

ORDINANCE NO. 04-247

AN ORDINANCE vacating a portion of Myrtle Boulevard, 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 October 14, 2004, the City Council of City of Lakeside fixed November 18, 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 vacations, initiated by the adjacent owners Edgar and Delores Young of a portion of Myrtle Boulevard, located near Maple Street. Proof of publication of consecutive weeks in The World Newspaper of general circulation published in Lakeside, beginning on October 23, 2004 and October 30, 2004. Proof of posting of said Notice of Vacation in accordance with ORS 271.110 has been received by the City Recorder from the Petitioners. The City Recorder has received from the Petitioners a deposit of all sums necessary to pay for the costs of processing these vacations, 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 streets and portions described in this ordinance have been correctly followed.
2. There is not a public necessity for the use of the streets and portions described in this ordinance.
3. It is in the public interest that the streets and portions 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 Myrtle Boulevard in the Plat of Council Hills, on file and of record in the office of the Clerk for Coos County, Oregon, which is located between the Northwest corner of Lot 23 Block 1 and Northeast corner of Lot 24 Block 1 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 18th day of November, 2004

PASSED by the Council this 13th day of January, 2005

Signed by the Mayor this 13th day of January, 2005

Effective this 13th day of January, 2005

Ed Brown

Mayor

ATTEST:

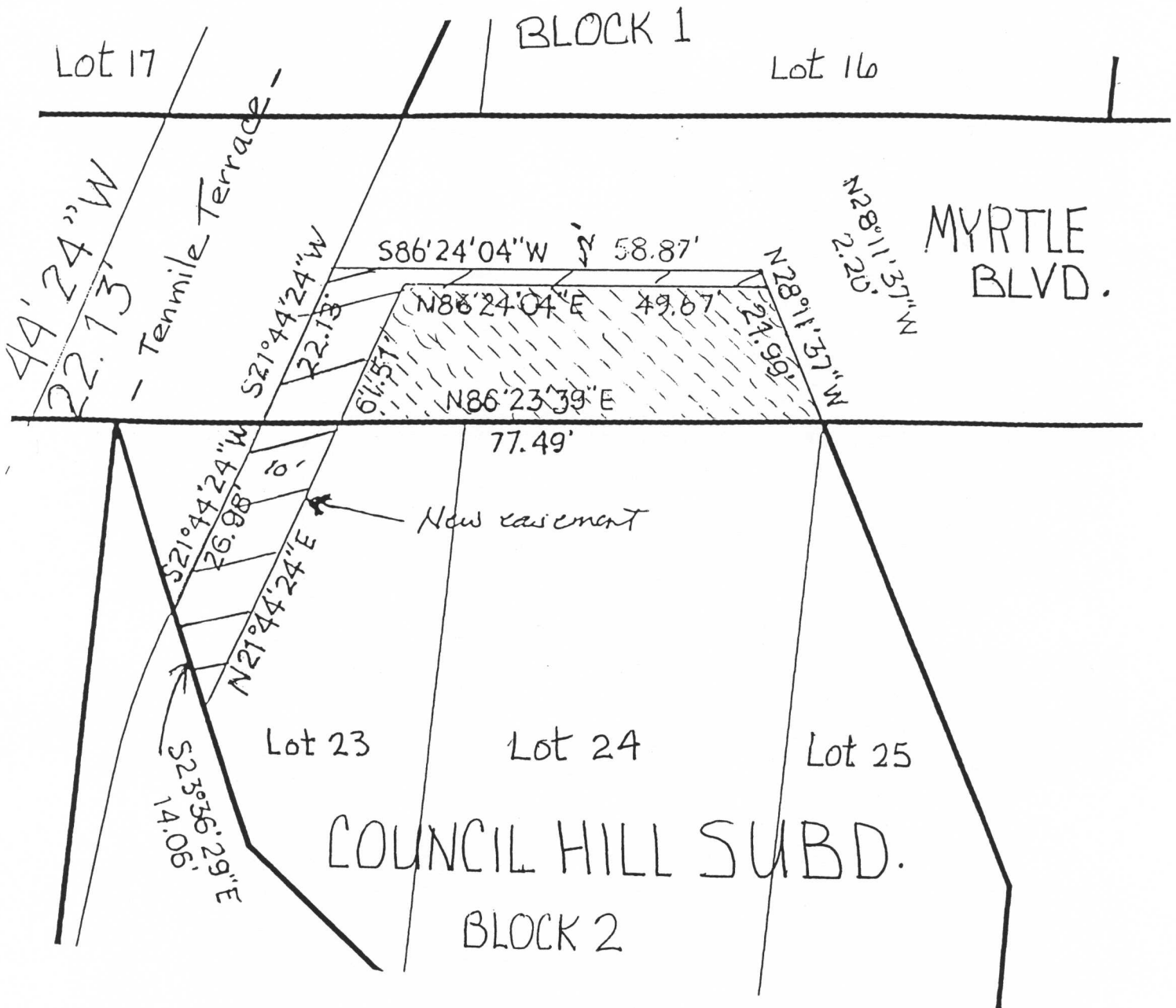
Susan Chauncey
City Recorder

COUNCIL HILL SUBD. - MYRTLE BLVD VACATION
(YOUNG ROAD VACATION)

EXHIBIT "B" Hatched area to be vacated.

