

A BILL FOR AN ORDINANCE VACATING ) ORDINANCE BILL NO. 3  
RIGHT OF WAY OF CANAL STREET AND ) For 2007  
CLOVER STREET (Linndale Addition) ) ORDINANCE NO. 2731

WHEREAS, as a result of a petition from abutting property owners, the City of Lebanon has initiated vacation proceedings for a portion of a street, more particularly describes as follows:

An area of land in Section 14 of Township 12 South of Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon described as follows:

All of that portion of the Canal Street as platted in the Linndale Addition to Linn County as recorded the 4<sup>th</sup> day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

Together with all of that portion of Clover street adjacent to Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 39, 40, 41, 42, 43, 44, 45 and the northern 14.52 feet of Lots 19 and 37 as platted in the Lindale Addition to Linn County as recorded the 4<sup>th</sup> day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.  
See attached Exhibit "A".

WHEREAS, the City Council for the City of Lebanon has conducted a public hearing on Monday April 2, 2007, having duly considered the testimony of interested parties and the general public; and

WHEREAS, the 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 streets:

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

**Section 1.** Portion of Street, more particularly described as follows is hereby declared vacated:

An area of land in Section 14 of Township 12 South of Range 2 West of the Willamette Meridian, City of Lebanon, Linn County, Oregon described as follows:

All of that portion of the Canal Street as platted in the Linndale Addition to Linn County as recorded the 4<sup>th</sup> day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

Together with all of that portion of Clover street adjacent to Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 38, 39, 40, 41, 42, 43, 44, 45 and the northern 14.52 feet of Lots 19 and 37 as platted in the Lindale Addition to Linn County as recorded the 4<sup>th</sup> day of September 1951 in the Linn County Record Book of Plats in Volume 10-Page 45.

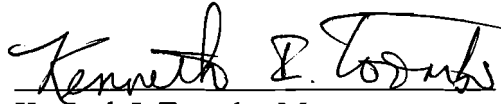
See attached Exhibit "A"

**Section 2.** A certified copy of this Ordinance vacating the above described right-of-way on any map in regard thereto shall be filed for record with the Count 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.** This Ordinance shall be in full force and effective thirty (30) days after the date this ordinance is signed and approved by the City Council and the Mayor.

Passed by the Lebanon City Council by a vote of 5 for and 0 against and signed by the Mayor this 2nd day of April, 2007.

  
Kenneth I. Toombs, Mayor

ATTEST:

