

ORDINANCE No. 919-A

Introduced by Commissioner Bruce L. Bobek

VACATING A PORTION OF WALNUT STREET, (COMMONLY KNOWN AS S.W. BIRCH AVENUE) A DISTANCE OF APPROXIMATELY 80 FEET WIDE BY 400 FEET LONG WHICH CONNECTS S.W. 2ND STREET AND S.W. 3RD STREET BETWEEN BLOCKS 2 AND 3 OF SMITH'S WARRENTON, CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON, AS FULLY DESCRIBED BELOW (VACATION #83)

WHEREAS, the Warrenton City Commission deemed it to be in the best interest of the city to vacate a portion of Walnut Street (Commonly known as SW Birch Avenue) a distance approximately 80 feet wide by 400 feet long which connects S.W. 2nd Street and S.W. 3rd Street between Blocks 2 and 3, Smiths Warrenton, Warrenton, County of Clatsop, Oregon, fully described below;

That portion of Walnut Street (platted), more commonly known as S.W. Birch Avenue, between the south property line of 4th Street (platted), more commonly known as S.W. 2nd Street and the north property line of 5th Street (platted), more commonly known as S.W. 3rd Street, SMITH'S WARRENTON; City of Warrenton, Clatsop County, Oregon.

WHEREAS, Matt Doney, has petitioned the Warrenton City Commission for vacation of that portion of S.W. Birch Avenue; and

WHEREAS, the Warrenton City Commission has determined that there is no reason why said petition should not be granted and, therefore, a public hearing on this petition is scheduled for the hour of 7:30 p.m., October 20, 1993, in the Warrenton Community Center; and

WHEREAS, due notice of time and place for said hearing was given, as by law required, and as set out in the affidavit of Janet Wright, Zoning Administrator, who posted the required notice, and the affidavit of COLUMBIA PRESS, which printed the newspaper publications, also filed herein; and

WHEREAS, the Warrenton City Commission examined and determined that the abutting property owner was said petitioner 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 portion of the street r/w described above, which the petitioner requested 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 Matt Doney, 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 Zoning Administrator 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 : October 20, 1993

Second reading : November 3, 1993

PASSED by the City Commission of the City of Warrenton, Oregon, this 3rd day of November, 1993.

PASSED by the Mayor of the City of Warrenton, this 3rd day of November, 1993.

Leslie W. Newton, Mayor

ATTEST: Gilbert G. Gramson, City Manager/Auditor

Ordinance\Vac.83

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

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Lori D. Davidson, Clatsop County Clerk

Table with columns for fees: D, M, MS, L, LS, DIS, MLC, AS, MIS. Includes fields for page(s) @ \$5, \$10 PLCP Ord, \$20 Trans Fee, \$5 Judgment, \$5 Misc., \$20 TAI Ord, Other, TOTAL FEES PAID, Cash/Check #, Billing Code, and From: City of Warrenton.