

AN ORDINANCE CLOSING AND VACATING A CERTAIN STREET WITHIN THE CITY OF PENDLETON, UMATILLA COUNTY, OREGON; AND DECLARING AN EMERGENCY.

CITY OF PENDLETON ORDAINS AS FOLLOWS:

SECTION 1. WHEREAS, the Council of the City of Pendleton did on the 7th day of December, 1976, duly pass and adopt a Resolution initiating the proposition of vacating a portion of a road, hereinafter described, in the City of Pendleton, Oregon, and fixed Tuesday, January 18, 1977, at the hour of 7:40 p.m. o'clock as the time, and the Council Chambers as the place, for the hearing of any and all objections to the vacating of said street, and

WHEREAS, notice of said hearing was published as required by law in the East Oregonian, a daily newspaper of general circulation in Pendleton, Oregon, once each week for four (4) consecutive weeks before said hearing, proof of which is on file in the office of the City Recorder of the City of Pendleton, Oregon, and written notices of said hearing were duly posted at each end of the portion of said street to be vacated so as to be easily read by the passing public, and said notices remained posted for not less than twenty-eight (28) days before the hearing, and said notices were so posted within five (5) days after the first day of publication of notice of said newspaper and were plainly marked, "Notice of Street Vacation."

WHEREAS, on the 18th day of January, 1977, at the time and place set forth for hearing, a full and complete hearing was had on said matter and no objections having been made or filed by anyone against said vacation being made, and it appearing that said vacation will not substantially affect the market value of adjoining and abutting property, and the Council of the City of Pendleton voted unanimously to vacate the street.

SECTION 2. That the following described street within the corporate limits of the City of Pendleton, Umatilla County, Oregon, to be vacated is described as follows:

A tract of land lying in the Northwest Quarter of Section 8, T2N R32 E.W.M. More particularly described as follows:

Commencing at the Southeasterly corner of that tract of land belonging to Prowler Industries of Oregon, Inc., as recorded on Roll 2, Page 966, Umatilla County Deed Records, said point being the true point of beginning:

Thence along the Easterly and extended Easterly line of said Prowler Tract North 29° 09' 49" West a distance of 621.26 feet M/L to a point on the extended Northerly line of said Prowler Tract;

Thence along said extended Northerly line North 60° 59' 21" East a distance of 60.00 feet;

Thence South 29° 09' 49" East a distance of 625.83 feet;

Thence along a 1370 foot radius curve to the right a distance of 3.06 feet, said curve having a L.C. of (South 57° 09' 46" West a distance of 3.06 feet);

Thence South 57° 13' 36" West a distance of 57.06 feet;

Thence North 29° 09' 49" West a distance of 8.55 feet M/L to the true point of beginning.

Said tract contains 0.865 acres M/L.

Said tract of land shall be subject to the following utility easement.

A perpetual right of way and easement being 20 feet in width and lying 10 feet on each side of, when measured at right angles to, the following described line.

Commencing at the Southeasterly corner of that tract of land belonging to Prowler Industries of Oregon, Inc., as recorded on Roll 2, Page 966, Umatilla County Deed Records;

Thence along the Easterly and extended easterly line of said Prowler Tract North 29° 09' 49" West a distance of 621.26 feet M/L to a point on the extended Northerly line of said Prowler Tract;

Thence along said extended Northerly line North 60° 59' 21" East a distance of 15.00 feet to the true point of beginning;

Thence South 29° 49' 01" East a distance of 293.41 feet;

Thence South 62° 08' 11" East a distance of 75.98 feet to the terminus point of this easement.

All being in the County of Umatilla, State of Oregon.

NOTE: All data within this description is based on the Pendleton Local Coordinate System.

and that the same be, and the same hereby is, vacated, and hereafter it shall not be in any manner a public street in the said City of Pendleton, Oregon, nor shall the same be used for vehicular or pedestrian traffic, and the vacation of said street in the City of Pendleton, Umatilla County, Oregon, as provided in Section 2 of this Ordinance, shall take effect forthwith.

SECTION 3. Inasmuch as it is necessary for the immediate preservation of the peace, health and safety of the City of Pendleton that this Ordinance shall have immediate effect, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED by the vote of the Council members present and approved by the Mayor this 18 day of JANUARY, 1977.

APPROVED: Joe McLaughlin
Mayor

ATTEST: Margie Johnson
City Recorder