

ORDINANCE NUMBER 1269

AN ORDINANCE VACATING A PORTION OF 27TH AVENUE WHICH LIES EAST OF LOTS 6, 7, 8, 9 AND THE PORTION OF LOT 5 WHICH IS WITHIN THE CITY OF MILWAUKIE, A PUBLIC STREET WITHIN THE CITY OF MILWAUKIE, OREGON.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Milwaukie, Oregon, having heretofore by Resolution Number 33-1972, duly adopted by the City Council at its meeting on the 20th day of November, 1972, determined that the interests of the City of Milwaukie, Oregon, required the vacation of a portion of 27th Avenue, a public street within the City of Milwaukie, Oregon, as hereinafter described, and the Council of Milwaukie, Oregon having ascertained and determined that the market value of the properties abutting upon the said part of said public street to be vacated will be increased rather than decreased by reason of said vacation, and the City Council having heretofore by said resolution initiated vacation proceedings looking toward the vacation of said part of said public street, pursuant to the provisions of Section 271.130, Oregon Revised Statutes, and notice having been given as required by law, that a public hearing would be held before the Council of the City of Milwaukie, Oregon, on the 8th day of January, 1973, for the purpose of considering any and all written objections or remonstrances filed with the Recorder of the City of Milwaukie, Oregon prior to said date, objecting to or remonstrating against the vacation of said part of said public street, and said public hearing having been held pursuant to said notice, and no written objections or remonstrances having been filed against said vacation with the Recorder of the City of Milwaukie, Oregon, and no person or persons appearing at said hearing who objected to or remonstrated against said vacation, that portion of 27th Avenue which lies east of Lots 6, 7, 8, 9 and the portion of Lot 5 which is within the City of Milwaukie, Block 3, Ross Addition, City of Milwaukie, IS HEREBY VACATED.

Section 2. The Recorder for the City of Milwaukie shall, and hereby is directed to file with the Recorder, the Assessor, and Surveyor for Clackamas County, Oregon, certified copies of this ordinance as provided by law.

Section 3. All existing utilities shall be contained in an adequate width easement which in no case shall be less than 10 feet in width and shall be not less than 5 feet each side of the center line of the existing utility. Said easements shall be terminated upon removal by the utility company of said utility.

Read the first time this 8th day of January, 1973, and moved to second reading by unanimous vote of the City Council.

Read the second time and adopted by the City Council this 8th day of January, 1973.

Signed by the Mayor this 8th day of January, 1973.

ATTEST:

Ruth E. Friesen  
Ruth E. Friesen, Recorder

Donald W. Graf  
Donald W. Graf, Mayor