

"A" Street Vacation

ORDINANCE NO. 261

An Ordinance vacating the following portion of First Street Extended in the City of Willamina, Oregon

That part of First Street Extended from the South boundary of Gentry Street, South 100 feet to the North boundary of First Street

WHEREAS, heretofore on February 22, 1955, there was presented to the Common Council of the City of Willamina a petition signed by all of the owners of the real premises abutting upon that portion of First Street Extended above described requesting that the same be vacated; and

WHEREAS, thereafter on February 22, 1955, at a regular meeting, the Council of the City of Willamina, Oregon, pursuant to said petition, adopted a resolution for the purpose of vacating said portion of First Street Extended hereinabove particularly described, which resolution was spread at length upon the minutes of said meeting; and

WHEREAS, by said Resolution the Council of the City of Willamina set and fixed the 12th day of April, 1955 at 8:00 o'clock p. m. in the Council Chambers in the City Hall at Willamina, Oregon, as the time and place for hearing objections and remonstrances, if any, to the vacation of said portion of said street; and

WHEREAS, pursuant to said resolution, the Recorder gave notice of such hearing by publishing a notice thereof entitled "Notice of Street Vacation" once each week for four consecutive and successive weeks in the Willamina Times, a newspaper of general circulation, printed and published in the City of Willamina, Oregon, all as shown by the affidavit of publication on file in the office of the City Recorder and by posting a copy of such notice at or near each end of said proposed vacation and in

two conspicuous places in said portion of said street proposed to be vacated, which said notices described said portion of said street which is proposed to be vacated, and which notices were posted on the _____ day of March, 1955, which was not less than 28 days before the time for such hearing, all as will more fully appear from the affidavit of posting of the Recorder, now on file in the office of the City Recorder of the City of Willamina, Oregon; and

WHEREAS, on the 12th day of April, 1955, at 8:00 o'clock p. m. in the Council Chambers in the City Hall, Willamina, Oregon, said resolution came on regularly for hearing and no objections having been filed thereto; and

WHEREAS, the Council now being fully advised in the matter and it appearing to the Council that the public interest would not be prejudiced by the vacation of said portion of said street above particularly described and that no damage will ensue to the owners of the property abutting upon said portion of said street to be vacated and that said portion of said street should be vacated, reserving, however, unto the City of Willamina the right and easement to enter into and upon said premises for the construction, repair and maintenance of any public utility over, under and upon said premises; now, therefore,

THE PEOPLE OF THE CITY OF WILLAMINA DO ORDAIN AS FOLLOWS:

Section 1. That the following portion of First Street Extended particularly described as follows:

That part of First Street Extended from the South boundary of Gentry Street, South 100 feet to the North boundary of First Street

be and the same is hereby fully, finally, completely and forever vacated

as a street or public highway and that the title of said portion of said First Street extended above described shall attach to and become a part of the abutting lots or land bordering the same, subject, however, to the right and easement reserved by the City of Willamina to enter into and upon said premises for the purpose of construction, repair and maintenance of any public utility over, under or upon said premises.

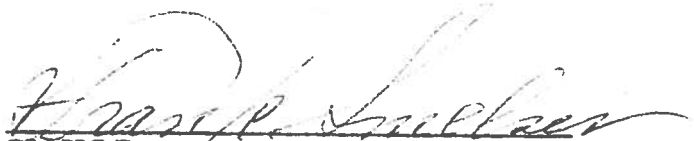
Section 2. That inasmuch as the vacation of said portion of First Street Extended will not decrease or substantially affect the market value of the abutting property, but will in fact enhance the market value therefor, no damages shall be allowed the owners of the property abutting upon the portion of said First Street Extended hereby vacated.

Passed by the Council of the City of Willamina, Oregon, this
12th day of April, 1955.

Ayes: Alan Howell Smith, Noble

Nays: None

Approved by the Mayor this 12th day of April, 1955.


MAYOR

Attest:

