

ORDINANCE 129

AN ORDINANCE VACATING A PORTION OF UNNAMED STREET IN THE CITY OF DUNDEE, OREGON.

WHEREAS, The Council of the City of Dundee, Oregon did on the 5th day of May, 1969, duly adopt a Resolution initiating a proceeding for the vacation of the following described portion of an unnamed street in the City of Dundee, Yamhill County, Oregon, to-wit:

All that portion of an unnamed road lying Northwest of the Northwesterly right of way line of the Pacific Highway 99W and East of the East boundary of that certain tract of land described in a deed recorded in Film Volume 48, Page 264, Yamhill County Deed Records and South of the South line of the plat of Dundee Terrace Addition, all being in the J. Shuck D.L.C. in Township 3 South, Range 3 West of the Willamette Meridian;

and

WHEREAS, said Resolution fixed the 4th day of August, 1969, at 8:00 o'clock P.M. on said date, at the Council Room of the City of Dundee, in the City Hall, Dundee, Yamhill County, Oregon, as the time and the place for hearing and considering written objections and remonstrances, if any, against said proposed vacation; and

WHEREAS, due and regular notice of such hearing was given pursuant to the requirements of said Resolution and according to law by posting notices of said hearing, said posting having been completed in the manner and during the time required by law, and an affidavit in proof of said posting has been filed with the Recorder of said City of Dundee; and

WHEREAS, the Council of the City of Dundee met in a regular meeting of said Council at the time and place for said hearing, for the purpose of hearing and considering written objections and remonstrances as aforesaid, and no such objections or remonstrances having been made or filed against said proposed vacation; and

WHEREAS, DUNDEE LUMBER CO, INC., CHARLES M. BUTLER and VERDA R. BUTLER, husband and wife, MORRISON OIL COMPANY, INC. and BENJAMIN

FREIMARK and IONA FREIMARK, husband and wife, are the owners of all the real property abutting on said unnamed street so proposed to be vacated and they, and each of them, have heretofore filed herein their written request and petition that said unnamed street be so vacated; and

WHEREAS, the above described portion of the unnamed street is impractical and unnecessary for public travel or public use and that the proposed vacation would be beneficial to the people of the City of Dundee in the deveopment of said City and it is for the best interests of the people of the City of Dundee, Oregon that the above described portion be vacated; and

WHEREAS, there are no utilities, pole lines or sewer lines belonging to the City of Dundee, or held under franchise from said City in said portion of unnamed street proposed to be vacated; and

WHEREAS, the Council had duly considered such vacation and is now fully advised in the premises.

NOW, THEREFORE, in consideration of the premises, the City of Dundee does ordain as follows, to-wit:

Section 1. That the following described portion of unnamed street in the City of Dundee, Yamhill County, Oregon, being more particularly described as follows, to-wit:

ALL of that portion of an unnamed road lying Northwest of the Northwesterly right of way line of the Pacific Highway 99W and East of the East boundary of that certain tract of land described in a deed recorded in Film Volume 48, Page 264, Yamhill County Deed Records and South of the South line of the plat of Dundee Terrace Addition, all being in the J. Shuck D.L.C. in Township 3 South, Range 3 West of the Willamette Meridian ---

be, and the same hereby is vacated.

Section 2. That the Recorder of the City of Dundee be, and she hereby is directed to file for record with the County Clerk, and Ex-Officio Recorder of Conveyances of the County of Yamhill, State of Oregon, a certified copy of this Ordinance, and she is further directed to file a certified copy with the Surveyor and with the Assessor of said Yamhill County, Oregon, respectively.

Section 3. That the title to the real property included within said portion of unnamed street hereby vacated, attach to the property abutting on said road in accordance with the provisions of ORS 271.140.

PASSED by the Council this ^{2nd}4th day of ^{SEPTEMBER}~~August~~, 1969, by the following vote:

AYES: *Scott, Herring, Hughes* NAYS: *None* ABSENT: *Nelson*

APPROVED by the Mayor this ^{2nd}4th day of ^{SEPTEMBER}~~August~~, 1969.

ATTEST: *Margaret Miller*
RECORDER

Jack D. Zaltan
MAYOR

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WHEREAS, due and regular notice of such hearing was given pursuant to the requirements of said Resolution and according to law by posting notices of said hearing, said posting having been completed in the manner and during the time required by law, and an affidavit in proof of said posting has been filed with the Recorder of said City of Dundee; and

WHEREAS, the Council of the City of Dundee met in a regular meeting of said Council at the time and place for said hearing, for the purpose of hearing and considering written objections and remonstrances as aforesaid, and no such objections or remonstrances having been made or filed against said proposed vacation; and

WHEREAS, DUNDEE LUMBER CO, INC., CHARLES M. BUTLER and VERDA R. BUTLER, husband and wife, MORRISON OIL COMPANY, INC. and BENJAMIN

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WHEREAS, the above described portion of the unnamed street is impractical and unnecessary for public travel or public use and that the proposed vacation would be beneficial to the people of the City of Dundee in the deveopment of said City and it is for the best interests of the people of the City of Dundee, Oregon that the above described portion be vacated; and

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WHEREAS, the Council had duly considered such vacation and is now fully advised in the premises.

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PASSED by the Council this ^{2nd} ~~4th~~ day of ^{SEPTEMBER} ~~August~~, 1969, by the following vote:

AYES: *Scott, Herring, Hughes* NAYS: *None* ABSENT: *Nelson*

APPROVED by the Mayor this ^{2nd} ~~4th~~ day of ^{SEPTEMBER} ~~August~~, 1969.

ATTEST: MARGARET MILLER
RECORDER

JACK M. CRABTREE
MAYOR

This is to certify that this is a true and correct copy of Ordinance #129.

Margaret Miller, Recorder

Margaret Miller



STATE OF OREGON, } ss. 694

County of Yamhill, }

I, JACK BEELER, County Clerk in and for said County and State, do hereby certify that the within Instrument of Writing was received and has been by me duly recorded on Page 104 of Volume 77 of the Records of Dundee for said County, on this 1st day of Sept A. D. 1969 at 9:24 o'clock, A.M.

In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.

JACK BEELER, County Clerk

By Wanda Cott Deputy

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