

82219

ORDINANCE NO. 128

ORDINANCE FOR THE VACATION OF A PART OF ELDER STREET, DATE STREET, THE ALLEY RUNNING THROUGH BLOCK 33 AND PART OF THE ALLEY THROUGH BLOCK 34, AND PART OF THE ROAD EASEMENT THROUGH BLOCKS 33 and 34, ALL IN SOUTH DRAIN ADDITION TO THE CITY OF DRAIN, OREGON.

WHEREAS, there was heretofore and on January 2, 1945, filed in the office of the City Recorder a petition for street and alley vacation, which petition was duly signed and acknowledged by the petitioners, E. G. WHIPPLE and the SOUTHERN PACIFIC COMPANY, by its attorney in fact, Alfred A. Hampson, for the vacation of the herinafter described parts of the streets and alleys hereinafter named, and

WHEREAS, said petition was by the City Recorder found to be sufficient and was filed on said date, when and where one of the petitioners was present, and

WHEREAS, on said date said petition was presented to the Council and the Council finding that no reason manifestly existed why the petition should not be allowed in part as hereinafter set forth, did then and there fix the time for hearing upon said petition for eight o'clock in the evening on Tuesday, the sixth day of February, 1945, and directed that notice thereof be given as required by law, and

WHEREAS, due notice was given of the time and place so fixed by posting said notices in more than three of the most public places in the city, and in the places most likely to give notice to the public, and further notice was given by publication of a like notice in the Drain Enterprise for a

period of four weeks, all as more fully appears from the certificate of posting by the City Marshal, and the proof of publication of said notice on file herein, and

WHEREAS, at the hearing no objections having been made or filed to said petition, the Council proceeded to consider the same and found that consent of the owners of the requisite area had been obtained, and that due notice had been given of said vacation, and thereupon directed that an Ordinance be drawn for the vacation of that part of the streets and alleys described in the petition as hereinafter described.

NOW THEREFORE,

THE PEOPLE OF THE CITY OF DRAIN ORDAIN AS FOLLOWS:

Section 1, That the following streets and alleys and roadway easement, to-wit:

That part of Elder Street extending north from Lane Street between Blocks 33 and 34 to Drain Avenue; also

That part of Date Street extending south from Drain Avenue between Blocks 32 and 33 to the extension of the center line running east and west through Lot 7, Block 32 and Lot 2, Block 33; also

The alley running through Block 33, between Lane Street and Drain Avenue; also

That part of the alley extending through Block 34 from Drain Avenue south to the extension of the north line of Lots 3 and 6 of said block; also

That part of said roadway easement granted to the City of Drain by the Southern Pacific Company described as follows: South $\frac{1}{2}$ of Lot 2, and Lot 7 of Block 33, and the South $\frac{1}{2}$ of Lot 2, of Block 34

All of said streets, alleys and easements being in South Drain Addition to the City of Drain, Oregon.

be and the same, and every part thereof, are hereby declared vacated.

Passed by the Common Council April 3, 1945.

Approved by the Mayor April 3, 1945.

R. F. Pfister
MAYOR

Attest:

L. C. APPELATE
CITY RECORDER

Certificate

I, Len C. Applegate, City Recorder of Drain, Oregon hereby certify that I posted one copy of the foregoing Ordinance No. 128 in each of the following places, one on the Recorder's Office, one in the Post Office and one on the electric pole at the intersection of D Street, and the Pacific Highway. Said copies were posted this 6th day of April, 1945.

IN THE CITY OF DRAIN, OREGON L. C. APPELATE
CITY RECORDER

Certificate

I, Ruby B. Holloway, hereby certify that I am the duly appointed, qualified and acting City Recorder of the City of Drain, Douglas County, State of Oregon, and that as such, have in my care, custody and control all the records and files of said office; that the foregoing Ordinance No. 128 is a true and correct copy of said Ordinance No. 128 passed by the Common Council and approved by the Mayor April 3, 1945, of the original thereof in my care, custody and control.

Dated: Drain, Oregon, August 30, 1948.

Ruby B. Holloway
City Recorder

