

ORDINANCE NO. 04-246

AN ORDINANCE vacating a portion of Maple Street, all as located in the City of Lakeside, Oregon.

THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Whereas a petition for vacation of right of way has been filed with the City of Lakeside, describing the proposed vacation, showing the proposed uses of said right of way, and stating the reason for the vacation; and

Whereas, the petition contained the consents of all property owners adjacent to said right of way, and the consent of at least two thirds of the real property affected thereby

At their regular meeting September 09, 2004, the City Council of City of Lakeside fixed October 10-14, 2004 at 7:00 p.m. in the City Hall, 915 North Lake Road, Lakeside, Oregon, as the date, time and place for the Council to hold a public hearing. The purpose of the hearing was to hear objections regarding the proposed vacation, initiated by the adjacent owners Robert & Virginia Piroli of a portion of Maple Street located near Myrtle Blvd. Proof of publication of consecutive weeks in The World Newspaper of general circulation published in Lakeside, beginning on September 22, 2004 and September 29, 2004. Proof of posting of said Notice of Vacation in accordance with ORS 271.110 has been received by the City Recorder from the Petitioner(s). The City Recorder has received from the Petitioners a deposit of all sums necessary to pay for the costs of processing this vacation, including publication, posting, recording, and legal fees.

The City Council has held that public hearing heard and considered any and all objections.

Based upon the information presented, the Council finds:

1. The procedures for vacating the portion described in this ordinance have been correctly followed;
2. There is not a public necessity for the use of the portion described in this ordinance;
3. It is in the public interest that the portion described in this ordinance be vacated; and
4. The public interest will not be prejudiced by the vacation.

THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Section 1. The portion of Maple Street in the Plat of Council Hills, on file and of record of the office of the Clerk for Coos County, Oregon which is located on the South line of Myrtle Blvd and East of Lot 26, Block 2 below is

vacated and the described portion from the effective date of this ordinance is no longer a public way.

Section 2. The City Recorder is directed to submit a certified copy of this ordinance and the map showing the precise location of the vacated area to the County Clerk, the County Assessor, and the County Recorder.

FIRST READ to the Council the 14th day of October, 2004.

PASSED by the Council this 14th day of October, 2004.

SIGNED by the Mayor this Nov 15th day of November, 2004.

Effective this day of Nov 15th 2004.



Mayor

ATTEST:



City Recorder