

A BILL FOR  
An Ordinance vacating the following )  
streets, to-wit: Third Street from )  
Harrison Street south to Tangent )  
Street, and Morton Street west from )  
the intersection of the east side of )  
Morton Street and Third Street to )  
the Southern Pacific Company land. )

ORDINANCE BILL NO. 4

ORDINANCE NO. 877

WHEREAS, School District No. 16 and Union High School District No. 1, Linn County, Oregon own all of the property on both sides of the street, abutting on the streets named in the title of this ordinance and both of said school districts have requested the council to initiate proceedings for the vacation of said streets and have filed with the city council a consent to the vacation thereof, and,

WHEREAS, facilities for housing school children within the City of Lebanon are inadequate and it is imperative that additional structures be built immediately and additional ground be provided therefor, and this problem is particularly acute with the Santiam School which borders upon the streets proposed by this ordinance to be vacated, and,

WHEREAS, A sufficient and adequate way for residents and property owners of Harrison Street and all other streets which lead into Harrison Street and who might be affected by vacation of Third Street has been provided by the improving of Harrison Street and the improving and paving of Second Street, and,

WHEREAS, that portion of Morton Street proposed by this Ordinance, which is to be vacated, is not now being and has not been for many years, used as public street, and,

WHEREAS, if the streets named in this ordinance are vacated, School District No. 16 and Union High School District No. 1 propose to enlarge the Santiam School and to use the streets as well as all of the property owned by said school districts for that purpose and it is the judgment of the council that the

UNRECORDED

X BOND



streets proposed to be vacated by this ordinance are no longer needed for public use as public streets and the use to which the school districts propose to put the land embraced within said streets will better serve the public than the use of said land for public streets, and

WHEREAS, a resolution was passed by the City Council of the City of Lebanon on the 15th day of December, 1953, setting forth the facts above recited, recommending that said street be vacated, fixing the 19th day of January, 1954 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 streets proposed to be vacated, 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 streets proposed to be vacated 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:

1. That Third Street from Harrison Street south to Tangent Street, and Morton Street west from the intersection of the east side of Morton Street and Third Street to the Southern Pacific Company lands, be and the same is hereby vacated and said vacation is hereby made a matter of record.

2. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency Ordinance is declared to exist, and this ~~act~~ shall take effect immediately upon its passage and approval by the mayor.

Passed by the Council and approved by the Mayor this 19th day of January, 1954.

Palmer Fitzgerald  
Mayor

ATTEST:

Hda Jensen  
City Recorder



104589  
CITY OF LEBANON

ORDINANCE BILL NO. 4 for 1954

ORDINANCE NO. 877

RESOLUTION NO. \_\_\_\_\_

TITLE: \_\_\_\_\_

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. 236 Page 100 on

the 4th day of February

19 54 at 11:42 o'clock A.M.

  
Recorder of Linn County, Oregon


By \_\_\_\_\_ Deputy

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 January, 1954.

Dated this 25th day of January, 1954.

  
Ilda Unger  
City Recorder



In the Matter of the Vacation of Third)  
Street from Harrison Street south to )  
Tangent Street, and Morton Street west)  
from the intersection of the east side)  
of Morton Street and Third Street to )  
the Southern Pacific Railroad track. )

CONSENT TO VACATE BY  
ABUTTING PROPERTY OWNERS

The undersigned, School District No. 16 and Union High School District No. 1, Linn County, Oregon, being the owners of the property abutting upon the street above described, do hereby represent that the vacation of said street will not substantially affect the market value of the property of the undersigned, and consent to such vacation, and waive any right for damages arising out of such vacation.

IN WITNESS WHEREOF School District No. 16 and Union High School District No. 1, Linn County, Oregon, pursuant to resolution of the board of directors of said school districts, duly and legally adopted, have caused these presents to be signed by the Presidents of said school boards.

SCHOOL DISTRICT NO. 16

By Mary Melba Herron  
President

ATTEST:

J. W. King  
Clerk

UNION HIGH SCHOOL DISTRICT NO. 1

By Wm. R. Thomas  
President

ATTEST:

J. W. King  
Clerk



EXCERPTS FROM MINUTES OF A  
REGULAR MEETING OF THE DISTRICT SCHOOL  
BOARD UNION HIGH SCHOOL DISTRICT No.1  
Linn, County, Oregon  
January 12, 1954

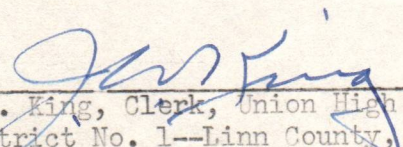
A regular meeting of the district school board Union High School District No. 1 Linn County Lebanon, Oregon was held in the Superintendent's Office at the High School Building on Tuesday, January 12, 1954, ~~at~~ <sup>at</sup> was the hour of 8 o'clock P.M. There were present: William Thomas, Chairman, Elmer Ayers, Bert Udell, A. J. Wilson and Earl Liggett, directors and J. W. King Superintendent, Clerk.

