

ORDINANCE No. 763-A

Introduced by Commissioner George W. Cooper

VACATING THAT PORTION OF SW NINTH PLACE BOUNDED BY THE EXTENSION OF THE EASTERLY PROPERTY LINE OF LOT 1, BLOCK 2 and LOT 1, BLOCK 5, PORTAL ADDITION; and the EXTENSION OF THE WESTERLY PROPERTY LINE OF LOT 5, BLOCK 2 and LOT 5, BLOCK 5, PORTAL ADDITION; SAID VACATION TO INCLUDE AN AREA 60 FEET IN WIDTH AND 150 FEET DEEP, CITY OF WARRENTON, CLATSOP COUNTY, OREGON.

WHEREAS, the Warrenton City Commission has deemed it to be in the best interests of the City to vacate certain portions of the following public right-of-way, described as:

that portion of SW Ninth Place (formerly Hesner Street) bounded by the extension of the easterly property line of Lot 1, Block 2 and Lot 1, Block 5, PORTAL ADDITION; and the extension of the westerly property line of Lot 5, Block 2 and Lot 5, Block 5, PORTAL ADDITION; said vacation to include an area 60 feet wide and 150 feet deep, City of Warrenton, Clatsop County, Oregon; and

WHEREAS, Kenneth C. Bechtolt et al, have petitioned the Warrenton City Commission for the vacation of that portion of SW Ninth Place as fully described above; and

WHEREAS, the Warrenton City Commission determined there is no reason why said petition should not be granted and, therefore, scheduled a formal public hearing on this petition for the hour of 7:30 PM on 2 April 1984, 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 COLUMBIA PRESS, which printed the newspaper publications, also filed herein; and

WHEREAS, said formal hearing was held at the hour of 7:30 PM, 2 April 1984, and the petition initiating the vacation proceedings was read with no objections thereto 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 r/w 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 right-of-way in the City of Warrenton, Clatsop County, State of Oregon, described above be and the same are hereby vacated, and said vacation herein described is hereby made a matter of public record; and it is expressly provided that Kenneth C. Bechtolt 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 Clatsop County, 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.

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Passed by the City Commission of the City of Warrenton, Oregon, this 16th day of April 1984.

Examined and approved by the Mayor of the City of Warrenton, Oregon, this 16th day of April 1984.

Robert Gray  
Acting Mayor

ATTEST:

Arthur Stinson  
Auditor & Police Judge

STATE OF OREGON, } ss. **842151**  
 County of Clatsop }

I hereby certify that the within instrument was received for record and recorded in the record of said county on

**NEED**

**APR 27 2 15 PM '84**

In Book **616**  
 On Page **521**

Witness my hand and Seal of office affixed

**NORMA HUNSINGER**  
 County Clerk.

By Laurel Carlson  
 Deputy.