

ORDINANCE 1009

**AN ORDINANCE VACATING AN ALLEYWAY IN THE CITY OF
STAYTON, MARION COUNTY, OREGON**

WHEREAS, ORS 271.080(1) provides that whenever any person interested in any real property in an incorporated city desires to vacate all or part of any street, such person may file a petition setting forth a description of the ground to be vacated; the reason for such vacation; and, the purpose for which the ground is proposed to be used;

WHEREAS, ORS 271.080(2) provides that appended to such petition, and as a basis for granting the same, must be the written and authorized consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected;

WHEREAS, Caitlin Sett gast has filed a Petition requesting that the alleyway between N Second Ave and N Third Ave running between E Hollister St and E Pine St be vacated;

WHEREAS, the purpose and reason for the street vacation is to revert ownership of the vacated street portion to the respective Petitioners, so that they can utilize the property;

WHEREAS, appended to such Petition was the written and authorized consent of the owners of four of the five abutting properties and of over two-thirds in area of the real property affected;

WHEREAS, on June 26, 2017 the Stayton Planning Commission did conduct a public hearing and following the public hearing recommended to the City Council that the subject alleyway be vacated;

WHEREAS, August 7, 2017, the Stayton City Council did conduct a public hearing concerning the proposed vacation at which public testimony and the written record were received and considered; and

WHEREAS, at the conclusion of the public hearing the Stayton City Council determined that it was in the public interest to vacate the subject alley;

NOW, THEREFORE the Stayton City Council hereby ordains as follows:

Section 1. The northerly 150 feet of the alley between N Second Ave and N Third Ave, running between E Hollister St and E Pine Street, located in block 5 of the Pines Addition as recorded in Marion County Records Book of Town Plats Volume 13, Page 29, is hereby vacated.

Section 2. This Ordinance shall take effect 30 days after adoption by the Stayton City Council and the Mayor's signing and shall be recorded in the Marion County Deed Records.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 2ND DAY OF OCTOBER 2017

CITY OF STAYTON

Date: Oct 2, 2017

By: Henry A. Porter
Henry A Porter, Mayor

Date: 10-3, 2017

Attest: Keith D. Campbell
Keith D. Campbell, City Administrator

APPROVED AS TO FORM:

Wallace W. Lien

Wallace W. Lien, Acting City Attorney

REEL: 4012

PAGE: 105

November 03, 2017, 01:53 pm.

CONTROL #: 482592

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 51.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

