

ORDINANCE NO. 1018-A**INTRODUCED BY COMMISSIONER Leslie Newton****VACATING PORTIONS OF SW KALMIA AVENUE, SW JUNIPER COURT, 10TH STREET, S.W. 9TH AND 9TH STREET IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON**

(VACATION #105)

WHEREAS, the Warrenton City Commission deemed it to be in the best interest of the City to vacate portions of S.W. Kalmia Avenue, SW Juniper Court, 10th Street, and SW 9th Street in the City of Warrenton, County of Clatsop, State of Oregon, and more particularly described below:

Parcel 1. That portion of that 50 foot wide unnamed street, presently known as S.W. Kalmia Avenue, bounded by the west boundary of Block 51, the east boundary of Block 52, the north boundary of 10th Street, and a line drawn parallel with and 250 feet north of the north boundary of said 10th Street in the plat of Great Northern Addition to Warrenton, County of Clatsop, State of Oregon.

Parcel 2. That portion of that 50 foot wide unnamed street, presently known as S.W. Juniper Court, bounded by the west boundary of Block 50, the east boundary of Block 51, the south boundary of 9th Street, and the north boundary of 10th street in the plat of Great Northern Addition to Warrenton, County of Clatsop, State of Oregon.

Parcel 3. All of that portion of 10th Street lying between the southerly extension of the east boundary of Block 50 and the west boundary of Block 52 in the plat of Great Northern Addition to Warrenton, County of Clatsop, State of Oregon.

Parcel 4. All that portion of 9th Street lying between the northerly extension of the west boundary of Block 50 and the northerly extension of the west boundary of Block 51 in the plat of Great Northern Addition to Warrenton, County of Clatsop, State of Oregon.

Parcel 5. All that portion of Old S.W. 9th Street (formerly County Road 286) as described in Court Order recorded in Book 37, Page 329, Circuit Court Journals, Clatsop County, Oregon, lying west of the east boundary of Section 20, T8N, R10W, W.M., east of the northerly extension of the east boundary of County Road 61, and south of relocated S.W. 9th Street as conveyed to the City of Warrenton by deed recorded in Book 840, Page 792, Deed Records, Clatsop County, Oregon.

Parcel 6. All that portion of that unnamed county road commonly known as Old S.W. 9th Street, Old County Road 286, and/or The Dump Road, described on Pages 183 and 184, County Road Book 1, Clatsop County Survey Records, lying between the east boundary of Section 20, T8N, R10W, W.M. and the northerly extension of the east boundary of County Road 61 in the City of Warrenton, County of Clatsop, State of Oregon. **Excepting therefrom** any portion thereof lying within the 60 foot wide right-of-way of relocated S.W. 9th Street as conveyed to the City of Warrenton by deed recorded in Book 840, Page 792, Deed Records, Clatsop County, Oregon. **Also excepting therefrom** any portion thereof that may be located within 10th Street and/or that unnamed 25 foot wide street adjoining the east boundaries of Blocks 49 and 50 as recorded on the plat of Great Northern Addition to Warrenton, County of Clatsop, State of Oregon.

and;

WHEREAS, Sandworks, Inc. & G & G Sand, LLC have petitioned the Warrenton City Commission for vacation of the public right-of- ways 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 20, 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, 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 objections; 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.

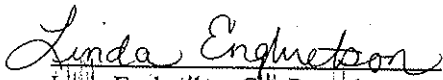
EXAMINED AND APPROVED by the Mayor of the City of Warrenton, Oregon this 3rd day of February, 1999.

First Reading: January 20, 1999

Second Reading: February 3, 1999


Barbara Balensifer, Mayor

ATTEST:


Linda Engbretson, City Recorder

After Recording Return to:
Linda Engbretson
City Recorder
PO Box 250
Warrenton, OR 97146