

An Ordinance vacating the following described tract of land, to-wit:)

Beginning at the Northeast corner of Lot 2 of the Supplemental Plat of Lots 4 to 7 inclusive, Block 4 Kirkpatrick's Third Addition to the City of Lebanon, Linn County, Oregon; thence running North 89° 52' East, 3 feet to the Northwest corner of Lot 3 in said supplemental plat; thence South 0° 10' East along the West line of said lot 3 to the Southwest corner thereof; thence South 0° 10' East along said lot 3 produced to the North line of Isabella Street; thence South 89° 52' West along said street line 3 feet; thence North 0° 10' West to the place of beginning.)

ORDINANCE BILL NO. 6

ORDINANCE NO. 879

WHEREAS, the tract of land hereinafter described has been dedicated to the public for the use of a pathway between Isabella Street and Carolina Street in the City of Lebanon, Linn County, Oregon, and

WHEREAS, it is the judgment of the Council that public interest will not be prejudiced by the vacation of said tract of land, and that the same is no longer needed as a public throughfare, 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 recided, 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 the 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 the following described property, to-wit:

Beginning at the Northeast corner of Lot 2 of the Supplemental Plat of Lots 4 to 7 inclusive, Block 4 Kirkpatrick's Third Addition to the City of Lebanon, Linn County, Oregon; thence running North 89 degrees 52' East, 3 feet to the Northwest corner of Lot 3 in said supplemental plat, thence South 0 degrees 10' East along the west line of said Lot 3 to the Southwest corner thereof; thence South 0 degrees 10' East along said Lot 3 produced to the North line of Isabella Street; thence South 89 degrees 52' West along said street line 3 feet; thence North 0 degrees 10' West to the place of beginning.

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.

Elmer Fitzgerald
Mayor

ATTEST:

Eda J. Jones
City Recorder

104392

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CITY OF LEBANON

ORDINANCE BILL NO. 6 for 1954

ORDINANCE NO. 879

RESOLUTION NO. _____

TIT
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 39 on

the 30th day of January

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

Stella E. Hoar
Recorder of Linn County, Oregon

By _____ Deputy

Approved by Mayor _____, 19__

Filed _____, 19__

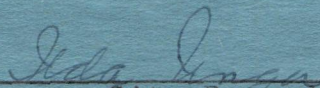
CITY RECORDER

KENNETH G. WILSHIRE
CITY ATTORNEY

[Signature]

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.



City Recorder



STATE OF OREGON }
COUNTY OF LINN } ss.

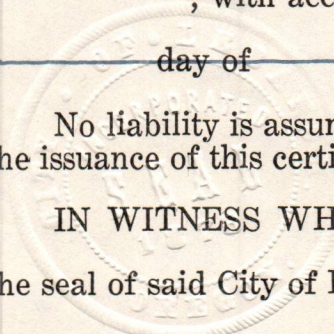
I, Ilda Unger do hereby certify that I am the duly elected, qualified and acting City Recorder of the City of Lebanon, a municipal corporation in Linn County, State of Oregon.

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: Beginning at the Northeast corner of Lot of the Suppl. Plat of Lots 4 to 7 inclusive, Block 4 Kirkpatrick's Third Add. to the City of Lebanon, Linn Co., Ore.; thence running N. 89°52' E, 3 feet to the Northwest corner of Lot 3 in said suppl. plat thence S. 0°10' E. along the W. line of said lot 3 to the Southwest corner thereof; thence S. 0°10' E. along said lot 3 produced to the N. line of Isabella St.; thence S. 89°52' W. along said street line 3 feet; thence N. 0°10' W. to the place of beginning.

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. , 19 54 .


Ilda Unger
CITY RECORDER OF THE CITY OF LEBANON, OREGON

In the matter of the Vacation of
the following described tract of
land, to-wit:

Beginning at the Northeast corner
of Lot 2 of the Supplemental Plat
of Lots 4 to 7 inclusive, Block 4
Kirkpatrick's 3d addition to the
City of Lebanon, Linn County,
Oregon, thence running North 89
degrees 52' East, 3 feet to the
Northwest corner of Lot 3 in said
supplemental plat, thence South
0 degrees 10' East along the West
line of said lot 3 to the South-
west corner thereof, thence South
0° 10' East along said lot 3
produced to the North line of
Isabella Street, thence South
89° 52' West along said street
line 3 feet thence North 0° 10'
West to the place of beginning.

