

ORDINANCE NO. 834

(Special)

AN ORDINANCE VACATING A PORTION OF A STREET WITHIN THE TOWN OF LAKEVIEW, LAKE COUNTY, OREGON.

WHEREAS, Lake Health District by Petition dated September 22, 2008 and pursuant to the provisions of ORS 271.080, initiated proceedings to vacate a portion of South J Street as lying South of South 7th Street within the Town of Lakeview, Lake County, Oregon;

WHEREAS, and as required by ORS 271.110, the Town Council scheduled a public hearing on the street vacation issue at 4:00 p.m. on November 18, 2008;

WHEREAS, the Town Council properly noticed the hearing by publication in the Lake County Examiner;

WHEREAS, no written objections were received prior to or at the hearing as to the proposed street vacation; and

WHEREAS, at the conclusion of said hearing the Town Council made the following findings of fact:

- (a) That the petition to vacate had appended to it the requisite number of landowner consents as required by ORS 271.080(2).
- (b) That proper legal notice of the public hearing had been given.
- (c) That the public interest would not be prejudice by the vacation of that portion of the street in question.

As the result of said findings:

THE COUNCIL OF THE TOWN OF LAKEVIEW ORDAINS AS FOLLOWS:

Section 1. - Vacation of Portion of Street: That portion of South J Street as the same runs generally north to south, lying South of South 7th Street is hereby vacated pursuant to the provisions of ORS 271.120 with the vacated portion of the street being specifically described as follows:

A parcel of land 60 feet in width deeded in Volume 156 at Page 102, Lake County Deed Records, situated in the Southwest 1/4 of Section 15, Township 39 South, Range 20 East of the Willamette Meridian, Lake County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron pin marking the Northwest corner of a tract of land described in Volume 77 at Page 407, Lake County Deed Records; thence North 89°31'00" West 25.00 feet; thence North 00°22'00" East 342.96 feet to a point on the extended South line of 7th Street South; a tract of land described in Volume 121 at Page 616, Lake County Deed Records; thence South 89°38'00" East, along said South line of 7th Street South, 60.00 feet to a 5/8" iron pin; thence leaving said South line South 00°22'00" West 343.09 feet to a 5/8" iron pin on the North line of said tract of land described in Volume 77 at Page 407, Lake County Deed Records; thence North 89°31'00" West, along the North line of the last mentioned tract of land, 35.00 feet to the point of beginning.

Section 2. - Recordation of Vacation: Immediately upon the execution and attestation of this Ordinance, a certified copy of the same shall be recorded in the office of the Lake County Clerk and additionally certified copies of this Ordinance shall be filed with the offices of the Lake County Assessor and Lake County Surveyor.

Section 3. - Severability: The invalidity of any section or part of a section of this Ordinance shall not affect the validity of the remaining sections or parts of sections.

This Ordinance being non-emergency in nature, shall take effect 30 days after its adoption as so indicated below.

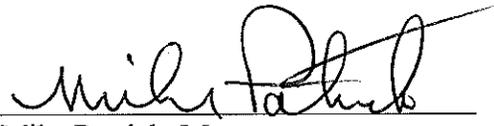
A motion was made to read this Ordinance by title only and such motion passed unanimously. Thereafter, the Ordinance was read by title only and was adopted.

Passed by the Town Council by a vote as follows:

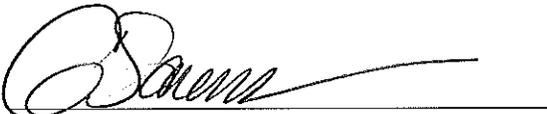
3 In Favor

0 Opposed

Adopted this 9th day of December, 2008.


Mike Patrick, Mayor

Attest:


Christy Sarina, Town Recorder