ORDINANCE NO. 730-A

Introduced by Commissioner Dennis L. DUNN

VACATING PORTIONS OF SW BIRCH AVENUE, SW ALDER COURT, SW FIFTH STREET, SW FOURTH STREET ALL BEING LOCATED IN W. C. SMITH'S ADDITION; AND PORTION OF SW SEVENTH STREET IN WEST WARRENTON ADDITION; ALL LYING WITHIN THE BOUNDARIES OF WARRENTON CITY PARK, 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 the following streets, described as:

SW BIRCH AVENUE, from the northerly boundary line of SW Fifth Street to the southerly boundary line of SW Third Street; located between Blocks 21 & 20 : 16 & 17, W. C. SMITH'S WARRENTON ADDITION

SW ALDER COURT, from the northerly boundary line of SW Sixth Street to the southerly boundary line of SW Third Street; located between Blocks 32 & 33 : 20 & 19 : 17 & 18 of W. C. SMITH'S WARRENTON ADDITION

SW FIFTH STREET, from the westerly boundary line of SW Alder Avenue to the easterly boundary line of SW Birch Avenue; located between Blocks 33 & 19 : 32 : 20 of W. C. SMITH'S WARRENTON ADDITION

SW FOURTH STREET, from the westerly boundary line of SW Alder Avenue to the easterly boundary line of SW Birch Court; also located between Blocks 19 & 18 : 20 & 17 : 21 & 16 of W. C. SMITH'S WARRENTON ADDITION

SW SEVENTH STREET, from the easterly boundary line of SW Birch Avenue to the westerly boundary line of SW Alder Avenue; lying between Block 2, and School District #30 property and between Block 1 and School District #30 property, all in WEST WARRENTON ADDITION

WHEREAS, the Warrenton City Commission, having found no reason manifestly existing why the vacation of those portions of said streets 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 June 1982, in the City Commission Chambers of 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 Gilbert Gramson, City Manager, who posted the required notice, and the affidavit of the COLUMBIA PRESS, which performed the newspaper publications, also filed herein; and

WHEREAS, a formal hearing was held at the hour of 7:30 PM on the 7th day of June 1982, on the motion of the City Commission of the City of Warrenton, which initiated these vacation proceedings; and no objections to such vacations 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 these vacations 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 vacations and that matters have been determined in favor of such vacations;

\$ 900

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

e.

Section 1. That said portions of those streets described previously herein, all lying within the boundaries of the city park, City of Warrenton, County of Clatsop, State of Oregon, be and the same are hereby vacated, and said vacations described herein are 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 such vacations, as required by law; 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 portions to be vacated contain no utility lines but the 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 <u>6th</u> day of July 1982.

Examined and approved by the Mayor of the City of Warrenton this 6th day of July 1982.

estic Menton

ATTEST:

8064 581 PAGE 131

281 POT 199 735

Warrenton Ord. # 730-A page 2

-	4			
-	4			
-				
-	4			
-			Contra 2 .	
-	4		A REAL	
-			Suns 2	
			Carlo A and	
-			1000 X + 2	
-			2 * 2 MILES	
-			2011 2 4 2	
			2 * 2 2010	
			C-11/2 - 2 - 2 - 1	
			C-11/2 - 2 - 1	

STATE OF OREGON, SS. County of Clatsop I hereby certify that the within instrument was received for record and recorded in the record of DEED of said county on JUL 12 3 35 PM '82 In Book 581 On Page 130 Witness my hand and Seal of office affixed

NORMA HUNSINGER

County Clerk. By Catherine Wujek Deputy. Ret: City of Warrenton