CONSENT TO VACATE BY
ABUTTING PROPERTY OWNERS

The undersigned, being the owners of the property
abutting upon that tract of land between Isabella Street
and Carlina 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 damage arising out of such vacation.

Dated this 2nd day of June, 1953

Signed in the presence of:

S. B. Mercer

Bernesa Mercer

Callie Oly Gruning

Dale Kimes

Dora Kimes

Lucretia P. Portner

In the Matter of the Vacation of
the following described tract of
land, to-wit:

Beginning at the Northeast corner
of Lot 2 of the Supplemental Plat
of Lots 4 to 7 inclusive, Block 4
Kirkpatrick's 3rd addition to the
City of Lebanon, Linn County,
Oregon, thence running North 89°
52' East, 3 feet to the Northwest
corner of Lot 3 in said supple-
mental plat, thence South 0° 10'
East along the West line of said
lot 3 to the Southwest corner thereof,
thence South 0° 10' East
along said lot 3 produced to the
North line of Isabella Street, thence
South 89° 52' West along said street
line 3 feet thence North 0° 10' West
to the place of beginning.

A F F I D A V I T

STATE OF OREGON)
) ss.
COUNTY OF LINN)

Dale Kimes, residing 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:

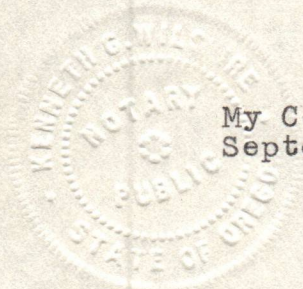
she caused to be posted near each end of the proposed vacation
a copy of said notice headed "Notice of Street Vacation",
and that the posting of the said notice was not less than 28
days prior to the date set for the hearing.

Dale Kimes

Subscribed and sworn to before me this 19th day of
January, 1954.

Shirley M. DeShazo
Notary Public for Oregon

My Commission Expires:
September 18, 1957.



Affidavit of Publication

NOTICE OF STREET VACATION

Pursuant to resolution 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 hours 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 between Isabella Street and Carolina Street, to-wit:

Beginning at the Northeast corner of Lot 2 of the Supplemental Plat of Lots 4 to 7 inclusive, Block 4 Kirkpatrick's Third Addition to the City of Lebanon, Linn County, Oregon, thence running north 89° 52' East, 3 feet to the Northwest corner of Lot 3 in said supplemental plat, thence South 0° 10' East along the West line of said lot 3 to the Southwest corner thereof, thence South 0° 10' East along said lot 3 produced to the North line of Isabella Street, thence South 89° 52' West along said street line 3 feet thence North 0° 10' West to the place of beginning.

the same being a pathway running from Isabella Street to Carolina Street.

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.

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).



18.25
Adv. pd for by Kalsine

In the Matter of the Vacation of)
the following described tract of)
land, to-wit:)

A dedicated pathway shown by)
the Supplemental Plat of Lots)
4 to 7 inclusive, Block 4)
Kirkpatrick's 3rd addition to the)
City of Lebanon, Linn County,)
Oregon.)

RESOLUTION NO. 14

FOR 1953

WHEREAS, the tract of land hereinafter described has been
dedicated to the public for the use of a pathway between Isabella
Street and Carolina Street in the City of Lebanon, Linn County, Oregon
and

WHEREAS it is the judgement of the Council that public interest
will not be prejudiced by the vacation of said tract of land, and
that the same is no longer needed as a public thoroughfare.

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

Beginning at the Northeast corner of Lot 2 of the Supplemental Plat of
Lots 4 to 7 inclusive, Block 4 Kirkpatrick's Third Addition to the City
of Lebanon, Linn County, Oregon; thence running North 89 degrees 52'
East, 3 feet to the Northwest corner of Lot 3 in said supplemental
plat, thence South 0 degrees 10' East along the West line of said lot 3
to the Southwest corner thereof; thence South 0 degrees 10' East along
said lot 3 produced to the North line of Isabella Street; thence South
89 degrees 52' West along said street line 3 feet; thence North 0
degrees 10' West to the place of beginning.

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

remonstrances 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
City Recorder