

ORDINANCE NO. 3289

AN ORDINANCE VACATING A PORTION OF COUNTY ROAD #506 FROM ITS INTERSECTION WITH S.W. HAILEY AVENUE TO ITS INTERSECTION WITH S.W. GOODWIN PLACE.

I. RECITALS.

A. WHEREAS, pursuant to ORS 271.080, Carlos Van Elsberg, Public Works Director for Umatilla County, on December 6, 1983, filed a request with the City of Pendleton to vacate a portion of County Road #506, for the reason that it serves no useful purpose. A copy of Mr. Van Elsberg's request is attached hereto as Exhibit "A" and by this reference incorporated herein.

B. WHEREAS, pursuant to ORS 271.080, and as a basis for granting the request to vacate, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby have consented to such vacation as evidenced by Exhibit "B" attached hereto and by this reference incorporated herein.

C. WHEREAS, the City Recorder has caused such petition referred to above to be filed pursuant to ORS 271.090 and has advised Mr. Van Elsberg of the date the petition will come before the City Council.

D. WHEREAS, pursuant to ORS 271.100, the City Council after ascertaining that there appeared to be no reason why the petition should not be allowed set a time for formal hearing upon the petition, pursuant to Resolution No. 1319 attached hereto as Exhibit "C" and by this reference incorporated herein, which Resolution passed on the 17th day of January, 1984, initiating vacation proceedings for property hereinafter described and fixed the hour of 7:35 p.m. on the 21st day of February, 1984, as the time, in the Council Chambers as the place, for the hearing of any and all objections or remonstrances relating to the vacation of said property.

E. WHEREAS, the City Recorder has caused pursuant to ORS 271.110 the notice of the petition and hearing to be published in the City official newspaper once each week for four (4) consecutive weeks with said notices containing a description of the ground covered by the petition, the date it was filed, the name of at least one of the petitioners, and the date when the petition and any objection or remonstrance which may be made in writing and filed with the recording officer of the City prior to the time of the hearing and will be heard and considered.

F. WHEREAS, the City recording officer five (5) days after the first day of the notice caused to be posted at or near each end of the proposed vacation a copy of the notice headed "Notice of Street Vacation" posted in at least two (2) conspicuous places in the proposed vacation area with said posting not less than twenty-eight (28) days before the hearing.

G. WHEREAS, on the 3rd day of November, 1983, the Pendleton Planning Commission considered the above request as a land use issue and adopted the recommendation of Mike Hyde, Senior Planner, as their recommendation to the County Board of Commissioners that the subject right of way be vacated which action is reflected in the Planning Staff Report (findings of fact and conclusions of law) of November 3, 1983 attached hereto as Exhibit "D" and by this reference incorporated herein as if set forth fully. Said recommendation is also directed to the City Council, which has jurisdiction as the County road to be vacated lies within the Pendleton city limits.

NOW THEREFORE CITY OF PENDLETON ORDAINS AS FOLLOWS:

SECTION 1. The City Council of the City of Pendleton finds as follows:

- A. A consent of the owners of the requisite area has been obtained.
- B. The City Council finds that notice has been duly given.
- C. The City Council finds that the public interest will not be prejudiced by the vacation of such part of the street.

SECTION 2. The City Council of the City of Pendleton hereby and forever vacates the following described real property:

A portion of County Road #506 lying north of S.W. Hailey Avenue, east of S.W. Goodwin Place, described as follows:

Commencing at the Southeast corner of the S.W. 1/4 of the S.E. 1/4, Section 9 T2N R32 E.W.M.

Thence North 29° 13' 45" West a distance of 34.48 feet to a point on the Northerly right-of-way of S.W. Hailey Avenue, said point being the true point of beginning:

Thence continuing North 29° 13' 45" West a distance of 188.28 feet:

Thence along a circular curve to the left a distance of 24.42 feet more or less to a point on the Easterly right-of-way line of S.W. Goodwin Avenue and the terminus point for this description. Said curve having a radius of 524.05 feet and a L.C. of (North 30° 33' 55" West a distance of 24.42 feet):

Said road being 30.00 feet in width, lying 15.00 feet either side of the above described centerline.

