

Certified Copy

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ORDINANCE NO. 120

AN ORDINANCE VACATING THE ROADWAY RUNNING NORTH AND SOUTH BETWEEN LOTS 1, 4, 5 and 6 OF BLOCK 2, PLAT E AND LOTS 6, 7, 8 AND 9 OF BLOCK 1, PLAT E, OF THE AMENDED PLAT OF THE SUTHERLIN LAND AND WATER COMPANY WITHIN THE LIMITS OF THE CITY OF SUTHERLIN, OREGON.

Whereas, there was filed in the office of the Recorder of the City of Sutherlin, Oregon, on the 16th day of October, 1943, the Petition of Smith Wood-Products, Inc., and of Clyde Henderson for the vacation of a roadway hereinafter specifically described, and the Common Council of the City of Sutherlin having thereafter duly examined said Petition and being of the opinion that no reason manifestly exists why said Petition should not be allowed, ordered that the 22nd day of November, 1943, at 7:30 o'clock P. M. in the Council Chamber in the City of Sutherlin, Douglas County, Oregon, be fixed as the time and place for a formal hearing upon said Petition;

And, whereas, pursuant to said order of the Common Council, the City Recorder gave notice of said hearing by publishing a notice thereof in the Sutherlin Sun, the City official newspaper, published and issued in Sutherlin, Douglas County, Oregon, which notice was published once each week for four consecutive weeks prior to November 22, 1943, and which notice described the street or roadway to be vacated, gave the date when such Petition was filed, the name of at least one of said petitioners, and the date when said Petition together with any objections or remonstrances which might be made in writing and filed with the City Recorder would be heard and considered by the Common Council, all of which more fully appears from the affidavit of publication of said newspaper on file herein;

And it further appearing to the satisfaction of the Common Council that within five days after the first publication of said notice the City Recorder posted near each end of said proposed vacation a copy of said notice, which notice was headed "Notice of Roadway Vacation", and which notice was posted in two conspicuous

places in such proposed vacation of such street or roadway, and which posting and the date of the first publication was more than 28 days before the time fixed for such hearing, all of which more fully appears from the certificate of the City Recorder on file herein;

And, whereas, the Council at the time and place fixed in said notice proceeded to hear said Petition, and no objections having been filed thereto, and it appearing to the satisfaction of the Common Council that the consent of the owners of the requisite area has been obtained, and that notice as provided by statute has been duly given, and that the public interest will not be prejudiced by the vacation of such street or roadway, and that the same should be vacated;

Now, therefore, the people of the City of Sutherlin ordain as follows:

SECTION 1. That the roadway running North and South between lots 1, 4, 5 and 6 of Block 2, Plat E, and Lots 6, 7, 8 and 9 of Block 1, Plat E, of the Amended Plat of the Sutherlin Land and Water Company within the limits of the City of Sutherlin, Oregon, the same being more specifically described as follows:

Beginning at a point on said roadway 800 feet South of the NW corner of Lot 1, Block 2, Plat "E" of the Amended Plat of the Sutherlin Land and Water Company, and running thence South 0° .08' East a distance of 1792.2 feet, more or less, to the SW corner of Lot 6, Block 2, Plat "E" of the Amended Plat of the Sutherlin Land and Water Company,

be and the same is hereby vacated.

SECTION 2. That the City Recorder be and he hereby is directed to file a certified copy of this Ordinance with the County Clerk of Douglas County, Oregon, and with the County Assessor and County Surveyor of Douglas County, Oregon.

Passed by the Common Council this 22nd day of November, 1943.

Approved by the Mayor this 22nd day of November, 1943.

George A. Hansen
Mayor.

Attest: B. A. Mack
City Recorder.

STATE OF OREGON }
County of Douglas } ss.
City of Sutherlin }

I, B. S. SLACK, City Recorder of the City of Sutherlin, Oregon, do hereby certify that I have compared the foregoing copy of Ordinance No. 120 with the original of said Ordinance now on file in my office, and that the foregoing is a true, full and complete copy of said original and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the City of Sutherlin, this 23 day of November, 1943.

B. S. Slack.
Recorder of the City of Sutherlin, Oregon.