

ORDINANCE No. 813A

680 333

Introduced by Commissioner Deery Doney

VACATING THAT PORTION OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, AS DESCRIBED: BEGINNING AT THE SE CORNER OF LOT 16, BLOCK 53; THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, 190 FEET TO THE SW CORNER OF LOT 13, BLOCK 53; THENCE SOUTHERLY 70 FEET TO THE NW CORNER OF LOT ~~13~~⁴, BLOCK 58; THENCE EASTERLY ALONG THE SOUTHERLY R/W OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, TO THE NE CORNER OF LOT 1, BLOCK 58; THENCE NORTHERLY 70 FEET TO THE SE CORNER OF SAID LOT 16, BLOCK 53, BEING THE POINT OF BEGINNING; ALL BEING WITHIN WARRENTON PARK SUBDIVISION, 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 r/w described above; and

WHEREAS, Robert J. Gilbert has petitioned the Warrenton City Commission for the vacation of that portion of 13th Street, commonly known as SE 8th 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. 641**, scheduled a public hearing on this petition for the hour of 7:30 PM, 2 December 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 Gilbert G. Gramson, city manager, who posted the required notice, and the affidavit of the COLUMBIA PRESS, which printed the newspaper publications, also filed herein; and

WHEREAS, the COLUMBIA PRESS inadvertently printed the incorrect date, which invalidated the original hearing; and

WHEREAS, due notice of a newly-scheduled public hearing was posted and published, and held at 7:30 PM, 6 January 1988; and the petition initiating the vacation proceedings was read with no objections thereto, 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

WHEREAS, 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 Warrenton City 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 herein, 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 Robert J. Gilbert 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 line, pole 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 20th day of January 1988.

APPROVED by the Mayor of the City of Warrenton, this 20th day of January 1988

Leslie Newton
Mayor

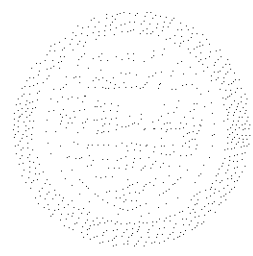
ATTEST:

Debra Davidson
City Manager/Auditor
City of Warrenton
PO Box 250
War. Or 97146

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

880450

JAN 21 1988

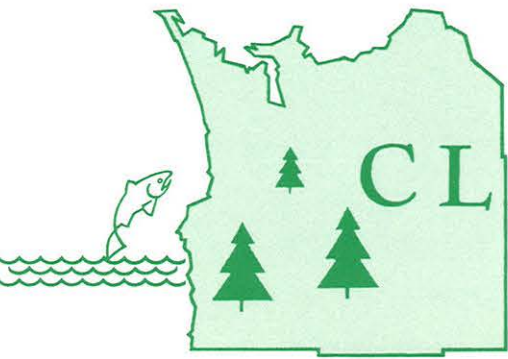


Book 689 Page 333

LORI D. DAVIDSON, County Clerk

Lori D. Davidson

Form 103 Fees \$ 10.00



CLATSOP COUNTY

Courthouse Astoria, Oregon 97103

Surveyor Department, 1100 Olney Ave., 325-8631

January 10, 1989

Gilbert Gramson, Manager
City of Warrenton
147 So. Main
Warrenton, OR 97146

Re: Ordinance No. 813A

Mr. Gramson:

ORS 271.230 requires that I mark on the original plat an area which has been vacated. In trying to mark the vacation as described in Ordinance No. 813A, I find two apparent errors. I have enclosed a copy of this ordinance, which I marked the apparent errors. If you concur with my findings, you should make the necessary corrections and re-record this document with the County Clerk.

If you have questions, or if I can be of assistance, please call me at 325-8631.

Sincerely,

Robert A. Hovden
Clatsop County Surveyor

RAH:jc

Enc.

13 January 1989

Robert A. Rowden, Surveyor
County of Clatsop
Surveyor Department
1100 Olney Avenue
Astoria OREGON 97103

Dear Mr. Rowden:

Thank you for your letter of 10 January 1989. Attached please find corrected Ordinance No. 513-A and a copy of the Exhibit A, which shows this vacation.

We appreciate your calling this to our attention.

Sincerely,

CITY OF WARRENTON

Gilbert G. Gramson
City Manager/Auditor

NU:jwh
encl.2

*

EXHIBIT A

9	14	15	16
		1000	

A

400			500		
9	10	11	12	13	14

S.E. 6 TH.

(11TH. ST.)

8	5	4	3	2	1
1300		1200		1100	
		48			
9	12	13	14	15	16
		1400			

(VACATED)

(WARRENTON HWY)

8	7	6	5	4	
1600			1500	1501	
			49		
9	10	11	12	13	14
		1700			

S.E. 7 TH.

(12TH. ST.)

(CORNELL ST.)

8	5	4	3	2	1
2500		2400			
		53			
9	12	13	14	15	16
		2601	2600	2700	

(VACATED)

WARRENTON

(CHAPMAN ST.)

8	7	6	5	4	3
2200		2101	2102	2103	
			52		
9	10	11	12		
		2300			

S.E. 8 TH. 30-04

S.E. LAKE

8	5	4	3	2	1
2900		2802		2801	
		58			
9	10	11	12		
		2800			

(VACATED)

BOUNDARIES OF STREET VACATION

COAST

4	3				
3100	3101				
	59				
9	10	11	12	13	14
	3302		3400		3400

S.E. 9 TH.

(14TH. ST.)

8	1		
5105			
	5000	2	4900
	63	3	

MARLIN

8	7	6	5	4	3
4400		4300		4200	
				62	

ORDINANCE No. 813A

689 333

Introduced by Commissioner DEWY DONEY

VACATING THAT PORTION OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, AS DESCRIBED: BEGINNING AT THE SE CORNER OF LOT 16, BLOCK 53; THENCE WESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, 190 FEET TO THE SW CORNER OF LOT 13, BLOCK 53; THENCE SOUTHERLY 70 FEET TO THE NW CORNER OF LOT 5, BLOCK 58; THENCE EASTERLY ALONG THE SOUTHERLY R/W OF 13th STREET, COMMONLY KNOWN AS SE 8th STREET, TO THE NE CORNER OF LOT 1, BLOCK 58; THENCE NORTHERLY 70 FEET TO THE SE CORNER OF SAID LOT 16, BLOCK 53, BEING THE POINT OF BEGINNING; ALL BEING WITHIN WARRENTON PARK SUBDIVISION, CITY OF WARRENTON, CLATSOP COUNTY, OREGON. (See Exhibit "A" attached)

190 FEET

04

WHEREAS, The Warrenton City Commission has deemed it to be in the best interests of the city to vacate those portions of the public r/w described above; and

WHEREAS, Robert J. Gilbert has petitioned the Warrenton City Commission for the vacation of that portion of 13th Street, commonly known as SE 8th 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. 641, scheduled a public hearing on this petition for the hour of 7:30 PM, 2 December 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 Gilbert G. Gramson, city manager, who posted the required notice, and the affidavit of the COLUMBIA PRESS, which printed the newspaper publications, also filed herein; and

WHEREAS, the COLUMBIA PRESS inadvertently printed the incorrect date, which invalidated the original hearing; and

WHEREAS, due notice of a newly-scheduled public hearing was posted and published, and held at 7:30 PM, 6 January 1988; and the petition initiating the vacation proceedings was read with no objections thereto, 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

WHEREAS, 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 Warrenton City Commission;