All information shown is based on the City of Pendleton's Survey Drawing No. 24-7769.

All as described in Exhibit "E" and by this reference incorporated herein.

SECTION 3. The City Council further finds that the title to the street shall attach to the lands bordering on such area in equal proportion pursuant to ORS 271.140.

SECTION 4. The City Council further finds and orders pursuant to ORS 271.150 that a certified copy of this Ordinance vacating the street together with the map attached herein shall be filed for recording with the County Clerk. The petitioner for vacation shall bear the recording costs and the cost of preparing and filing the certified copy of the Ordinance and map. He shall also file a certified copy of such Ordinance with the County Assessor and the County Surveyor.

PASSED by the vote of the Council Members present and approved by the Mayor this 21 day of February, 1984.

APPROVED: Joe M. Langley
Mayor

ATTEST: Bill Turner
City Recorder

Approved as to Form: [Signature]
Rudy Murgio, City Attorney

Legal Description Approved: [Signature]
Engineering Department

UMATILLA COUNTY

ROAD DEPARTMENT

EXHIBIT A

December 6, 1983

RECEIVED

DEC 12 1983

City of Pendleton
P.O. Box 190
Pendleton, Oregon 97801

CITY OF PENDLETON

Dear Sirs:

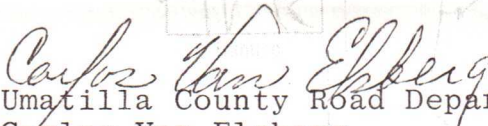
As you know, for some time now, Umatilla County has been trying to vacate an unused portion of County Road #506, which lies inside the city limits of Pendleton.

We have now run into yet another problem, one for which there is no procedure. However, in a previous conversation with Bill Penhollow, AOC, several solutions were offered. Of these solutions, and after several discussions with your staff, we felt that having the City of Pendleton go through their vacation procedure for this piece of county road, with both final documents being filed with the County Recorders Office at the same time, would be the most satisfactory solution.

Therefore, we respectfully request that the City of Pendleton begin vacation proceedings for the portion of County Road #506, which lies between the north right-of-way line of SW Hailey and the east line of SW Goodwin. This piece of road is no longer needed for road purposes and an overall utility easement will be retained.

If you have any questions concerning this request, do not hesitate to contact this office.

Yours truly,


Umatilla County Road Department
Carlos Van Elsberg
Public Works Director

UMATILLA COUNTY

ROAD DEPARTMENT

EXHIBIT B

January 16, 1984

Dear Property Owner:

Umatilla County is asking the City of Pendleton to vacate a Portion of County Road 506. Therefore, we need your signature (notarized) on the attached Consent to Vacate.

Please return the entire set of documents to us by February 14, 1984. We have enclosed a self-addressed stamped envelope for your convenience in doing so.

Yours truly,

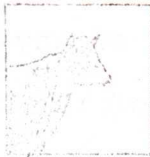
Carlos Van Elsberg
Umatilla County Road Department
Carlos Van Elsberg
Public Works Director

cve/bc

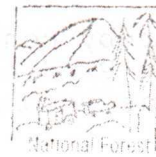
enclosures



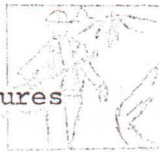
Skating



Horse



National Forest



Hunting

EXHIBIT B

CONSENT TO VACATE

I do hereby consent to the vacation of County Road #506 from its intersection with SW Hailey to its intersection with SW Goodwin Place, as depicted in Exhibit "A", attached hereto and by this reference incorporated herein, legally described as:

Commencing at the Southeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 9, T 2 N, R 32 EWM.

Thence North 29 13'45"West a distance of 34.48 feet to a point on the Northerly right-of-way of SW Hailey Ave., said point being the true point of beginning;

thence continuing North 29 13'45"West a distance of 188.28 feet:

thence along a circular curve to the left a distance of 24.42 feet more or less to a point on the Easterly right-of-way line of SW Goodwin and the terminus point for this description. Said curve having a radius of 524.05 feet and a L.C. of (North 30 33'55" West a distance of 24.42 feet);

Said road being 30.00 feet in width, lying 15 feet either side of the above described centerline.

