

ORDINANCE No. 826-AIntroduced by Commissioner William Knowles

VACATING THAT PORTION SE SECOND STREET FROM SE BAY AVENUE TO THE DIKE, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, BLOCK 6; THENCE SOUTHEASTERLY ALONG THE NORTHERN RIGHT-OF-WAY LINE OF FOURTH STREET (COMMONLY KNOWN AS SE SECOND STREET), A DISTANCE OF 50 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE NORTHERN R/W LINE OF FOURTH STREET (COMMONLY KNOWN AS SE SECOND STREET), A DISTANCE OF 161 FEET MORE OR LESS TO THE WEST SIDE OF THE CITY DIKE EASEMENT; THENCE SOUTHWESTERLY ALONG THE CURVE ON THE WESTERN BOUNDARY OF THE CITY DIKE EASEMENT A DISTANCE OF 63 FEET MORE OR LESS TO THE NORTHEASTERN CORNER OF LOT 1A, BLOCK 14; THENCE NORTHWESTERLY ALONG THE SOUTHERN R/W LINE OF FOURTH STREET (COMMONLY KNOWN AS SE SECOND STREET), A DISTANCE OF 150 FEET TO THE NORTHWEST CORNER OF LOT 1C, BLOCK 14; THENCE NORTHEASTERLY A DISTANCE OF 60 FEET TO THE TRUE POINT OF BEGINNING; ALL BEING WITHIN WARRENTON ADDITION TO ASTORIA, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON

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, the City of Warrenton has initiated said vacation proceedings, as authorized by ORS 271.130, and approved at a regular meeting of the city commissioners on 6 July 1988; and

WHEREAS, the Warrenton City Commission has determined there is no reason why said petition to vacate should not be granted and, as authorized above, notice of a public hearing to be held at 7:30 PM, 17 August 1988, was duly published in the COLUMBIA PRESS editions of 15, 22 and 29 July and 5 August 1988; and

WHEREAS, the duly-advertised public hearing was held at the scheduled time, on the motion of the City Commission of the City of Warrenton, which initiated these vacation proceedings; and no objections to such vacation were heard, 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, the city being the sole owner of such property; the city commission found that this vacation will not substantially affect the market value of abutting property, therefore no need to pay damages for same; then determined that requisite notices were given by posting and by publication and that the public interest would not be prejudiced by vacation of the portions of public r/w described above, and that, matters having been determined in favor of said vacation;

NOW, THEREFORE, the City of Warrenton ordains 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 described above is 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 vacation, 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.

First reading: 9-7-88

Second reading: 9-21-88

PASSED by the City Commission of the City of Warrenton, Oregon, this 21ST day of September 1988.

APPROVED by the Mayor of the City of Warrenton, Oregon, this 21ST day of September 1988

Leslie Newton
Mayor

ATTEST:

Gilbert Branson
City Manager/Auditor

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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LORI D. DAVIDSON, County Clerk

Lori S. Davidson
Form 103 Fees \$ 10/10