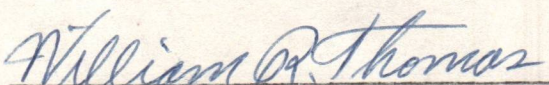
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The following resolution was offered by Mr. Liggett, seconded by Mr. Udell and unanimously passed wit:

RESOLUTION AUTHORIZING CONSENT  
TO STREET VACATION

" BE IT RESOLVED, THAT UNION HIGH SCHOOL DISTRICT NO.1, LINN COUNTY, OREGON CONSENTS TO THE VACATION OF THIRD STREET FROM HARRISON STREET TO TANGENT STREET AND THE VACATION OF MORTON STREET, FROM THIRD STREET TO THE SOUTHERN PACIFIC RAILROAD, ALL IN LEBANON, OREGON AND

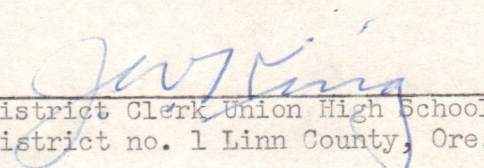
BE IT FURTHER RESOLVED THAT WILLIAM THOMAS, CHAIRMAN OF THE BOARD OF DIRECTORS UNION HIGH SCHOOL DISTRICT NO. 1 BE, AND HE HEREBY IS AUTHORIZED TO EXECUTE A CONSENT AND ANY AND ALL OTHER INSTRUMENTS NECESSARY TO GIVE THE CONSENT OF SAID SCHOOL DISTRICT TO SUCH STREET VACATION."

  
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J.W. King, Clerk, Union High School  
District No. 1--Linn County, Oregon

  
-----  
William R. Thomas, Chairman  
Union High School District No.1  
Linn County, Oregon

State of Oregon  
County of Linn  
Union High School District no. 1

I, J. W. King, Clerk of Union High School District no. 1, Linn County, Oregon, do hereby certify the foregoing is a true and correct copy of the excerpt from the minutes of the regular meeting of the Board of Directors of Union High School District No. 1, Linn County, Oregon held January 12, 1954 concerning the consent to street vacation. Witness my hand this 18th day of January 1954.

  
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District Clerk Union High School  
District no. 1 Linn County, Ore.



RESOLUTION AUTHORIZING CONSENT  
TO STREET VACATION

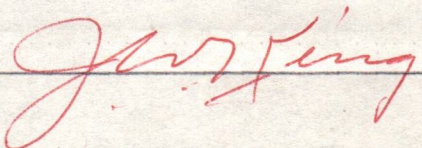
"BE IT RESOLVED THAT SCHOOL DISTRICT #16 OF LINN COUNTY, ORE CONSENTS TO THE VACATION OF THIRD ST. FROM HARRISON STREET TO TANGENT ST. AND THE VACATION OF MORTON STREET, FROM THIRD STREET TO THE SOUTHERN PACIFIC RAILROAD, ALL IN LEBANON, ORE., and

BE IT FURTHER RESOLVED THAT MARY MABLE HERRON CHAIRMAN OF THE BOARD OF DIRECTORS OF SCHOOL DISTRICT #16 BE, AND SHE HEREBY IS AUTHORIZED TO EXECUTE A CONSENT AND ANY AND ALL OTHER INSTRUMENTS NECESSARY TO GIVE THE CONSENT OF SAID SCHOOL DISTRICT TO SUCH STREET VACATIONS."

CERTIFICATE

I, J. W. KING, hereby certify that I am the duly elected qualified and acting Clerk of School District #16, and that the foregoing resolution is a true and correct copy of the Resolution passed by the Board of Directors of School District #16 at a regular meeting of said School District on the held on the 17th day of December, 1953, and that said resolution was passed by unanimous vote of the Directors present and that there was a quorum of directors present, and said meeting was in all respects duly and regularly held according to law.

Dated this 18 day of December, 1953.

  
\_\_\_\_\_



STATE OF OREGON }  
COUNTY OF LINN } ss.