All information shown is based on the City of Pendleton's survey drawing No. 24-7769.

I do also hereby consent to vacation of any portion of the above street by the Pendleton City Council. I understand that the Planning Commission has recommended vacation of the above described street right-of-way.

I understand that under Oregon Law this vacated property will attach to the lands bordering it pursuant to ORS 271.140 which provides;

271.140 Title to Vacated Areas. The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest as provided by ORS 271.060.

I also understand that under Oregon law if I did not consent to the above vacation and if the vacation substantially affected the market value of my property, the City Council could not vacate the above street without provision for paying me damages as provided in ORS 271.130

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 1100 T2N, R32EWM, Section 09DD

Donald Gray Donald Gray
1730 Graham Dr.
Eugene, Oregon 97405

State of Oregon)
County of Umatilla) ss

On the 24th day of January, 1984, personally appeared before me, Donald Gray, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Donna J. Smith
Notary Public For Oregon
My Commission DONNA F. SMITH
NOTARY PUBLIC OREGON
My Commission Expires 5-6-87

Lillian Gray Lillian Gray
1730 Graham Dr.
Eugene, Oregon 97405

State of Oregon)
County of Umatilla) ss

On the 24th day of January, 1984, personally appeared before me, Lillian Gray, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Donna J. Smith
Notary Public For Oregon
My Commission DONNA F. SMITH
NOTARY PUBLIC OREGON
My Commission Expires 5-6-87

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 102 T2N, R32EWM, Section 16

American Village Corp. Dave K. Fields - SEC-TREAS
7585 State Street Dale D. Decker - Pres
Salem, Oregon 97301

State of Oregon)
County of ~~Umatilla~~) ss
Marion

On the 27th day of January, 1984, personally appeared before me, Dale D. Decker, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

George J. [Signature]
Notary Public For Oregon
My Commission expires 5/22/86

State of Oregon)
County of ~~Umatilla~~) ss
MARION

On the 27th day of JANUARY, 1984, personally appeared before me, Dave K. Fields, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

George J. [Signature]
Notary Public for Oregon
My Commission expires 5/22/86

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8000 T2N, R32EWM, Section 16AA

Zane Suverly *Zane A. Suverly*
704 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 27th day of Jan., 1984, personally appeared before me, Zane Suverly, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

B. John Hilliard
Notary Public For Oregon
My Commission expires 8-29-87

Janice Suverly *Janice E. Suverly*
704 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

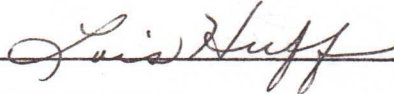
On the 27th day of Jan., 1984, personally appeared before me, Janice Suverly, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

B. John Hilliard
Notary Public for Oregon
My Commission expires 8-29-87

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 10400 T2N, R32EWM, Section 16AA

Lois Huff



708 SW 29th

Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 26th day of January, 1984, personally appeared before me, Lois Huff, who being duly sworn acknowledged this instrument to be his voluntary act and deed.



Notary Public For Oregon
My Commission expires 9-29-87

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, _____, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Notary Public for Oregon
My Commission expires _____

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8400 T2N, R32EWM, Section 16AA

Curtis Bacon

Curtis V. Bacon

709 SW 28th

Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 31 day of January, 1984, personally appeared before me, Curtis Bacon, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Sally and Wyman

Notary Public For Oregon

My Commission expires 11-16-85

Lola Bacon

Lola H. Bacon

709 SW 28th

Pendleton Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 31 day of January, 1984, personally appeared before me, Lola H. Bacon, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Sally and Wyman

Notary Public for Oregon

My Commission expires 11-16-85

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 1500 T2N, R32EWM, Section 09DD

Pendleton Income Investments
c/o SAVINGS BANK OF PUGET SOUND

315 Second Avenue
Seattle, Washington 98104

State of Oregon)
County of Umatilla) SS

On the _____ day of _____, 1984, personally appeared before me, _____, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Notary Public For Oregon
My Commission expires _____

