

**ORDINANCE NO. 1297**

**AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEY WAY WITHIN BLOCK 6 OF THE MAPLE GROVE ADDITION, LOCATED WITHIN THE CITY OF TILLAMOOK, TILLAMOOK COUNTY, OREGON, AND AMENDING THE CODE OF THE CITY OF TILLAMOOK, SPECIAL TABLE OF ORDINANCES, TABLE III, PUBLIC WAYS; DEDICATIONS AND VACATIONS**

**WHEREAS**, this matter came before the Tillamook City Council (hereafter "Council") in a public hearing on October 6, 2014 pursuant to ORS 271.120; and

**WHEREAS**, the Council is fully apprised of the records and files herein; and

**WHEREAS**, the City Council initiated vacation proceedings, pursuant to ORS 271.130; and

**WHEREAS**, no written objections from land owners within the affected area (as prescribed by ORS 271.110) nor remonstrance were received; and

**WHEREAS**, the alley for vacation is within Block 6 of the Maple Grove Addition, located within the City of Tillamook, Tillamook County, Oregon; and

**WHEREAS**, notice of the proposed vacation was given as provided in ORS 271.110, published in the Headlight Herald, a newspaper of general circulation within the City's jurisdictional boundaries, on September 17, 2014 and September 24, 2014. The date of first publication was not less than 14 days before the scheduled hearing, and further notice was posted in four of the most public places in the City, e.g. City Hall, Tillamook County Library, Tillamook County Courthouse, and Tillamook Fire District in Tillamook, on September 17, 2014, and posted at or near each end of the proposed vacation in at least two conspicuous places in the proposed vacation area at least 14 days before the hearing; and

**WHEREAS**, the City Recorder has filed or otherwise indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the land by the alley vacation.

**NOW, THEREFORE, the City of Tillamook ordains as follows:**

**Section 1.** The Tillamook City Council agrees that it is proper and expedient that said vacation be granted, with the condition that surveys conducted for property line adjustments are the responsibility of the property owners of Block 6 of the Maple Grove Addition.

**Section 2.** The Tillamook City Council agrees that Block 6 of the Maple Grove Addition as described in Attachment A and shown on the Assessor's Map in Attachment B, shall be vacated with title to said alley portion attached to abutting property in equal proportions, pursuant to ORS 271.140.

**Section 3.** The City Recorder is directed to file a certified copy of this Ordinance with each of the following: Tillamook County Clerk, Tillamook County Assessor, and Tillamook County Surveyor.

**PASSED** 1<sup>st</sup> reading by the City Council this \_\_\_\_\_ Day of \_\_\_\_\_,2014.

**PASSED** 2<sup>nd</sup> reading by the City Council this \_\_\_\_\_ Day of \_\_\_\_\_,2014.

**ADOPTED** by the Tillamook City Council this \_\_\_\_\_ Day of \_\_\_\_\_,2014.

APPROVED:

\_\_\_\_\_  
Suzanne Weber, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Abigail Donowho, City Recorder

\_\_\_\_\_  
Date

DRAFT