ORDINANCE NUMBER 706

AN ORDINANCE VACATING AN ALLEY IN TRACT 1, MILWAUKIE INDUSTRIAL PARK AND DECLARING AN EMERGENCY.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Milwaukie, Oregon, having heretofore by Resolution No.1-1958 duly adopted at its regular meeting held on the 13th day of January, 1958, determined that the interests of the City of Milwaukie, Oregon, required the vacation of an alley located in Tract 1, Milwaukie Industrial Park, and more particularly described as follows:

> Beginning at the northeast corner of Tract 1, Milwaukie Industrial Park; thence Southerly along the easterly boundary of said Tract 1, 99.36 feet to the point of beginning; thence on a curve to the right with a radius of 449.28 a distance of 372.86 feet to the west boundary line of the said Tract 1; thence South 26° 38' 45" east, 20 feet; thence on a curve to the left with a radius of 392.86 a distance of 354.58 feet to the easterly boundary line of Tract 1; thence Northerly along the easterly boundary line of the said Tract 1 to the point of beginning.

being a public alley heretofore dedicated as such in that part of Milwaukie Industrial Park, Milwaukie, Oregon, lying to the east of U.S.Highway 99E. the plat of which is recorded in Volume 29, page 12, Record of Townplats, Clackamas County Oregon, as Plat No. 803, and the Council of the City of Milwaukie, Oregon, having ascertained and determined that the market value of the property abutting upon said alley will be increased by reason of said vacation, and the City Council of the City of Milwaukie, Oregon, having heretofore by said Resolution initiated vacation proceedings looking toward the ~~said~~ vacation of said Alley 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 City Council of the City of Milwaukie, Oregon, on the 7th day of March, 1958, for the purpose of considering any and all 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 the said Alley, and said hearing having been held pursuant to said notice, and no written objection or remonstrance having been filed against such vacation with the Recorder of the City of Milwaukie, Oregon, and no person or persons appearing at said hearing who objected or remonstrated against said vacation, the Alley in Tract 1, Milwaukie Industrial Park, Milwaukie, Oregon, as platted in that part of Milwaukie Industrial Park which lies east of U.S.Highway 99E, and recorded in Volume 29, Page 12, Record of Townplats, Clackamas County, Oregon, as Plat No. 803, is hereby vacated.

SECTION 2. 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 enactment of this Ordinance will be to accelerate industrial development within the City of Milwaukie, Oregon, and preserve the public credit, therefore an emergency is hereby declaredto exist and this Ordinance shall take effect from and after its passage by the Council and signing by the Mayor.

Read the first time this 7th day of March 1958

Read the second time and unanimously passed by all of the members of the Council this 7th day of March 1958

Approved and signed by the Mayor this 7th day of March, 1958

Leonard B. Mullan
Leonard B. Mullan, Mayor

ATTEST:

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Recorder.

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