

ORDINANCE NO. 3054**AN ORDINANCE VACATING CERTAIN PORTIONS OF THOMAS STREET, IN THE CITY OF ROSEBURG**

**WHEREAS**, pursuant to Roseburg Municipal Code Chapter 4.06, upon receipt of a report from the Community Development Department, the City Recorder initiated proceedings to vacate certain portions of Thomas Street located in the City of Roseburg, more particularly described in Section 1 of this ordinance and shown on the map attached hereto as Exhibit "A" of this ordinance; and

**WHEREAS**, the City Recorder published a notice of public hearing on the proposed vacation to be held before the Roseburg City Council on Monday, October 11, 1999, in the News-Review, a newspaper of general circulation in the City of Roseburg, Oregon, on September 26 and October 3, 1999, posted said notice at or near each end of the proposed vacation area, and in at least two conspicuous places within the proposed vacation area and mailed such notice to all affected property owners, not less than 14 days prior to the date of the hearing, all of which more fully appear in the proof of publication, posting and mailing on file in the City Recorder's Office; and

**WHEREAS**, such public hearing was duly held at the above mentioned time and place, and all persons desiring to be heard on said matter were heard;

**NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:**

**Section 1.** Portions of Thomas Street located in the City of Roseburg, and more particularly described as follows, are hereby vacated:

**1ST PORTION OF THOMAS STREET**

All that portion of Thomas Street lying between Block 2 and Block 3 of Thomas Subdivision of Fruitvale; a subdivision recorded in Volume 1, Page 17 of the Subdivision Records of Douglas County, Oregon, which lies South of the Northerly Lines of Lot 5, Block 2 and Lot 18, Block 3 and North of Oakland Avenue.

Beginning at a 5/8" iron rod at the Southwest Corner of said Block 3; thence N 89° 23' 59" W., 33.01 feet to the Southeast Corner of said Block 2; thence N. 1° 00' 14" W., 143.93 feet to the Northeast Corner of said Lot 5, Block 2; thence S 89° 19' 23" E., 33.01 feet to the Northwest Corner of of said Lot 18, Block 3; thence S 1° 00' 14" E., 143.89 feet to the point of the beginning and containing 0.11 acres more or less.

2ND PORTION OF THOMAS STREET (WEST OF FENDER AVENUE)

All that portion of Thomas Street lying East of Block 6 of Thomas Subdivision of Fruitvale, a subdivision recorded in Volume 1, Page 17 of the Subdivision Records of Douglas County, Oregon, which lies North of Lot 4, said Block 6, and South of the Westerly extension of the North Line of vacated Fender Avenue as dedicated under the Second Everadine Home Sites, a subdivision recorded in Volume 6, Page 38 of the Subdivision Records of Douglas County, Oregon, and being more particularly described as follows:

Beginning at the Northeast Corner of Lot 4, Block 6 of said Thomas Subdivision of Fruitvale; thence N. 0° 01' 33" E., along the East Line of Lot 5, said Block 6, 37.30 feet to a point; thence S. 89° 02' 30" E., 16.50 feet to a point on the East Line of said Thomas Street; thence S. 0° 01' 33" W., along said East Line, 37.27 feet to a point; thence N. 89° 08' 48" W., 16.50 feet to the point of beginning and containing 615 square feet, more or less.

**Section 2.** A temporary easement for use by all public utilities now in existence is hereby granted while the Safeway remodeling project is under construction. A development agreement between the City and Safeway requires Safeway to provide permanent easements prior to final occupancy.


**Section 3.** The title to the property vacated by this ordinance shall attach to the lands bordering on such equal portions in accordance with ORS 271.140.

