

A bill for an ordinance vacating that portion of 6th street in the City of Lebanon, Linn County, Oregon, located South of the south boundary of W. Ash Street, described as follows: Beginning at the NE corner of Lot 1 Block 37 Cottons Addition to the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner thereof, thence E. 60 feet to the SW corner of Lot 6 Block 32 Cottons Addition to the City of Lebanon thence N. along the W. line of said Lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning.

ORDINANCE BILL NO. 15 FOR 1952.

ORDINANCE NO. 844

WHEREAS, the property owners abutting upon the street hereinafter described have requested the City Council to vacate said street for the reason that during the summer and autumn months weeds grow so thick and high on the street that the same becomes so unsightly as to be a nuisance to the abutting property owners, and also becomes a fire hazard, and

WHEREAS, the abutting property owners have signed and filed with the City Recorder their consent to such vacation wherein they have agreed that the same will not substantially effect the market value of their property and have waived any right which they may have against the City of Lebanon, now or hereafter, arising out of such vacation, and

WHEREAS, it is the judgment of the City Council that said street can not be practically extended because the same dead-ends at a point thereon where residences have been constructed and the cost of condemning a right-of-way would be prohibited, and

WHEREAS, a resolution was passed by the City Council of the City of Lebanon on July 1, 1952, setting forth the facts above recited, recommending that said street be vacated, fixing the 5th day of August, 1952 as the time for a hearing upon the question of such vacation, and directing the City Recorder to cause notice to be given of such hearing by publication in the

Lebanon Express, the City official newspaper, once each week for four consecutive weeks, said notice to describe the street to be vacated, the date set for the hearing of objections or remonstrances thereto, and further directing the City Recorder to cause notices to be posted of such vacation at or near each end of the proposed vacation, and

WHEREAS, affidavits are now on file in the office of the City Recorder showing that the notice of said vacation was given by publication in the Lebanon Express, the official newspaper of the City of Lebanon for four consecutive weeks prior to the date set for the hearing and showing also that within five days after the first day of publication of said notice, the City Recorder caused notices headed "Notice of Street Vacation" to be posted near each end of said proposed vacation and that the posting of such notices was not less than 28 days before the time for hearing and that said notices remained posted for 28 days, and

WHEREAS there is on file in the office of the City Recorder a certificate showing that city liens and all taxes on the street to be vacated have been paid, and

WHEREAS, at the time and place named in the Notice of Street Vacation, published and posted as above recited, a hearing was held upon the question of such proposed vacation, and no remonstrance or objections having prior to such hearing been filed and none having been offered at the time of the hearing and that notices had been duly given and that the public interest would not be prejudiced by such vacation, the City Council determined in favor of such vacation.

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

That that portion of 6th Street in the City of Lebanon, Linn County, Oregon, located South of the South boundary of W. Ash Street, described as follows: Beginning at the NE corner of Lot 1 Block 37 Cottons Addition to the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner there-

Addition to the City of Lebanon thence N. along the W. line of said Lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning, ~~where~~ and the same is hereby vacated and said vacation is hereby made a matter of record.

IT IS HEREBY ADJUDGED and declared that because of the facts hereinabove recited existing conditions are such that this ordinance is necessary for the immediate preservation of public health and safety and owing to the condition of the aforesaid street and the danger ^{of fire} an emergency is hereby declared to exist and this ordinance shall take effect and be in full force and effect from and after its passage.

Passed by the Council and approved by the Mayor this *19th* day of August, 1952.

ATTEST:

S. S. Simpson
City Recorder

R. J. [unclear]
Mayor

107151

300

CITY OF LEBANON

INDEXED PHOTOCOPY

ORDINANCE BILL NO. 15 for 1952

ORDINANCE NO. 844

RESOLUTION NO. _____

TITLE: A bill for an ordinance vacating that portion of 6th street in the City of Lebanon, Linn County, Oregon, located South of the South boundary of W. Ash Street.

