

AN ORDINANCE VACATING AN ALLEY

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

SECTION 1. The City received in accordance with ORS 271.80(1), on October 3, 1996, a petition to vacate the following described real property:

That certain alley-way 20 feet in width lying between Lots 1 and 8, Lots 2 and 7, Lots 3 and 6, Lots 4 and 5, all in Block 24, South Drain, an Addition to the City of Drain, Douglas County, Oregon,

from Reinforced Tank Products, Inc., and held a public hearing thereon on November 12 1996. No objections to the proposed vacation were stated at the hearing.

SECTION 2. The City Council hereby determines that the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby has been obtained as required by ORS 271.080(2) and is on file herein.

SECTION 3. The City Council hereby determines that notice was duly given prior to the hearing on November 12, 1996, in accordance with the provisions of ORS 271.110.

SECTION 4. The City Council hereby determines that the public interest will not be prejudiced by vacation of the property.

SECTION 5. NOW, THEREFORE, the Petition filed with the City is granted and the property described in Section 1 above is hereby vacated.

SECTION 6. The City Administrator is directed to file a certified copy of this ordinance for recording with the Douglas County Clerk, the Douglas County Assessor and the Douglas County Surveyor. The Petitioner, Reinforced Tank Products, shall bear the recording cost and the cost of preparing and filing the certified copies.

SECTION 7. WHEREAS, an urgent public necessity exists for vacation of the property in that the alley is not used by the public and is needed by the Petitioner for industrial expansion which will benefit the public, and passage of the ordinance is essential to the health, safety and welfare of the City of Drain, an emergency is declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

PASSED BY THE COUNCIL THIS 12TH DAY OF NOVEMBER, 1996.

ATTEST
Carl A. Patenode

Carl A. Patenode
CITY ADMINISTRATOR

APPROVED BY THE MAYOR ON THIS
12TH DAY OF NOVEMBER, 1996.
Margrette Sparks

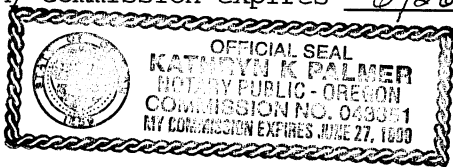
Margrette Sparks
MAYOR

This instrument was acknowledged before me on November 12, 1996 by Carl A. Patenode and Margrette Sparks as City Administrator and Mayor of Drain, OR

Kathryn K. Palmer

Kathy K. Palmer
Notary Public for Oregon

My commission expires 6/26/99



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HANDED KATHY / CITY OF DRAIN

STATE OF OREGON]
COUNTY OF DOUGLAS] SS.
I, , COUNTY CLERK AND RECORDER OF
CONVEYANCES, DO HEREBY CERTIFY THAT THIS
INSTRUMENT WAS RECORDED

97 JAN -3 PM 2:18

DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY
BY *Alan J. Burnett*

DEPUTY

80 - FEE 10⁰⁰

97-00115