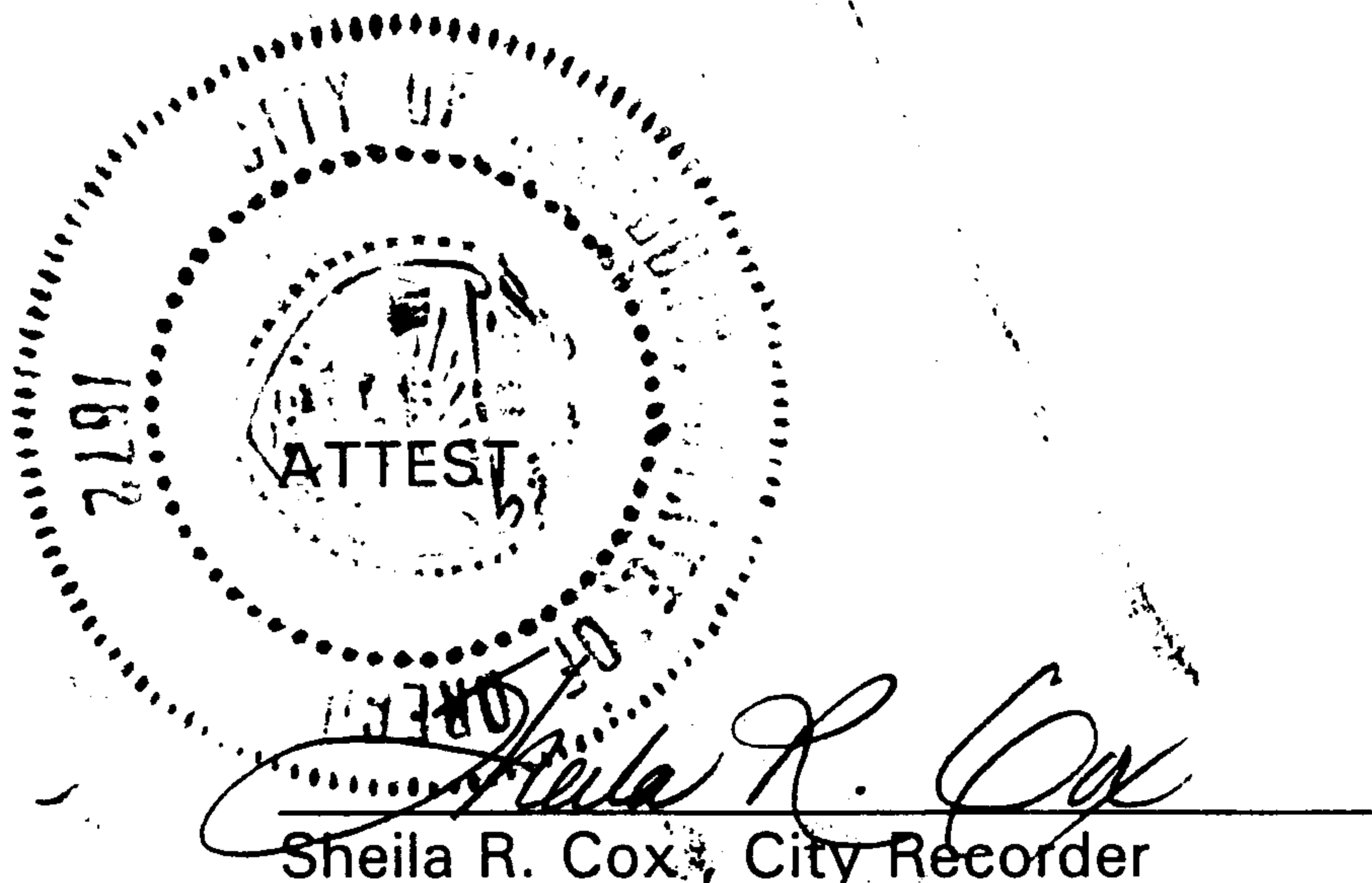
**Section 4.** Pursuant to ORS 271.150, the City Recorder is hereby directed to file a certified copy of this ordinance and the map attached hereto as Exhibit "A" with the Douglas County Clerk, Douglas County Assessor and Douglas County Surveyor.

**Section 5.** This ordinance shall take effect thirty days after adoption by the Roseburg City Council and approval by the Mayor.

