

AN ORDINANCE VACATING A PORTION OF 13TH STREET IN THE TOWN OF DUNDEE, YAMHILL COUNTY, STATE OF OREGON.

WHEREAS the Common Council of the Town of Dundee did, on the 4th day of October, 1948, duly adopt a resolution initiating a proceeding for the vacation of a portion of 13th Street in the Town of Dundee, Yamhill County, State of Oregon, and which said portion of 13th Street is more particularly described as follows, to-wit:

All of that portion of 13th Street in the Town of Dundee, County of Yamhill, State of Oregon, lying between the Northwesterly line of the Southern Pacific right-of-way and the Southeasterly line of Oregon State Highway 99W and being that portion of said 13th Street lying between Blocks 28 and 29 of said Town of Dundee,

and

WHEREAS said resolution fixed the 6th day of December, 1948, at the hour of 8:00 o'clock P.M. on said day, at the Council Rooms of the Town of Dundee in the City Hall, Dundee, Yamhill County, Oregon, as the time and place for written objections or remonstrances against said proposed vacation; and

WHEREAS due and regular notice of such hearing has been given pursuant to the requirements of said resolution and according to law by posting notices on the portion of street proposed to be vacated, and by posting a like notice in three of the most public places in the Town of Dundee, said posting having been completed in the manner and during the times required by law, and proof thereof having been filed with the Recorder of the Town of Dundee; and

WHEREAS no objections or remonstrances have been made or filed to the said proposed vacation; and

WHEREAS Dundee Nut Growers, a cooperative association of the State of Oregon, and Northwest Nut Growers, a cooperative association of the State of Oregon, are all of the owners of property abutting on the said portion of 13th Street hereby proposed to be vacated, and they have heretofore filed with the Town Recorder of the Town

of Dundee their written request and consent for such vacation; and

WHEREAS, the aforesaid portion of 13th Street is unimproved and has long been considered and occupied as privately owned property and the said portion of 13th street is a dead-end Street one block long, being blocked at the Southeasterly end by the aforesaid Southern Pacific Railroad right-of-way, and a good and adequate crossing over said right-of-way is provided approximately one block Southwesterly of said portion of 13th Street and said portion of 13th Street is not necessary for the use of the people of the Town of Dundee as a street or for traffic and it would be for the best interest of the people of the Town of Dundee that said portion of 13th Street be vacated and that such vacation would further the industrial development of said Town of Dundee and thereby further benefit the people of said Town; and

WHEREAS the Common Council has duly considered such vacation and is now fully advised in the premises.

NOW, WHEREFORE, in consideration of the premises:

THE PEOPLE OF THE TOWN OF DUNDEE DO ORDAIN AS FOLLOWS:

Section 1: That the following described portion of 13th Street in the Town of Dundee, Yamhill County, Oregon, be, and the same hereby is, vacated, to-wit:

All of that portion of 13th Street in the Town of Dundee, County of Yamhill, State of Oregon, lying between the Northwesterly line of the Southern Pacific right-of-way and the Southeasterly line of Oregon State Highway 99W and being that portion of said 13th Street lying between Blocks 28 and 29 of said Town of Dundee.

Section 2: That the Recorder 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, a certified copy of this Ordinance and a plat of said portion of 13th Street hereby vacated, and a like plat and copy with the Assessor and Surveyor of said Yamhill County, respectively.

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Section 5: That the title to the above portion of str et  
hereby vacated attach to the property abutting on said portion of  
15th Street as provided by Section 7 of Chapter 259, Oregon Laws  
1931.

Passed by the Council this 6th day of December, 1948.

Approved by the Mayor this 6th day of December, 1948.

Ayes: *Park Smith, Robert Scott, John Bishop, Wm. Forbes*

Nays: Absent:

*Earl Namitz*  
Mayor

ATTEND:

*Elva Allen*  
Recorder