State of Oregon, }
County of Linn } ss.

I hereby certify that the within was received and duly recorded by me in Linn County Records

Book of _____ Deeds

Vol. 237 Page 432 on

the 1st day of May

19 54, at 8:30 o'clock A.M.

Stella E. Hoover
Recorder of Linn County, Oregon

By _____ Deputy

City Recorder
Stella E. Hoover, Rec.

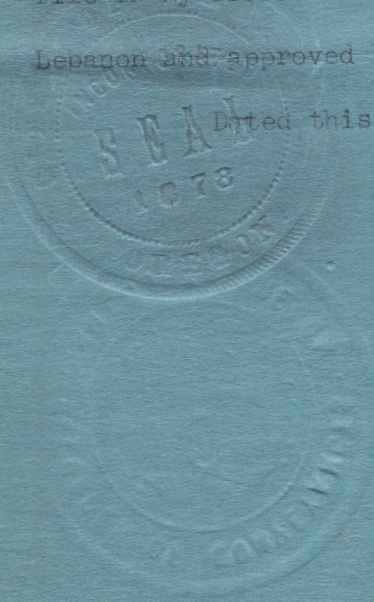
KENNETH G. WILSHIRE
CITY ATTORNEY

I, Ilda Unger, City Recorder of the City of Lebanon, certify that the foregoing Ordinance is a true and correct copy of the original Ordinance now on file in my office and that said Ordinance was passed by the Council of the City of Lebanon and approved by the Mayor on the 19th day of August, 1952.

Dated this 27th day of April, 1954.

Ilda Unger

City Recorder



Affidavit of Publication

STATE OF OREGON, }
County of Linn. } ss.

I, R. M. Hayden, being first duly sworn, depose and say that
I am publisher of The Lebanon Express, a newspaper of
general circulation, printed and published in the aforesaid county and state,

as defined in Section 58, Oregon Laws, that Notice of Street Vacation

a printed copy of which is hereto annexed, was published in the entire issue
of said newspaper for four successive and consecutive weeks in
the following issues: July 4, 11, 18, 25, 1952

R. M. Hayden

Subscribed and sworn to before me this 26 day of July 1952

Katherine Harris

Notary Public for Oregon.

(My Commission expires Oct 10, 1955.)

NOTICE OF STREET VACATION

Pursuant to resolution passed by the City Council on July 1, 1952, notice is given that a hearing will be held in the Council Chambers at the City Hall, Lebanon, Oregon, on the 5th day of August, 1952, at the hour of 8:00 P.M. Standard Time, for the purpose of hearing objections or remonstrances to the proposed vacation of that portion of 6th

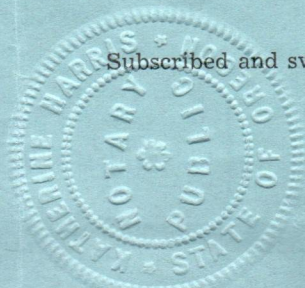
Street in the City of Lebanon, Linn County, Oregon, located South of the South boundary of W. Ash Street, described as follows: Beginning at the NE corner of Lot 1, Block 37 Cottons Addition to the City of Lebanon, and running thence South along the East line of said Lot 1, to the SE corner thereof, thence East 60 feet to the SW corner of Lot 6, Block 32 Cottons Addition to the City of Lebanon, thence North along the West line of said Lot 6 to the NW corner thereof, thence West 60 feet to the place of beginning.

Objections or remonstrances may be made in writing and filed with the City Recorder of the City of Lebanon, at any time prior to the time of the hearing, and will be heard and considered at the time of said hearing.

Dated and first published this 4th day of July, 1952.

ILDA UNGER
City Recorder

July 4, 11, 18, 25, 1952.



15.30.

In the matter of the Vacation of that portion of 6th street in the City of Lebanon, Linn County, Oregon located South of the South boundary of W. Ash Street, described as follows: Beginning at the NE corner of Lot 1 Block 37 Cottons Addition to the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner thereof, thence E. 60 feet to the SW corner of Lot 6, Block 32, Cottons Addition to the City of Lebanon, thence N. along the W. line of said Lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning.