**ADOPTED BY THE CITY COUNCIL THIS 25th DAY OF OCTOBER 1999, AND**

**APPROVED BY THE MAYOR THIS 25th DAY OF OCTOBER, 1999.**

  
\_\_\_\_\_  
Larry Rich, Mayor

  
\_\_\_\_\_  
Sheila R. Cox, City Recorder



FILED

Date: 3-2-2000 By: JP

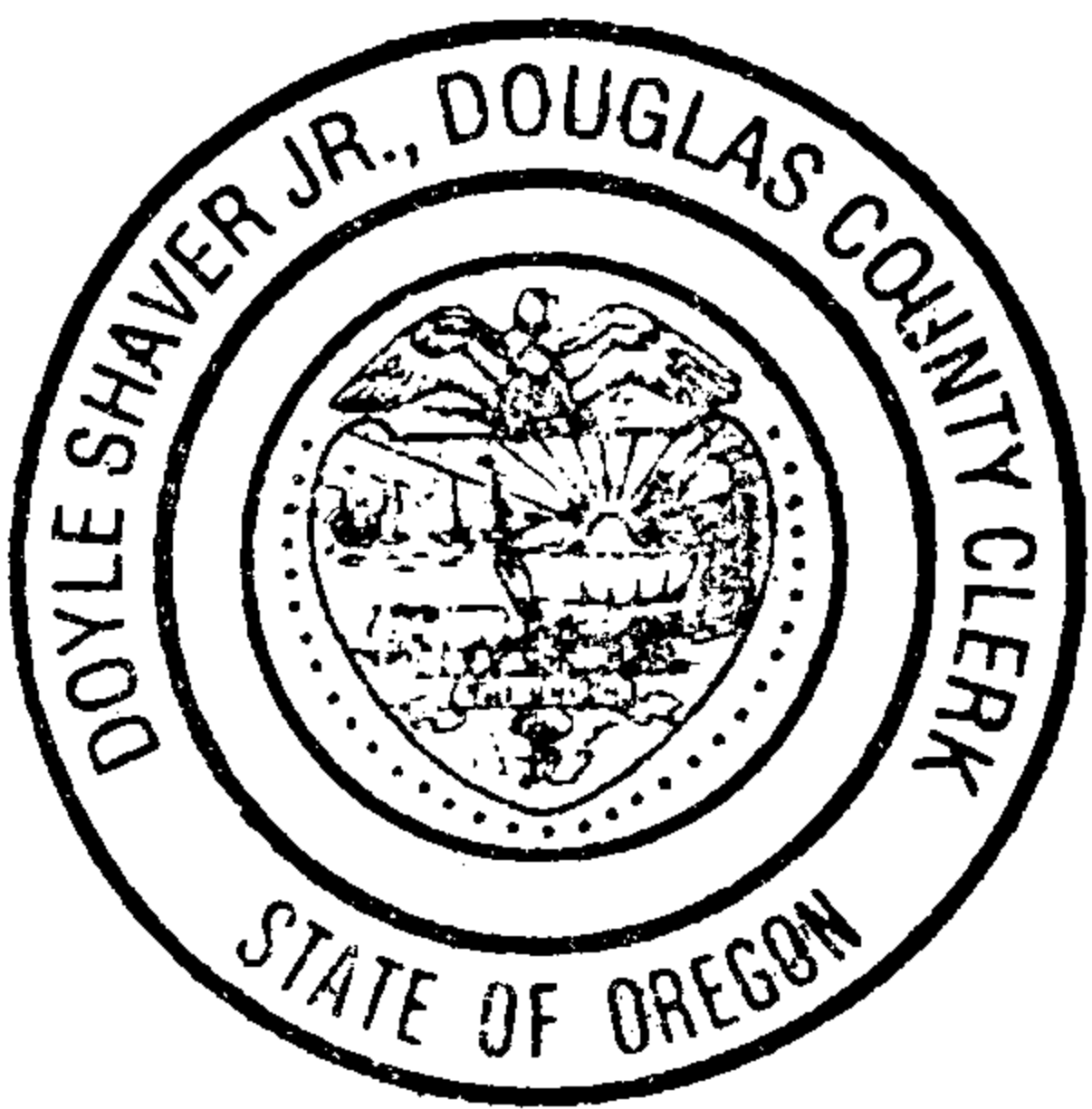
This survey consists of:

FOR Map: Vol. 1 Pg 17

Narrative: \_\_\_\_\_

Corner Rpt: \_\_\_\_\_

DOUGLAS COUNTY  
SURVEYOR



I hereby certify this copy to be a true, full and correct copy of the original now on record in my office  
Doyle Shaver Jr.,  
DOUGLAS COUNTY CLERK

By: [Signature]  
Deputy

Date: 12-9-99

99-29196

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

99 DEC -8 PM 2:47

DOYLE SHAVER JR.  
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY [Signature]  
DEPUTY

80 FEE 20  
10  
30