

1083

Ordinance Bill No. 19 for 1915.

ORDINANCE NO. 199.

An Ordinance vacating parts of Fifth Street and
E. Street.

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WHEREAS, J. C. Devine did, on the 23rd day of April, 1915, file with the Recorder of the City of Lebanon, Oregon, his petition, duly acknowledged before a notary public for the State of Oregon, directed to the Mayor and Common Council of said City of Lebanon, and reciting that said J. C. Devine is the sole owner of all of the lots numbered 41, 42, 43, 44, 45, 46, 47, 53, 54, 55, 56, 57, 58, 59, 60 and 61 of Hylands Addition to said City of Lebanon, and that said lots comprise all of the property abutting on that part of Fifth Street extending from the North line of said Lots numbered 45 and 46 to the North line of E. Street, and that they also comprise all of the property abutting on that part of E Street extending from the East line of Taft (or 7th) Street to the West line of Third Street (the same being all that part of E Street lying in said Hylands Addition); and,

WHEREAS, said petition further shows that said parts of said Fifth Street and E Street are very little travelled or used, and are of practically no benefit to the people of the said City of Lebanon, or to the public; that said Fifth Street terminates at its intersection with E Street, and that said E Street is obstructed at its intersection with Third Street (being the East line of said Hylands Addition), by the Lebanon Canal, across which there is no bridge at that point; and that, were said parts of Fifth Street and E Street to be vacated, no one other than said petitioner would be particularly affected thereby; and prays that said described parts of Fifth Street

and E Street be vacated; and,

WHEREAS, due notice of the pendency of said petition was thereafter given, as provided by law, which notice was in writing, contained a description of the property to be vacated, as hereinbefore mentioned, stated that said petitioner would appear before the Common Council of said City of Lebanon, Oregon, at the regular meeting thereof on the 1st day of June, 1915, and request the granting of said petition for vacation, and was duly posted, for a period of more than thirty (30) days prior to said 1st day of June, 1915, in three of the most public places in said City of Lebanon; and,

WHEREAS, proof of the posting of said notices is on file with the Recorder of said City; and,

WHEREAS, said J. C. Devine did appear before said Council at the time named in said notice, to-wit, at the regular meeting of said Council held on the 1st day of June, 1915, but consideration of said petition was then and there postponed by said Council until the regular meeting thereof to be held on the 15th day of June, 1915; and,

WHEREAS said matter has now come on for consideration by said Council on this *16th* day of *July* 1915, and it appears that no objections or remonstrances whatever to the granting of said petition have been made or filed; and,

WHEREAS the said Common Council finds that the matters and things alleged in said petition are true, and that said parts of Fifth Street and E Street are of no particular benefit to the public, and that, by the vacation thereof, no one other than the said petitioner, J. C. Devine, would be particularly affected; and,

WHEREAS said petition, which is duly acknowledged before a notary public for the State of Oregon, constitutes the written consent of all persons owning property immediately adjoining the parts of streets proposed to be vacated, as required by statute;

therefore,

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS
FOLLOWS:

Section 1. That all of that part of Fifth Street
in the City of Lebanon, Oregon, extending from the North line
of Lots numbered 45 and 46 of Hylands Addition to said City
to the North line of E Street, be, and the same is hereby,
vacated.

Section 2. That all of that part of E Street in
the City of Lebanon, Oregon, extending from the East line of
Taft (or Seventh) Street to the West line of Third Street,
be, and the same is hereby, vacated.

Section 3. That said vacated ground shall be at-
tached to the lots or ground bordering on either side of said
parts of streets so vacated, and all right and title thereto
shall vest in the said J. C. Devine, owner of all of said
bordering property.

Passed by the Council this 16th day of July, 1915.

Approved by the Mayor this 16th day of July, 1915.

J. C. Devine

Mayor.

Attest:

J. A. Elluin

Recorder.