



Recording Instrument Number 200000316
Recorded By: Clatsop County Clerk
Document Category: _____
of Pages _____ Fee _____ JAN 14 00 12:19
Payment _____ Deputy _____

B1035P924

ORDINANCE NO. 1016-A

INTRODUCED BY COMMISSIONER Barbara Balensifer

**VACATING A PORTION OF N.W. BIRCH COURT, PLAT OF SECOND
EXTENSION OF WARRENTON IN THE CITY OF WARRENTON,
COUNTY OF CLATSOP,
STATE OF OREGON**

(VACATION #103)

WHEREAS, the Warrenton City Commission deemed it to be in the best interest of the City to vacate that portion of N.W. Birch Court, formerly known as Ash Street as laid out and dedicated on the Plat of 2nd Extension of Warrenton, City of Warrenton, County of Clatsop, State of Oregon, more particularly described as follows:

Beginning at the southwest corner of Block 78, in the plat of 2nd Extension of Warrenton; thence N66 degrees 07' West 80.00 feet to the southeast corner of Block 79 in said plat; thence N23 degrees 53'E along the east boundary of Block 79 a distance of 300.00 feet to the northeast corner of Lot 3, Block 79; thence S 66 degrees 07' East 40.00 feet to the center line of Ash Street (commonly known as N.W. Birch Court) in said plat; thence S23 degrees 53' W along the center line of Ash Street 38.64 feet to a point that bears N66 degrees 07'W 40.00 feet from the intersection of the west boundary of Block 78 with the southwesterly boundary of Fort Stevens Road (commonly known as N.W. Warrenton Drive); thence S66 degrees 07'E 40.00 to said intersection; thence S23 degrees 53' W along the westerly boundary of Block 78 a distance of 261.36 feet to the point of beginning. All situated in the Southwest quarter of Section 16, Township 8 North, Range 10 West, Willamette Meridian, in the City of Warrenton, County of Clatsop and State of Oregon.

and;

WHEREAS, Jeff Anspach has petitioned the Warrenton City Commission for vacation of the public right-of-way as described above; 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 was held at the hour of 7:00 PM on January 6, 1999, 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 Linda Engbretson, City Recorder, 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 owners were said petitioners and that the owners of a majority of the area affected made no objection; and that the requisite notices were given by posting and publication; and that the public interest would not be prejudiced by vacation of that portion of the street right-of-ways 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 the public right-of-way 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 the petitioners shall forthwith pay the costs of the necessary changes of public records, as required by law; and it is


hereby provided that the City Recorder 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, drainage, 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 3rd day of February, 1999.

EXAMINED AND APPROVED by the Mayor of the City of Warrenton, Oregon this 3rd day of February, 1999.

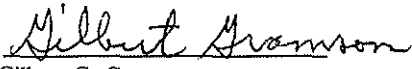
First Reading: January 20, 1999

Second Reading: February 3, 1999



Mayor, Barbara Balensifer

ATTEST:



Gilbert G. Gramson
City Manager/Auditor

After Recording Return to
City of Warrenton
PO Box 250
Warrenton, OR 97146