Jerry Davis
Sr. Appraisal Officer
Asst. Treasurer

State of ~~Oregon~~ ^{Washington})
County of ~~Umatilla~~ ^{King}) SS

On the 30th day of January, 1984, 1984, personally appeared before me, Jerry S. Davis, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

James E. Chatfield
Notary Public for ~~Oregon~~ ^{Washington}
My Commission expires APRIL 28, 1985

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8200 T2N, R32EWM, Section 16AA

Glen Fletcher *Glen D. Fletcher*
705 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 2 day of February, 1984, personally appeared before me, Glen Fletcher, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Laleta Vogt
Notary Public For Oregon
My Commission expires 2-7-86

Minnie J. Fletcher *Minnie J. Fletcher*
705 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 2 day of February, 1984, personally appeared before me, Minnie J. Fletcher, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Laleta Vogt
Notary Public for Oregon
My Commission expires 2-7-84

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8100 T2N, R32EWM, Section 16AA

Kenton Tolzaman Kenton Tolzaman
703 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 7th day of February, 1984, personally appeared before me, Kenton Tolzaman, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Shirah J. Harlin
Notary Public For Oregon
My Commission expires 12/26/85

Beulah Tolzaman Beulah Tolzaman
702 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 7th day of February, 1984, personally appeared before me, Beulah Tolzaman, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Shirah J. Harlin
Notary Public for Oregon
My Commission expires 12/26/85

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 7900,7901 T2N, R32EWM, Section 16AA

Robert Monahan *Bob F. Monahan*
Rt 2 Box 32
Echo, Oregon 97826

State of Oregon)
County of Umatilla) ss

On the 8 day of February, 1984, personally appeared before me, Robert Monahan, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Patricia A. Wainis
Notary Public For Oregon
My Commission expires 3/25/84

Carol Monahan *Carol Monahan*
Rt 2 Box 32
Echo, Oregon 97826

State of Oregon)
County of Umatilla) ss

On the 8 day of February, 1984, personally appeared before me, Carol Monahan, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Patricia A. Wainis
Notary Public for Oregon
My Commission expires 3/25/84

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 10300 T2N, R32EWM, Section 16AA

William Snyder
710 SW 29th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, William Snyder, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Notary Public For Oregon
My Commission expires _____

Barbara Snyder
710 SW 29th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, Barbara Snyder, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Notary Public for Oregon
My Commission expires _____

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 1300 T2N, R32EWM, Section 09DD

Marga Merritt *Marga Merritt*
2806 SW Goodwin
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 12 day of February, 1984, personally appeared before me, Marga Merritt, who being duly sworn acknowledged this instrument to be ~~his~~ her voluntary act and deed.

Charlene White
Notary Public For Oregon
My Commission expires 8-15-85

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, _____, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Notary Public for Oregon
My Commission expires _____

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8600 T2N, R32EWM, Section 16AA

Clyde Adams *x Clyde E. Adams*
713 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 10th day of February, 1984, personally appeared before me, Clyde Adams, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

L. H. Luce

Notary Public For Oregon
My Commission expires 2-16-86

Lizzie Adams *Lizzie Adams*
713 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 10th day of February, 1984, personally appeared before me, Lizzie Adams, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

L. H. Luce

Notary Public for Oregon
My Commission expires 2-16-86



I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 10500 T2N, R32EWM, Section 16AA

U.S. Miller

U.S. Miller

706 SW 29th

Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, U.S. Miller, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Selma J. Warren
Notary Public For Oregon
My Commission expires 12/26/85

Edith Miller

Edith Miller

706 SW 29th

Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, Edith Miller, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Selma J. Warren
Notary Public for Oregon
My Commission expires 12/26/85

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 900 T2N, R32EWM, Section 09DD

Church of the Nazarene
712 SW 28th
Pendleton ,Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, Roger Fleming, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Judith A. Malcolm
Notary Public For Oregon
My Commission expires 9-7-85

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, _____, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Notary Public for Oregon
My Commission expires _____

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 7801 T2N, R32EWM, Section 16AA

Church of the Nazarene
712 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, Roger Fleming, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Judith A. Malcolm
Notary Public For Oregon
My Commission expires 9-7-85