A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF LINN)

Ilda Unger, City Recorder in the City of Lebanon, being first duly sworn, deposes and says, that within five (5) days after the first date of publication of Notice of the Vacation of the Street above described, to-wit: 20th day of June, 1952, she caused to be posted near each end of the proposed vacation a copy of said notice headed "Notice of Street Vacation", and that the posting of the said notice was not less than 28 days prior to the date set for the hearing.

Ilda Unger



Subscribed and sworn to before my this 19th day of August, 1952.

Kenneth G. Wilburn
Notary Public for Oregon

My Commission Expires September 18, 1953.

In the matter of the Vacation of that portion of 6th Street in the City of Lebanon, Linn County, Oregon, located South of the South boundary of W. Ash Street, described as follows: Beginning at the NE corner of Lot 1 Block 37 Cottons Addition to the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner thereof, thence E. 60 feet to the SW corner of Lot 6, Block 32, Cottons Addition to the City of Lebanon thence N. along the W. line of said Lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning.

(Consent) to. Vacate 1952

The undersigned, being the owners of the property abutting upon that portion of 6th Street above described, do hereby represent that the vacation of said street will not substantially effect the market value of their property and consent to such vacation and waive any right they might now or hereafter have for damages arising out of such vacation.

Dated this 19th day of August, 1952

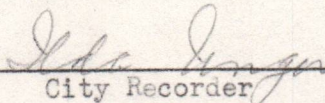
Signed in the presence of:

Kingsley M. Bryant
P. L. T. Bryant
Kenneth Fuller
Walter Fuller
John Reeves
Bertha Reeves

NOTICE OF STREET VACATION

Pursuant to resolution passed by the City Council on July 1, 1952, notice is given that a hearing will be held in the Council Chambers at the City Hall, Lebanon, Oregon, on the 5th day of August, 1952, at the hour of 8:00 P.M. Standard Time, for the purpose of hearing objections or remonstrances to the proposed vacation of that portion of 6th Street in the City of Lebanon, ~~#####~~ Linn County, Oregon located South of the South boundary of N. W Ash Street, described as follows: Beginning at the NE corner of Lot 1, Block 37 Cottons Addition to the City of Lebanon, and running thence South along the East line of said Lot 1, to the SE corner thereof, thence East 60 feet to the SW corner of Lot 6, Block 32 Cottons Addition to the City of Lebanon, thence North along the West line of said Lot 6 to the NW corner thereof, thence West 60 feet to the place of beginning, ~~#####~~ Objections or remonstrances may be made in writing and filed with the City Recorder of the City of Lebanon, at any time prior to the time of the hearing, and will be heard and considered at the time of said hearing.

Dated and first published this 4th day of July, 1952



City Recorder

Once each week for four consecutive weeks

Kenneth Fuller and Viola Fuller Deed

The West 30 feet of the following described property: Beginning at the NE corner of Lot 1 Block 37, Cottons Addition of the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner thereof, thence E. 60 feet to the SW corner of Lot 6, Block 32, Cottons Addition to the City of Lebanon, thence N. along the W. line of said lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning. EXCEPTING therefrom the West 5 feet of the said West 30 feet of said property.

Hugh M. Bryant and Lily R. Bryant Deed

The East 30 feet of the following described property: Beginning at the NE corner of Lot 1, Block 37, Cottons Addition of the City of Lebanon, and running thence S. along the E. line of said Lot 1, to the SE corner thereof, thence E. 60 feet to the SW corner of Lot 6, Block 32, Cottons Addition to the City of Lebanon, thence N. along the W. line of the Lot 6 to the NW corner thereof, thence W. 60 feet to the place of beginning. EXCEPTING therefrom the East 5 feet of the said East 30 feet of said property.