

ORDINANCE NO. 760-AIntroduced by Commissioner George W. Cooper

VACATING THAT PORTION OF SE NEPTUNE AVENUE EXTENDING NORTH FROM THE NORTHERLY LINE OF SE EIGHTH STREET AND SE NEPTUNE INTERSECTION, TO THE EXISTING SOUTHEAST LINE OF OREGON COAST HIGHWAY 101; AND THAT PORTION OF SE SEVENTH STREET LYING EAST OF THE SOUTHEAST LINE OF OREGON COAST HIGHWAY 101, FOR A DISTANCE OF APPROXIMATELY 150 FEET TO THE EAST LINE OF WARRENTON PARK SUBDIVISION; SAID PORTIONS OF PUBLIC RIGHT-OF-WAY BEING ADJACENT TO BLOCK 51, WARRENTON PARK, CITY OF WARRENTON, CLATSOP COUNTY, OREGON.

WHEREAS, the City of Warrenton has deemed it to be in its best interest to vacate certain portions of the following public rights-of-way, described as:

that portion of SE Neptune Avenue extending north from the northerly line of SE Eighth Street and SE Neptune intersection, to the existing southeast line of Oregon Coast Highway 101; and  
that portion of SE Seventh Street lying east of the southeast line of Oregon Coast Highway 101, for a distance of approximately 150 feet to the east line of WARRENTON PARK subdivision;  
said portions of public rights-of-way being adjacent to Block 51, WARRENTON PARK subdivision, City of Warrenton, Clatsop County, Oregon; and

WHEREAS, Charles J. Thompson, et al, have petitioned the Warrenton City Commission for the vacation of those portions of SE Neptune Avenue and SE Seventh Street as fully described herein above, adjacent to Block 51, WARRENTON PARK; and

WHEREAS, the Warrenton City Commission has determined that there is no reason why said petition should not be granted and, therefore, has scheduled a formal public hearing on this petition for the hour of 7:30 PM on 21 November 1983, in the commission chambers of 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 James B. Rankin, City Engineer, who posted the required notice and the affidavit of the DAILY ASTORIAN, which printed the newspaper publications, also filed herein; and

WHEREAS, a formal hearing was held at the hour of 7:30 PM on 21 November 1983, and the petition initiating the vacation proceedings was read and no objections there-to 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 were obtained and examined, as required by law, 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 public rights-of-way described above, 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 public rights-of-way in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as:

that portion of SE Neptune Avenue extending north from the northerly line of SE Eighth Street and SE Neptune intersection, to the existing southeast line of Oregon Coast Highway 101; and that portion of SE Seventh Street, lying east of the southeast line of Oregon Coast Highway 101, for a distance of approximately 150 feet to the east line of WARRENTON PARK Subdivision; said portions of public rights-of-way being adjacent to Block 51, WARRENTON PARK

be and the same are hereby vacated, and said vacations herein described are hereby made a matter of public record; and it is expressly provided that Charles J. Thompson shall forthwith pay the costs of publication of notices and the necessary changes of public record as required by law; and it is hereby provided that the city manager shall file with the clerk of the County of Clatsop, State of Oregon, a certified copy of this ordinance as well as with the county assessor and county surveyor. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main, conduit, utility lines, poles or any other thing used, or intended to be used, for any public service.

Passed by the City Commission of the City of Warrenton, Oregon, this 5th day of December 1983.

Examined and approved by the Mayor of the City of Warrenton, Oregon this 5th day of December 1983.

Robert L. Gray  
Vice-Chairman

ATTEST:

Gilbert G. Hanson  
Auditor and Police Judge

STATE OF OREGON, } 836173  
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

DEC 12 10 58 AM '83

In Book

609

On Page

830



Witness my hand and Seal of office affixed

NORMA HUNSINGER  
County Clerk.

By Spelby Alonithane  
Deputy.