

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 589

AN ORDINANCE VACATING LANDS OF HICKMAN, ET UX AND REISCH, ET UX, IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

WHEREAS, there was filed with the City Recorder a petition requesting the vacation of an unopened and unused easement within the City of Sherwood, the same being a portion of the lands of Clyde Hickman, et ux, and C.E. Reisch, et ux, said petition setting forth a description of the ground proposed to be vacated, the purpose for which the ground was to be used and the reason for such vacation, and being submitted by Clyde Hickman and Rosetta Hickman, husband and wife, C.E. Reisch and LLeana A. Reisch, husband and wife, and Donald Dahlke and Martha Dahlke, husband and wife, being the owners of the abutting property, and

WHEREAS, there was filed with the City Recorder the consent of the owners of not less than two-thirds in area of the real property affected thereby, being the land lying on either side of said area and extending laterally 200 feet easterly and westerly from the easement area and extending in a like lateral distance north and south of the easement area for 400 feet beyond each terminus of the part proposed to be vacated, said owners having duly consented to the said vacating in writing, duly acknowledged before an officer authorized to take acknowledgments of deeds, and

WHEREAS, the City Recorder of the City of Sherwood has found said petition to be legally sufficient and she duly filed the same in her office on the 9th day of July, 1969, and duly informed at least one of the petitioners that the petition would come before the City Council at its regular meeting of July 9, 1969, and

WHEREAS, the said petition was brought before the City Council at its regular meeting on July 9, 1969, and a resolution was duly passed by the Council fixing Monday, the 18th day of August, 1969, at the hour of 8 o'clock p.m., and in the City Hall of said City, as the time and place of hearing of said petition, and

WHEREAS, notice of the petition and hearing was given by publishing in the Tri-City Times, a newspaper of general circulation in the City of Sherwood, once each week for four consecutive weeks, and further notice was given by the City Recorder of the pendency of said petition by posting notice thereof at or near each end of the proposed vacation headed "Notice of Street Vacation" and by posting in two other conspicuous places in the proposed vacation area, all of said posting being performed on the 21st day of July, 1969, more than 28 days before the said hearing, and

WHEREAS, the petitioners were called upon and did deposit with the City Recorder a sum sufficient to cover the cost of posting, publication and anticipated expenses; and

WHEREAS, at the time fixed by the governing body for the hearing of the petition and any objections filed thereto, the Sherwood City Council did hear all parties appearing in favor of said petition and no one appearing in opposition thereto, and

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WHEREAS, the City Council thereupon determined that the consent of the owners of the requisite area had been obtained, that notice had been duly given and that public interest would not be prejudiced by the vacation of said part of said lands as hereinafter described,

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: That the following described portion of an unopened, unused and undeveloped easement for roadway purposes over the lands of Hickman, et ux and Reisch, et ux, be, and the same is hereby, vacated, and the rights of the public therein and thereto be, and the same are hereby, held for naught:

The West 30 feet and the South 15 feet of the following lands:

A tract of land in the Southwest Quarter of Section 32, Township 2 South, Range 1 West, of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon, described as follows:

Beginning at a point 434 feet East of the Northwest corner of the West Half of the Northeast Quarter of the Southwest Quarter of said Section 32; thence East 100 feet; thence South 209 feet; thence West 100 feet; thence North 209 feet to the point of beginning.

The East 30 feet and the South 15 feet of the following lands:

The following described real property situated in the County of Washington and State of Oregon, to-wit:

The East 95 feet of the following described real property, to-wit: Commencing at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 32, Township 2 South, Range 1 West, of the Willamette Meridian; thence East 209 feet to the Northeast corner of a piece of land sold to George Rosenbaum, to the place of beginning; thence East 225 feet; thence South 209 feet; thence West 225 feet; thence North 209 feet to the place of beginning.

Section 2: This ordinance shall be effective on and after the 31st day after its passage by the City Council of the City of Sherwood.

PASSED: By unanimous vote of all council members present, after being read in body once and three times by title and number, this 10th day of September, 1969.

APPROVED: By the Mayor, this 10th day of September, 1969.

Marjorie Stewart

Recorder - City of Sherwood

[Signature]
Mayor - City of Sherwood

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