

ORDINANCE NO. 654

AN ORDINANCE VACATING CERTAIN PUBLIC STREETS HERETOFORE DEDICATED AS SUCH IN THAT PART OF MILWAUKIE INDUSTRIAL PARK, MILWAUKIE, OREGON, FORMERLY KNOWN AS KELLOGG PARK, MILWAUKIE, OREGON, LYING TO THE EAST OF U. S. HIGHWAY 99E, THE PLAT OF WHICH IS RECORDED IN BOOK 26, PAGE 13, RECORD OF TOWN PLATS, CLACKAMAS COUNTY, OREGON, AND FIXING THE EFFECTIVE DATE OF SUCH VACATION.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Milwaukie, Oregon, having heretofore by Resolution no. 11-1956 duly adopted at its regular meeting held on the 9th day of July, 1956, determined that the interests of the City of Milwaukie, Oregon required the vacations of certain public streets lying within the boundaries of said city as hereinafter more particularly described and referred to, and the Council of the City of Milwaukie, Oregon, having ascertained and determined that the market value of the property abutting upon the said public streets to be vacated will be increased rather than decreased by reason of said vacation, and the City Council of the said city having heretofore by said resolution initiated vacation proceedings looking towards the vacation of said public streets 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 27th day of August, 1956, 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 vacations of said public streets, and said public hearing having been held pursuant to said notice, and no written objections or remonstrances having been filed against said vacations 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 vacations, the following public streets, namely, Road "A", Road "B", and Road "C", all being public streets heretofore dedicated as such in that part of Milwaukie Industrial Park, Milwaukie, Oregon, formerly known as Kellogg Park, Milwaukie, Oregon, lying to the east of U. S. Highway 99E, the plat of which is recorded in Book 26, Page 13, Record of Town Plats, Clackamas County, Oregon, are hereby vacated.

Section 2. The Plat and Dedication executed by the United States of America acting by and through Public Housing Administration, the sole owner of the property abutting upon the streets hereby vacated, duly dated and acknowledged on the 20th day of June, 1956, and delivered to the City of Milwaukie, Oregon, dedicating to the use of the public as public ways forever all roads, streets, drives, alleys and easements shown on the map appearing on said plat and hereby accepted and approved by the Council of the City of Milwaukie, Oregon, and the vacations of public streets hereby ordained shall be and become effective as of the date said Plat and Dedication is duly approved by the County Surveyor, the County Assessor, the County Judge, and County Commissioners, all of Clackamas County, Oregon, and duly accepted for recording and recorded by the County Clerk of Clackamas County, Oregon. The provisions of this section of the Ordinance shall be self-executing.

Section 3. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace, and safety of

the City of Milwaukie and the inhabitants thereof, in this, that the result of the enactment of this Ordinance will be to place valuable and extensive real property upon the tax rolls, provide the city with new and extensive sources of tax revenue, accelerate industrial development within the city of Milwaukie, Oregon, and preserve the public credit, therefore, an emergency is hereby declared to exist and this Ordinance shall take effect from and after its passage and approval by the Mayor.

Read the first time this 27th day of August, 1956.

Read the second time and passed this 27th day of August, 1956.

Approved by the Mayor this 27th day of August, 1956.

Mayor of Milwaukie, Oregon.

ATTEST:

Recorder, City of Milwaukie, Oregon.

The foregoing Ordinance No. 654 was unanimously passed by all of the members of the Council of the City of Milwaukie, Oregon, on the 27th day of August, 1956, as shown by the minutes of the Council meeting of that date.

Dated this 27th day of August, 1956.

Recorder, City of Milwaukie, Oregon.