No. 710-A

city of Warrenton P.O. Box 250
Warrenton, Or 97146