

ORDINANCE NO. 999-A

Introduced by Commissioner Jerry E. Doney

VACATING THAT PORTION OF ASH STREET (commonly known as SW BIRCH COURT) AND SEVENTH STREET (commonly known as SW FIFTH STREET), BEGINNING AT THE SE CORNER OF LOT 8 BLOCK 15; THENCE EASTERLY 80 FEET TO THE SW CORNER OF LOT 9 BLOCK 16; THENCE SOUTHERLY ALONG THE EAST BOUNDARY OF ASH STREET 460 FEET TO THE SW CORNER OF LOT 9 BLOCK 21; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF SAID BLOCK 21 A DISTANCE OF 200 FEET TO THE SE CORNER OF SAID BLOCK 21; THENCE SOUTHERLY 60 FEET TO THE NE CORNER OF BLOCK 31; THENCE WESTERLY ALONG THE NORTH BOUNDARY OF SAID BLOCK 31 A DISTANCE OF 197.1 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF CEDAR AVENUE, AS DESCRIBED AND RECORDED IN BOOK 226, PAGES 390 & 391, DEED RECORDS, CLATSOP COUNTY, OREGON; THENCE NORTHWESTERLY ALONG SAID EASTERLY R/W LINE TO ITS INTERSECTION WITH THE EAST LINE OF BLOCK 22; THENCE NORTHERLY ALONG THE EAST LINE OF BLOCK 22 AND THE NORTHERLY EXTENSION THEREOF, TO THE POINT OF BEGINNING; ALL BEING WITHIN W. C. SMITH'S ADDITION, CITY OF WARRENTON, CLATSOP COUNTY, OREGON. (SEE EXHIBIT "A" ATTACHED)

WHEREAS, the Warrenton City Commission has deemed it to be in the best interests of the city to vacate those portions of the public right-of-way described above; and

WHEREAS, William C. Hartley, Don Stangel, Robert C. Pollard, Ann Gramson et al, have petitioned the Warrenton City Commission for the vacation of those portions of Ash Street and Fifth Street, as fully described above; and

WHEREAS, the Warrenton City Commission determined there is no reason why said petition should not be granted and, therefore, by Resolution No. 625, scheduled a public hearing on this petition for the hour of 7:30 PM, 15 April 1987, 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

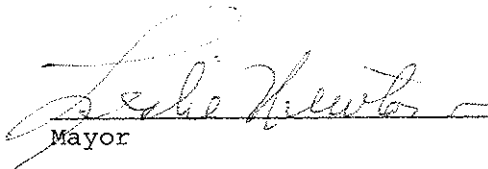
WHEREAS, the duly-scheduled public hearing was held at 7:30 PM, 15 April 1987, the petition initiating the vacation proceedings was read with no objections thereto; and that none of the owners of a majority of the area affected thereby objected in writing thereto, and the written consents of all of the abutting property owners were obtained and examined, as required by law, and the city commissioners 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 petitioners requested be vacated and that, matters having been determined in favor of the petitioners 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 r/w 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 William C. Hartley, Don Stangel, Robert C. Pollard, Ann Gramson, et al, 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, the assessor and the surveyor of Clatsop County, State of Oregon, a certified copy of this ordinance. 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.

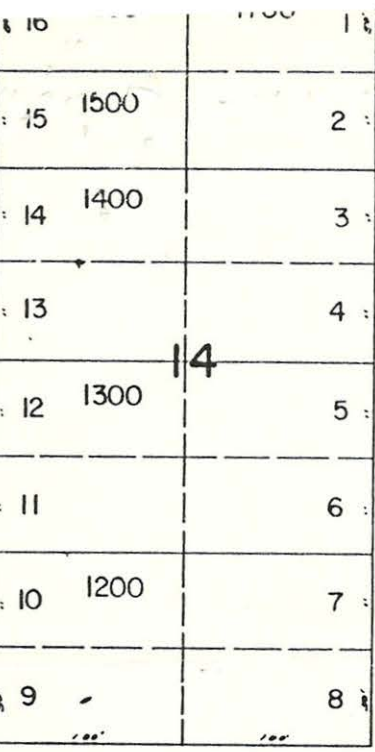
PASSED by the City Commission of the City of Warrenton, Oregon, this 15<sup>th</sup> day of APRIL 1987.

APPROVED by the Mayor of the City of Warrenton, this 15<sup>th</sup> day of APRIL 1987.

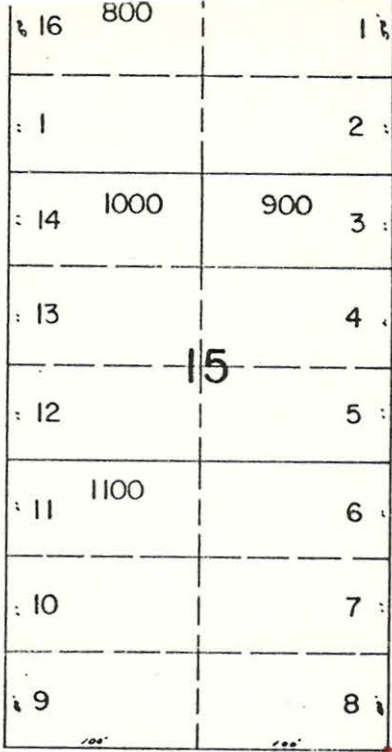
  
\_\_\_\_\_  
Mayor

ATTEST:

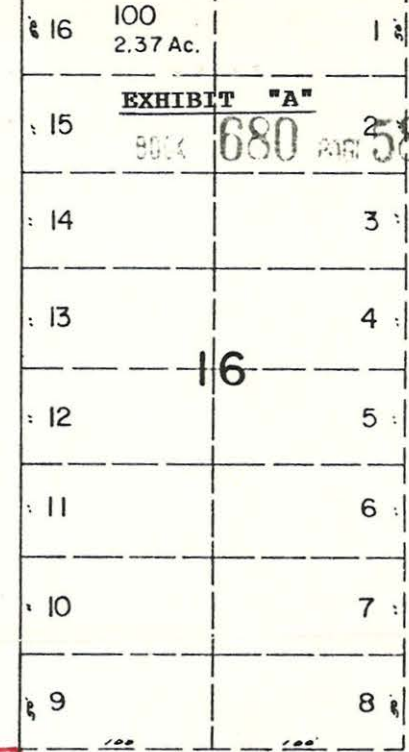
  
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City Manager/Auditor



S.W. CEDAR



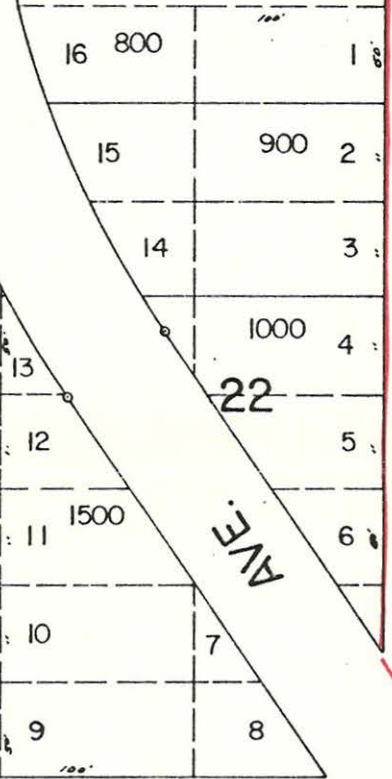
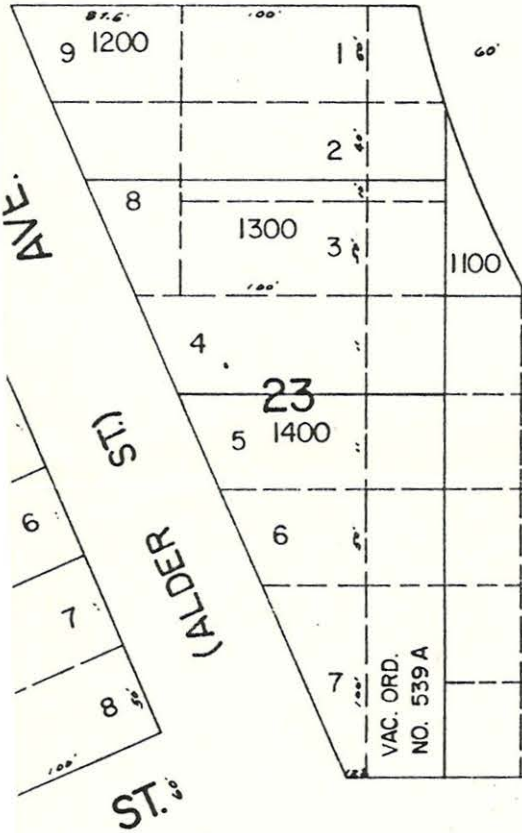
CT.  
(ASH ST.)



AVE.  
(WALNUT ST.)

VACATED

VAC. ORD. 730A  
S.W. 4TH. ST.  
BK. 581 PG. 130



S.W. BIRCH



VAC. ORD 730A  
BK. 581 PG. 130

S.W. BIRCH

S.W. 5TH.

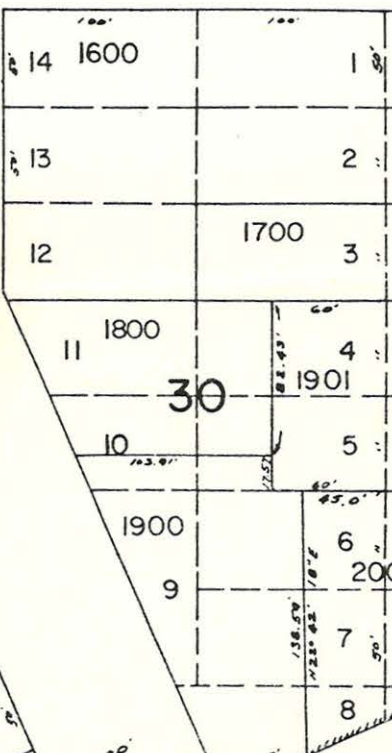
(7TH. ST.)

I hereby certify that the within instrument was received for record and recorded in the County of Clatsop, State of Oregon

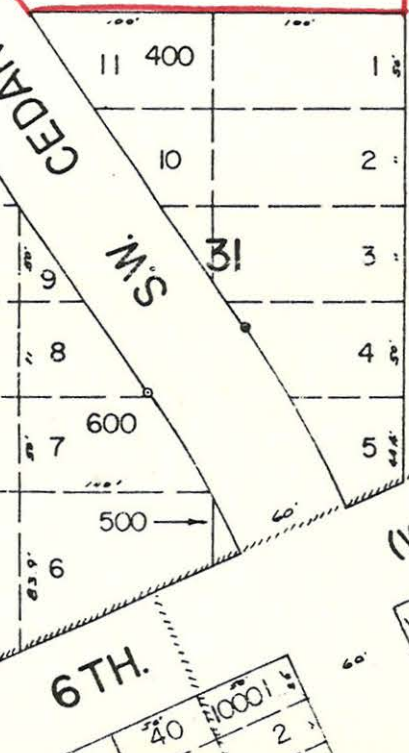
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Book 680 Page 581  
NORMA HUNSINGER, County Clerk  
Form 103 Fees \$ 13.00



S.W. CEDAR



(W. 7TH.)

S.W. 6TH.

