

Introduced by Commissioner Max F. BINGAMAN

VACATING A PORTION OF NW BIRCH AVENUE BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT 6, BLOCK 99, SECOND EXTENSION TO WARRENTON, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTHWESTERLY, PARALLEL WITH THE SOUTHERLY LINE OF LOT 6, A DISTANCE OF 30 FEET INTO N.W. BIRCH AVENUE RIGHT-OF-WAY; THENCE NORTHEASTERLY, PARALLEL WITH THE WESTERLY LINE OF LOTS 6 THROUGH 1, A DISTANCE OF 350 FEET; THENCE SOUTHEASTERLY, PARALLEL WITH THE SOUTHERLY LINE OF LOT 6, A DISTANCE OF 30 FEET; THENCE SOUTHWESTERLY, ALONG THE WESTERLY LINE OF LOTS 1 THROUGH 6, A DISTANCE OF 350 FEET, TO THE TRUE POINT OF BEGINNING; ALL BEING WITHIN THE CITY OF WARRENTON, CLATSOP COUNTY, OREGON.

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

WHEREAS, Ray Jensen petitioned the Warrenton City Commission for vacation of that portion of W Birch Avenue, 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. 743**, scheduled a public hearing on this petition for the hour of 7:30 PM, 19 September 1990, in the commission chambers of Warrenton City Hall; and

WHEREAS, due notice of time and place of said hearing was given as by law required and 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 Warrenton 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 publication; and that the public interest would not be prejudiced by vacation of the portions of the street r/w described above, which the petitioner requested to be vacated; and that, matters having been determined in favor of the petitioner by the Warrenton City Commission;

NOW, THEREFORE, the City of Warrenton does ordain as follows:

Section 1: That the public r/w in the City of Warrenton, Clatsop County, State of Oregon, described herein by, and the same is hereby, vacated, and said vacation herein described is hereby made a matter of public record; and it is expressly provided that Ray Jensen shall pay the costs of publication of notices and the necessary changes in public records, as required by law; and it is hereby further provided that the city manager shall file with the clerk, the assessor and the surveyor of Clatsop County, 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.

First reading: 10/10/90
Second reading: 10/17/90

PASSED by the City Commission of the City of Warrenton, Oregon, this 17th day of October 1990.

APPROVED by the Mayor of the City of Warrenton, this 17th day of October 19 90.

ATTEST:

Gilbert Gramson
City Manager/Auditor

Leslie Hunter Mayor