

ORDINANCE NUMBER 1506

AN ORDINANCE OF THE CITY OF MILWAUKIE VACATING PORTIONS OF SE 40TH AVE. AND SE WISTER STREET.

WHEREAS, the city received a sufficient petition for the vacation of the streets described below and

WHEREAS, a public hearing was held before the City Council on December 1, 1981 upon proper notice and in accordance with ORS Chapter 271,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds that notice has been duly given of this vacation, consent of the requisite owners has been obtained and the vacation is in the public interest.

Section 2. The following described streets are vacated:

That portion of SE 40th Avenue located south of Grogan Street and north of Highway 224, more particularly described as:

A portion of SE 40th Avenue located in the Plat of "Minthorn Addition" in the SE 1/4 of Section 36, Township 1 South, Range 1 East, Willamette Meridian, City of Milwaukie, Clackamas County, Oregon, said portion of SE 40th Avenue being more particularly described as follows:

Beginning at the Southwest corner of Block 97, "Minthorn Addition", said point being the Southeast corner of SE 40th Avenue; thence N. 01°00' 00" W. along the Easterly right-of-way of SE 40th Avenue 103.44 feet; thence along the arc of a 50 foot non-tangent radius curve to the right 64.34 feet (the radius point of which bears N. 37°51' 59" W. and the long chord bears S. 89° 00' 00" W. 60.00 feet) to the Westerly right-of-way of SE 40th Avenue; thence S. 01° 00' 00" E., 102.11 feet to the South line of "Minthorn Addition"; thence S. 89° 43' 34" E. along said South line 60.01 feet to the point of beginning.

The easterly 230 feet of SE Wister Street located east of SE 40th Avenue, more particularly described as:

A portion of SE Wister Street located in the Plat of "Minthorn Addition" in the SE 1/4 of Section 36, Township 1 South, Range 1 East, Willamette Meridian, City of Milwaukie, Clackamas County, Oregon, said portion being more particularly described as follows:

Beginning at the Northeast corner of Block 96, "Minthorn Addition", said point being the Southeast corner of SE Wister Street; thence N. 89° 21' 58" W. along the Southerly right-of-way of SE Wister Street 230.82 feet; thence along the arc of a 50 foot non-tangent radius curve to the left 64.35 feet (the radius point of which bears N. 52° 29' 49" W. and the long chord bears N. 0° 38' 01" E., 60.00 feet) to the Northerly right-of-way of SE Wister Street; thence S. 89° 21' 58" E., 231.07 feet to the East line of "Minthorn Addition" thence S. 0° 52' 42" W., 60.00 to the point of beginning.

Section 3. The Recorder is directed to file a certified copy of this ordinance with the County Clerk, Assessor and Surveyor for Clackamas County, Oregon.

Read the first time on December 1, 1981 and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council on December 1, 1981.

Signed by the Mayor on December 1, 1981.

Joy Burgess
Joy Burgess

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney