

RELINQUISHMENT OF PORTION OF EASEMENT

ORDINANCE # 236

An Ordinance describing portion of Easement to be relinquished, determining that such is reasonably necessary to correct certain error in surveying, and declaring an emergency.

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

SECTION 1: The City of Drain has heretofore acquired a certain Right of Way granted to the City of Drain as recorded in Volume 509, Records of Douglas County, Oregon, Recorder's No. 72-17830.

SECTION 2: The City of Drain has heretofore accepted DUNCAN'S SECOND ADDITION TO THE CITY OF DRAIN as a platted subdivision, and has received same within the city limits of the City of Drain, along with the Dedication of Roads as appears in said subdivision.

SECTION 3: It is determined ALTA VISTA AVENUE and CEMETERY ROAD as appears in said subdivision differs from the Easement given prior thereto as described in Section 1 above.

SECTION 4: That those portions of the Right of Way granted to the City of Drain as recorded in Volume 509, Records of Douglas County, Oregon, Recorder's No. 72-17830, lying within Lots 1, 2, 3, 4, 5, and 6, Block 3, and Lots 1, 2, 3, 4, 5, 6, 7, and 8, Block 5, <sup>and Lot 3, Block 6</sup> all in Duncan's Second Addition to the City of Drain, in Douglas County, Oregon, should be released, relinquished and abandoned, the same is hereby done, and the Mayor and the City Recorder are directed to execute a relinquishment of said portions of said easement so that said easement corresponds to the roads as dedicated within the city limits of the City of Drain.

SECTION 5: EMERGENCY:

WHEREAS it is in the best interests of the people of Drain that the error in surveying be corrected so that there might not be overlap on the lots and confusion, it is hereby deemed the passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of the City, and an emergency is hereby declared to exist, and this Ordinance shall become immediately operative upon its passage by the Council.

PASSED BY THE COUNCIL this 19 day of October, 1976.

APPROVED BY THE MAYOR this 19 day of October, 1976.

Antonio B. Giovanni  
Mayor

ATTEST:

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City Recorder