

ORDINANCE NO. 387

AN ORDINANCE VACATING A PORTION OF BEECH STREET NORTH OF PAYTON AVENUE AT THE JUNCTURE OF THE NORTH END OF BEECH STREET AND PAYTON AVENUE.

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

SECTION 1. The City received in accordance with ORS 271.080, on April 11, 2002, a petition to vacate the following described real property:

Portion of Beech Street north of Payton Avenue at the juncture of the north end of Beech Street and Payton Avenue. The land is east of Block 1, south Drain, North of Block 10, South Drain and West of Elk Creek.

The original parcel of land was conveyed in Volume 22, Page 244, Deed Records of Douglas County, Oregon. The subject property was platted by C.D. Drain, with the streets and alleys being dedicated to the public, December 9, 1889.

The City held a public hearing on July 8, 2002. 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.

SECTIONS 3. The City Council hereby determines that notice was duly given prior to the public hearing on July 8, 2002, 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.

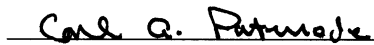
SECTION 5. NOW, THEREFORE, the Petition filed with the City is granted and the property described in Section 1 above is hereby vacated.

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, Dexter Henderson, shall bear the recording cost and the cost of preparing and filing the certified copies.

PASSED BY THE CITY COUNCIL OF THE CITY OF DRAIN, DOUGLAS COUNTY, OREGON THIS 12TH DAY OF AUGUST, 2002.


Brad Borigo, Mayor

ATTEST:


Carl A. Patenode, City Administrator