I, Ilda Unger do hereby certify that I am the duly elected, qualified and acting City Recorder of the City of Lebanon, a municipal corporation in Linn County, State of Oregon.

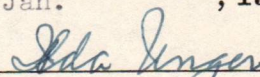
That I have examined the official records in my office and custody of said City of Lebanon to ascertain whether or not there are any city liens in favor of said City of Lebanon against the following described real property, to-wit:

Third Street from Harrison Street south to Tangent Street, and Morton Street west from the intersection of the east side of Morton Street and Third Street to the Southern Pacific Company Land.

I hereby certify that my examination has revealed that there are no city liens in favor of said City of Lebanon against the above described property ~~(or that there are at this date unsatisfied liens due said City of Lebanon and against said real property in the sum of \_\_\_\_\_, with accruing interest thereon at the rate of \_\_\_\_\_ % per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_).~~

No liability is assumed either by the City or by the undersigned officer arising from the issuance of this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand officially and hereto affixed the seal of said City of Lebanon this 18th day of Jan. , 1954 .

  
\_\_\_\_\_  
CITY RECORDER OF THE CITY OF LEBANON, OREGON







# 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 (4) successive and consecutive weeks in  
the following issues:

Dec 18, 25, 1953 Jan 1, 8, 1954

R. M. Hayden

Subscribed and sworn to before me this 8 day of January 1954

Katherine Harris  
Notary Public for Oregon.

(My Commission expires October 10, 1955).

**NOTICE OF STREET VACATION**  
Pursuant to Resolution No. 15, passed by the City Council on December 15, 1953, notice is given that a hearing will be held in the Council Chambers at the City Hall, Lebanon, Oregon on the 19th day of January 1954, at the hour of 8:00 P.M. standard time, for the purpose of hearing objections or remonstrances to the proposed vacation of the following described tract of land, to-wit:  
Third Street from Harrison Street, South to the North line of Tangent Street, and Morton Street from the East side of the intersection of Third Street and Morton Street West to the Southern Pacific Railroad track.  
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 18th day of December 1953.  
Ilda Unger  
City Recorder  
Dec. 18, 25, 1953, Jan. 1, 8, 1954.



\$12.33  
Adv. pd for by  
School Dist



In the Matter of the vacation of Third )  
Street from Harrison Street South to )  
the North Line of Tangent Street and, )  
Morton Street, West from the intersect- )  
ion of the East side of Morton Street )  
and Third Street to the Southern )  
Pacific Railroad track )

RESOLUTION NO. 15

FOR 1953

WHEREAS, School District No. 16 and Union High School District No. 1, Linn County, Oregon own all of the property on both sides of the street, abutting on the streets hereinafter described, and,

WHEREAS, facilities for housing school children within the City of Lebanon are inadequate and it is imperative that additional structures be built immediately and additional ground be provided therefor, and this problem is particularly acute with the Santiam School which borders upon the streets proposed by this resolution to be vacated, and,

WHEREAS, a sufficient and adequate way for residents and property owners of Harrison Street and all other streets which lead into Harrison Street and who might be affected by vacation of Third Street has been provided by the grading and improving of Harrison Street and paving of Second Street and that portion of Morton Street proposed by this resolution, which is to be vacated, is not now being and has not been for many years, used as public street, and,

WHEREAS, if the streets named in this resolution are vacated, School District No. 16 and Union High School District No. 1 propose to enlarge the Santiam School and to use the streets as well as all of the property owned by said school districts for that purpose and it is the judgement of the council that the streets proposed to be vacated by this resolution are no longer needed for public use as public streets and the use to which the school districts propose to put the land embraced within said streets will better serve the public than the use of said land for public streets.



NOW THEREFORE, be it resolved that the following described tract of land, to-wit:

Third Street from Harrison Street, South to the North line of Tangent Street, and Morton Street from the East side of the intersection of Third Street and Morton Street West to the Southern Pacific Railroad track.

should be vacated, and that the 19th day of January, 1954 be fixed as a time for a formal hearing upon this matter and that the City Recorder be authorized, and she is hereby directed 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, which said notice shall describe the street to be vacated, the date when the matter of such vacation together with any objections or remonstrance thereto, which may be made in writing, and filed with the City Recorder at any time prior to the time of the hearing, will be heard and considered. That the Recorder be further directed to post or cause to be posted at or near each end of the proposed vacation, a copy of said notice which shall be headed "Notice of Street Vacation".

Passed by the Council and approved by the Mayor this 15th day of December, 1953.

Elmer Fitzgerald  
Mayor

ATTEST:

Ilda Unger