A portion of the South half of Myrtle Blvd. as described below:

Beginning at the northeast corner of Lot 24, Block 2 of the Plat of Council Hill, located in the City of Lakeside, Coos County, Oregon; Thence North $28^{\circ}11'37''$ West for a distance of 21.99 feet; Thence South $86^{\circ}24'04''$ West for a distance of 58.87 feet to the easterly edge a private road easement known as Tenmile Terrace; Thence South $21^{\circ}44'24''$ West, along said easement, for a distance of 22.13 feet; Thence North $86^{\circ}23'39''$ East for a distance of 77.49 feet to the point of beginning.

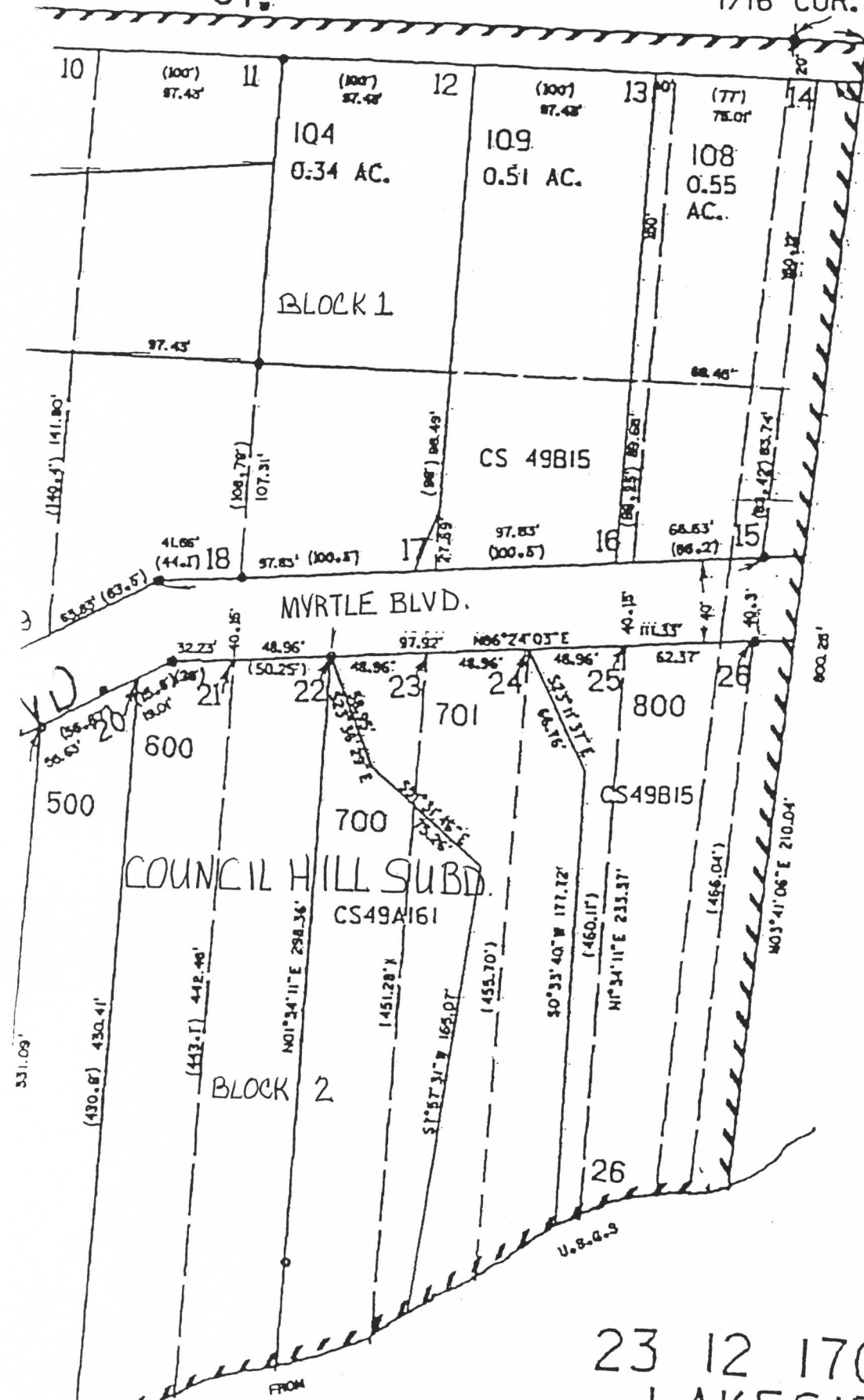


MYRTLE BLVD. VACATION
EXHIBIT "B"

ST.

1/16 COR. BY SURVEY

1/16 COR.
BY PLAT



SEE MAP 23 12 17

23 12 17CB
LAKESIDE