State of Oregon)
County of Umatilla) ss

On the _____ day of _____, 1984, personally appeared before me, _____, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Notary Public for Oregon
My Commission expires _____

I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 1200 T2N, R32EWM, Section 09DD

William Bridges
1722 SW Perkins
Pendleton, Oregon

William Bridges

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, William Bridges, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Rodney M. Felshaw
Notary Public For Oregon
My Commission expires 10/7/86

Carol Bridges
1722 SW Perkins
Pendleton, Oregon 97801

Carol Bridges

State of Oregon)
County of Umatilla) ss

On the 14th day of February, 1984, personally appeared before me, Carol Bridges, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Rodney M. Felshaw
Notary Public for Oregon
My Commission expires 10/7/86



I hereby consent to the vacation of that portion of County Road #506 depicted on Exhibit A.

Owners of TL. 8500 T2N, R32EWM, Section 16AA

Lloyd Fetsch Albert S. Fetsch
711 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 30th day of January, 1984, personally appeared before me, Albert L. Fetsch, who being duly sworn acknowledged this instrument to be his voluntary act and deed.

Richard L. Martin
Notary Public For Oregon
My Commission expires 12/26/83

Edna Ottilia Fetsch Edna Ottilia Fetsch
711 SW 28th
Pendleton, Oregon 97801

State of Oregon)
County of Umatilla) ss

On the 30th day of January, 1984, personally appeared before me, Edna Ottilia Fetsch, who being duly sworn acknowledged this instrument to be her voluntary act and deed.

Richard L. Martin
Notary Public for Oregon
My Commission expires 12/26/83

RESOLUTION #1319

WHEREAS, it appears to be in the public interest for the City of Pendleton to consider vacation of the following street: A portion of County Road #506 lying north of S.W. Hailey Avenue, east of S.W. Goodwin Place, described as follows:

Commencing at the Southeast corner of the S. W. 1/4 of the S. E. 1/4, Section 9 T2N R32 E.W.M.

Thence North $29^{\circ} 13' 45''$ West a distance of 34.48 feet to a point on the Northerly right-of-way of S. W. Hailey Avenue, said point being the true point of beginning;

Thence continuing North $29^{\circ} 13' 45''$ West a distance of 188.28 feet;

Thence along a circular curve to the left a distance of 24.42 feet more or less to a point on the Easterly right-of-way line of S. W. Goodwin Avenue and the terminus point for this description. Said curve having a radius of 524.05 feet and a L. C. of (North $30^{\circ} 33' 55''$ West a distance of 24.42 feet);

Said road being 30.00 feet in width, lying 15.00 feet either side of the above describe centerline.

All information shown is based on the City of Pendleton's Survey Drawing No. 24-7769.

AND WHEREAS, ORS271.130 and the city subdivision ordinance requires that a public hearing be held on such vacations, and that notice be given to the public,

NOW THEREFORE THE CITY OF PENDLETON RESOLVES AS FOLLOWS:

THAT a public hearing on said vacation shall be held at 7:35 p.m. on the 21st day of February, 1984, in the Council Chambers of the City of Pendleton, and

FURTHER THAT the City Recorder is hereby directed to give notice of the public hearing by publishing a notice in the East Oregonian, a newspaper of general circulation within the City of Pendleton, once each week for four consecutive weeks, said notice to describe the land proposed to be vacated, and any objection or remonstrance which may be made in writing and filed with the City Recorder prior to the time of hearing, will be considered, and

FURTHER THAT within five days after the first day of publication of the notice the City Recorder shall cause to be posted at or near each end of the proposed vacation a copy of the notice in at least two conspicuous places in the proposed vacation area, provided that the posting and first day of publication of such notice shall be not less than 28 days before the hearing, and

FURTHER THAT inasmuch as it is necessary for the immediate preservation of the peace, health and safety of the City of Pendleton that this Resolution shall have immediate effect, and emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED by vote of the Council Members present and approved by the Mayor this 17th
day of January, 1984.

APPROVED: Joe McLaughlin
Mayor

ATTEST: Bill Turner
City Recorder

APPROVED AS TO FORM: [Signature]
City Attorney

LEGAL DESCRIPTION APPROVED: [Signature]
Associate Engineer