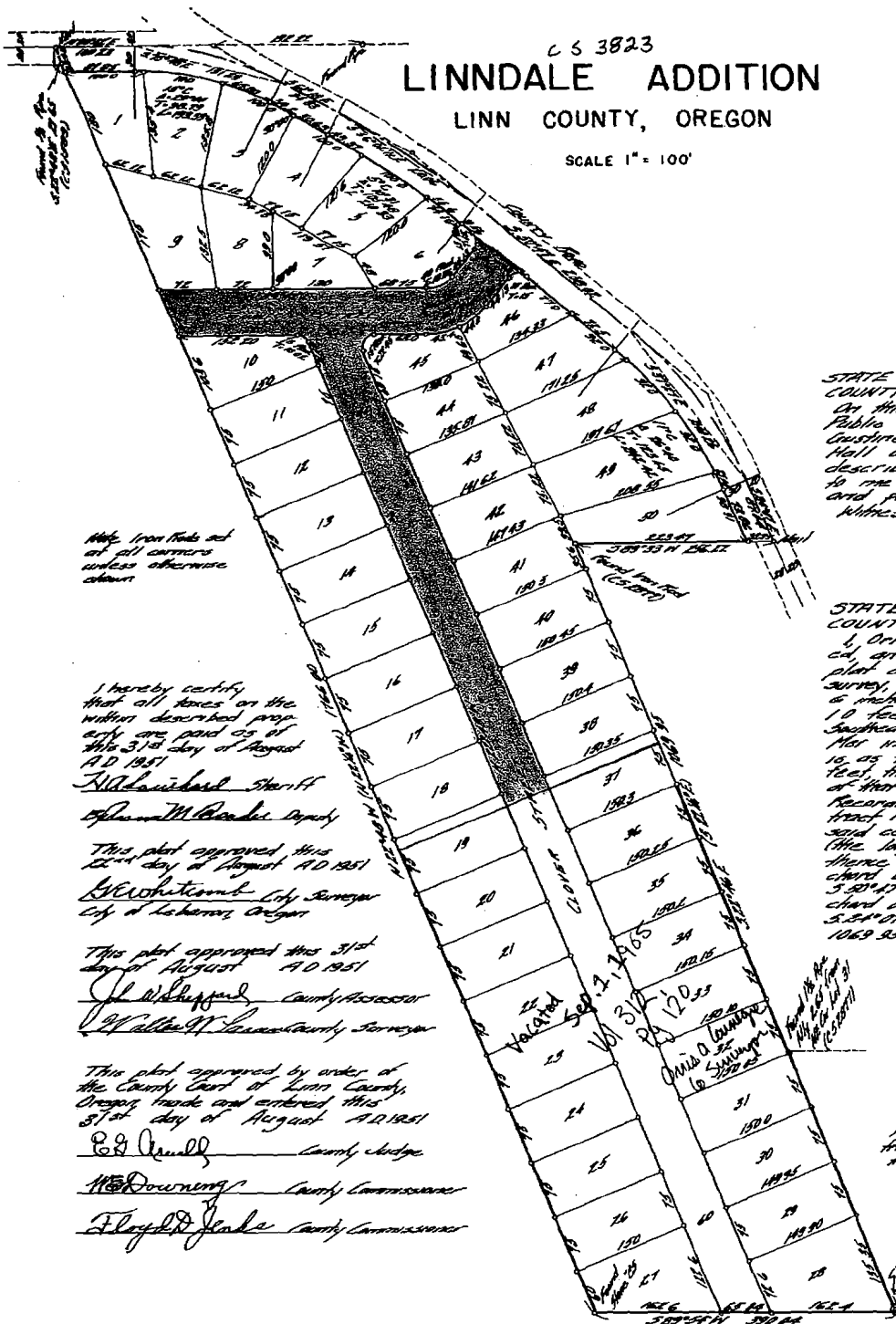
  
Linda Kaser, City Clerk/Recorder

C S 3823

# LINDDALE ADDITION

LINN COUNTY, OREGON

SCALE 1" = 100'



### DEDICATION

KNOW ALL MEN BY THESE PRESENTS  
 That we Clarence Gustine and V Helen Gustine, his wife, J.C. Brande and Leola L. Brande his wife, and Earl M. Hall and Emily M. Hall, his wife, have this day made and do hereby make, execute and declare that we have laid out LINDDALE ADDITION in Linn County, Oregon, consisting of lots and streets of the size, shape and character shown on the plat and that the streets, as shown are hereby conveyed, set apart and dedicated to the use of the public for ever, without reservation or restriction whatever.

That all taxes and assessments against said property have been paid  
 In witness whereof we have hereunto set our hands and seals this 22nd day of August A.D. 1951

Clarence Gustine      J.C. Brande      Earl M. Hall  
V Helen Gustine      Leola L. Brande      Emily M. Hall

### STATE OF OREGON } ss COUNTY OF LINN }

On this the 22nd day of August A.D. 1951, personally come before me a Notary Public for and in said County, the within named Clarence Gustine and V Helen Gustine, his wife, J.C. Brande and Leola L. Brande, his wife, and Earl M. Hall and Emily M. Hall, his wife, to me known to be the identical persons described in and who executed the foregoing dedication and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and seal this 22nd day of August A.D. 1951

[Signature]  
 Notary Public for Oregon  
 My Commission Expires  
 November 3, 1951

(SEAL)

### STATE OF OREGON } ss COUNTY OF LINN }

I, Orvis A. Carnegie, being first duly sworn, say that I have correctly surveyed and marked with proper monuments the lands as represented on this plat and that I have executed a warranty, indicating the initial point of said survey, as follows: Set an iron pipe 2 inches in diameter and 24 inches long 5 inches below the surface of the ground. Said initial point being 10 feet 10 feet from a point which is North 5° 29' 30" East and West 187' 00" from the Southeast corner of the Russell T. Hill Plat No. 27 of 1914, 2nd P.M. of the Will Met in Linn County, Oregon. The description of the land included in this plat is as follows: Beginning at said initial point and running thence S 22° 45' E 10 feet, thence S 89° 53' W 390 feet to a stone marked "22" at the Southeast corner of that certain tract of land described on Page 854 of Volume 228 of Deed Records, Linn County, Oregon, thence N 22° 45' E along the West line of said tract 1000 feet to the center line of a 300' foot radius curve to the right, said center line 202.5 feet, thence on a 300' foot radius curve to the right (the long chord of which bears S 70° 48' E 79.29 feet) a distance of 193.33 feet, thence S 41° 15' 00" E 145.33 feet, thence on a 145.33 foot radius curve to the right (the long chord of which bears S 38° 42' E 120.66 feet) a distance of 120.33 feet, thence S 89° 53' W 390 feet, thence on a 390 foot radius curve to the right (the long chord of which bears S 71° 17' E 240.24 feet) a distance of 240.24 feet, thence S 22° 45' E 37.44 feet, thence S 89° 53' W 236.22 feet, thence S 22° 45' E 1069.95 feet to the place of beginning.

[Signature]  
 Registered Surveyor

(SEAL)

Subscribed and sworn to before me this 31st day of August A.D. 1951  
[Signature]  
 Notary Public for Oregon  
 My Commission Expires Jan 8, 1953

I hereby certify that all taxes on the within described property are paid as of the 31st day of August A.D. 1951  
Richard Sheriff  
 Sheriff  
[Signature] Deputy  
 This plot approved this 22nd day of August A.D. 1951  
[Signature] City Surveyor  
 City of Linn County, Oregon  
 This plot approved this 31st day of August A.D. 1951  
[Signature] County Assessor  
[Signature] County Surveyor  
 This plot approved by order of the County Court of Linn County, Oregon made and entered this 31st day of August A.D. 1951  
[Signature] County Judge  
[Signature] County Commissioner  
[Signature] County Commissioner

I hereby certify that this tracing is a true copy of the original plat  
[Signature]  
 County Surveyor

Initial point is 1000' N 10 feet from a point which is recorded as being N 22° 45' E 187' 00" from the SE cor of Russell T Hill Plat 27, 2d P.M. Said initial point is N 22° 45' E 10 feet from SE cor of subdivision

76656  
 I, Stella E. Hoover, certify that the within was received and duly recorded by me in Linn County Records, Book of Plots Volume 10 on Page 45 on the 4th day of Sept A.D. 1951 of 316 subsec P.M.  
[Signature] County Recorder

# Vacation of Right of Way Map

