

Return to City of Elgin P.O. Box 128 Elgin OR 97827

20151926

CITY OF ELGIN, OREGON ORDINANCE 176 (2015)

AN ORDINANCE VACATING, ABANDONING, CLOSING, AND CONVEYING AN ALLEYWAY LOCATED AT BLOCK 300, RUNNING NORTH TO SOUTH, ABUTTED TO TAX LOTS 2700, 2800, 2501, AND 2502, THE ONLY ACCESS WAY IN FROM DETROIT STREET.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, OREGON, THAT:

WHEREAS: The City Council recognizes the petition duly presented to the City Council of the City of Elgin, Oregon to vacate, abandon, close and convey the alleyway located at Block 300, running north to south, abutted to tax lots 2700, 2800, 2501, and 2502, the only access way in from Detroit street. The alley to be vacated, abandoned, closed, and conveyed to the abutted property owners is further described in Exhibit "A" attached hereto and incorporated herein for all purposes, AND;

WHEREAS: The City did set the time and place for a public hearing, on the proposed vacation on April 28, 2015 at 6:00pm at Elgin City Hall, located at 180 N8th Ave, Elgin, Oregon 97827. Notice of the public hearing and proposed alleyway vacation was given to the La Grande Observer, Elk Horn Media Group, posted in three conspicuous places, and posted on both ends of the alleyway no less than 10 days before the hearing and not more than 30 days before the hearing. Posting verified by the City Administrator and Public Works Supervisor, AND;

WHEREAS: The City Council did cause an examination to be made of the herein above described alleyway, and found that the alleyway as described above is not used for public purposes, dead ending into private property, tax lot 2500, AND;

WHEREAS: The City Council has found that the vacation, abandonment, and closure of the said alleyway will not in any way adversely affect the market value of the adjoining, adjacent and closely situated properties, nor will cause any damage to inure thereto, and that the interest of the public therein will not be prejudiced by such action, AND;

WHEREAS: At the time and place fixed for the said hearing, to-wit: the hour of 6:00pm at Elgin City Hall, Elgin, Oregon, on Tuesday April 28, 2015, said Council called the hearing to order, and did hold a public hearing on the proposed vacation, abandonment, closure, and conveyance; no objection or remonstrance's to vacate, abandoned, close, and convey were made in writing or filed with the City Administrator prior to the time of the hearing, or at all, and no one appeared at the hearing to make any objections or remonstrance's to such vacation, abandonment, closure, and conveyance;

WHEREAS: All petitioners have agreed to pay all fees associated with this vacation, abandonment, closure, and conveyance with the Union County Clerk and Union County Tax Assessors Office and all others organizations that would require correspondence on this matter.

NOW THEREFORE, the City of Elgin Ordains as Follows;

SECTION 1. The alleyway of Block 300, abutted to tax lots 2700, 2800, 2501, and 2502 and with the sole entry point from Detroit Street is hereby vacated, abandoned, and closed, AND;

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BY:

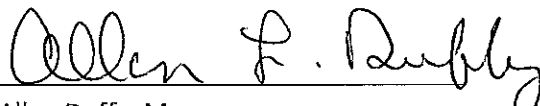
SECTION 2. The title to the alleyway of Block 300 vacated, abandoned, and closed by Section 1 above, shall attach to the lands bordering on Block 300 to the tax lots located to the East and West of the said alleyway, these properties sitting on tax lot numbers 2700, 2800, 2501, and 2502. As the said alleyway is 12 feet wide, all properties attached to the said alleyway east and west shall receive 6 feet of the said alleyway measured east to west, and a length of the said alleyway measured north to south of equal length to their attached property. The petitioners are solely responsible for any survey fees this may or may not incur, AND;

SECTION 3. Any electric transmission lines, information transmission lines, water mains, gas mains, or sewer lines or any other utilities or services in, on, or under the said alleyway vacated, abandoned, closed, and conveyed by Section 1 above, are hereby granted a permanent easement for purposes of the continuation of providing service, maintenance of such utilities and the expansion of such utilities and/or services as is in accordance with the contracts, agreements, ordinances and regulations of the City of Elgin.

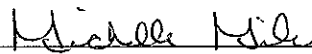
PASSED AND ADOPTED this 12th day of May, 2015.

With 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent


Signed;


Allan Duffy, Mayor

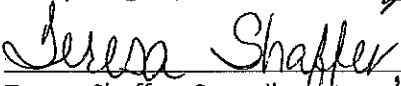

Brock Eckstein, Recorder/Administrator

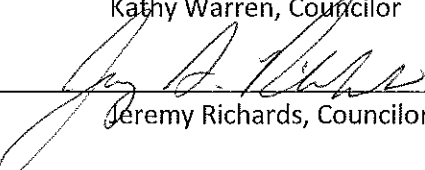

Michelle Miles, Councilor yes

Absent
Brent Linville, Councilor —


Rocky Burgess, Councilor yes

Absent
Kathy Warren, Councilor —


Teresa Shaffer, Councilor yes


Jeremy Richards, Councilor yes

State of Oregon

County of Union

This instrument was acknowledged before me on June 19, 2015

By Allan L. Duffy, Michelle Miles, Rocky Burgess,
Teresa Shaffer & Jeremy Richards

Kathy J. Bonney

Notary Public-State of Oregon



STATE OF OREGON

County of Union

SS

I certify that this instrument was received and recorded in the book of records of said county.

ROBIN A. CHURCH

Union County Clerk

by: Robin Church Deputy.

DOC#: 20151926

RCPT: 171891 60.00

6/26/2015 12:14 PM

REFUND:

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