

A BILL FOR AN ORDINANCE VACATING A	)	ORDINANCE BILL NO. <u>21</u>
PORTION OF NINTH STREET RIGHT-OF-WAY	)	For 1995
BETWEEN VINE STREET AND ASH STREET	)	
AND DECLARING AN EMERGENCY.	)	ORDINANCE NO. <u>2162</u>

WHEREAS, as a result of petition from abutting property owners, the City of Lebanon has initiated vacation proceedings for a portion of Ninth Street right-of-way between Vine Street and Ash Street, more particularly described as follows:

Beginning at a 1/2 inch iron pipe at the southwest corner of the intersection of Vine Street and 9th Street, being the northeast corner of the land described in Deed Volume 715, Page 316; thence South 00°18'36" East along the east line of the land described in said Deed Volume 715, Page 316 and Deed Volume 105, Page 46, a distance of 267.91 feet to a 5/8 inch rod at the northwest corner of the intersection of Ash Street and 9th Street; thence easterly a distance of 60 feet, more or less, to the northeast corner of the intersection of Ash Street and 9th Street, being the southwest corner of the land described in Contract of Sale Volume 606, Page 471; thence North 00°18'36" West along the west line of said Contract of Sale Volume 606, Page 471 and Deed Volume 185, Page 763, a distance of 268 feet, more or less, to the southeast corner of the intersection of Vine Street and 9th Street; thence westerly a distance of 60 feet, more or less, to the point of beginning. The basis of bearings for this description is County Survey Number 21074.

WHEREAS, the Council for the City of Lebanon has conducted a public hearing on January 11, 1995, having duly considered the testimony of interested persons and the general public; and

WHEREAS, the City Council finds that notice has been duly given, that the consent of the owners of the requisite area has been obtained, and

WHEREAS, the City Council has determined that the public interests will not be prejudiced by the vacation of such portion of Ninth Street;

WHEREAS, the City Recording Officer has filed in the office of the City Recording Officer a certificate showing that all city liens and all taxes have been paid on the lands covered by the portion to be vacated;

NOW, THEREFORE, the people of the City of Lebanon do ordain as follows:

**Section 1.** A portion of Ninth Street right-of-way between Vine Street and Ash Street, more particularly described as follows:

Beginning at a 1/2 inch iron pipe at the southwest corner of the intersection of Vine Street and 9th Street, being the northeast corner of the land described in Deed Volume 715, Page 316; thence

✓ After Recording Return To: City of Lebanon, 925 Main Street, Lebanon, OR 97355

South 00°18'36" East along the east line of the land described in said Deed Volume 715, Page 316 and Deed Volume 105, Page 46, a distance of 267.91 feet to a 5/8 inch rod at the northwest corner of the intersection of Ash Street and 9th Street; thence easterly a distance of 60 feet, more or less, to the northeast corner of the intersection of Ash Street and 9th Street, being the southwest corner of the land described in Contract of Sale Volume 606, Page 471; thence North 00°18'36" West along the west line of said Contract of Sale Volume 606, Page 471 and Deed Volume 185, Page 763, a distance of 268 feet, more or less, to the southeast corner of the intersection of Vine Street and 9th Street; thence westerly a distance of 60 feet, more or less, to the point of beginning. The basis of bearings for this description is County Survey Number 21074.

is hereby declared vacated, with the following reservation:

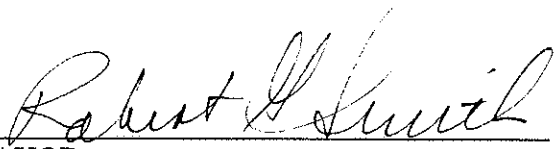
Reserving to the City of Lebanon permanent utility easements fifteen (15) feet in width, centered over all utilities within this vacated portion of Ninth Street.

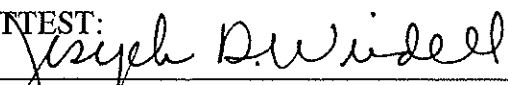
Section 2. A certified copy of this Ordinance vacating the above-described portion of Ninth Street on any map in regard thereto shall be filed for record with the County Clerk for Linn County.

Section 3. A certified copy of this Ordinance shall be also filed with the County Assessor and the County Surveyor for the County of Linn.

Section 4. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health, and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council of the City of Lebanon by a vote of 5 for and 0 against, and approved by the Mayor this 11th day of January 1995.

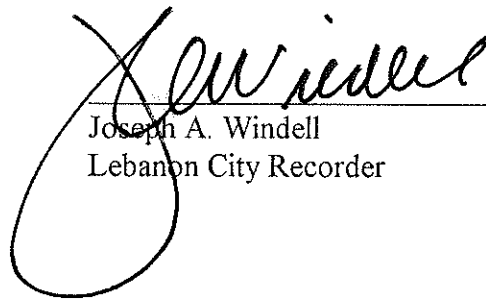
  
MAYOR

ATTEST:  
  
CITY RECORDER

CERTIFICATION OF A TRUE COPY

I, JOSEPH A. WINDELL, City Recorder for the City of Lebanon, State of Oregon, certify that I have compared the foregoing copy with the original of record in my office, and the attached is a true copy of said original. I further certify that Robert G. Smith, whose signature appears on the original of said document, is and was at the time of signing, the Mayor of the City of Lebanon.

Dated this 6<sup>th</sup> day of September, 1995.

  
\_\_\_\_\_  
Joseph A. Windell  
Lebanon City Recorder

STATE OF OREGON  
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER  
Linn County Clerk

By PA, Deputy

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MF 767  
PAGE 498

8:30 O'clock a.m. 25

SEP 29 1995