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ORDINANCE NO. 4770

AN ORDINANCE VACATING A PORTION OF EARLE STREET,
IN THE CITY OF KLAMATH FALLS, OREGON; AND DE-
CLARING AN EMERGENCY.

THE CITY OF KLAMATH FALLS, OREGON, ORDAINS AS FOLLOWS:

Section I.

The petition of, Arthur H. Patterson Jr., praying for the vacation of a portion of Earle Street in the City of Klamath Falls, Oregon, hereinafter described, has been duly and regularly filed with the Police Judge of the City of Klamath Falls, Oregon, and that attached thereto and made a part thereof is proof of publication of notice of the presenting said petition to the Common Council of the City of Klamath Falls, Oregon. That in accord with said notice said petition was duly presented to said Common Council at its regular meeting held January 9th, 1956; and thereupon the Common Council, by motion duly adopted and made of record in its minutes, set the hour of 7:30 o'clock P.M. of the 16th day of January, 1956, at a regular meeting of said Common Council to be held in the Council Room of the City Hall of Klamath Falls, Oregon, as the time and place for hearing said petition and objections, if any, thereto.

Section II.

That at said time and place the Common Council held a public hearing but no objections were made and no remonstrance filed.

Section III.

It appears to the Common Council that said petition is in due form and sets forth the description of the street hereinafter vacated; which the petitioner in said petition prays be vacated. Said petition sets forth the purpose for which the ground is to be used and the reason for such vacation; and there is affixed thereto, as the basis for such vacation, the written consent of the owners in fee simple of more than two-thirds of all the real estate fronting on both sides of the portion of said street to be vacated and along said street two hundred feet to the southwest from its intersection with an alley at the southwest terminus of the portion to be vacated; said street terminating at its intersection with Hillside Street at the Northeast terminus of the portion to be vacated; which said consents are

Page 1-
Page 2-

15

duly acknowledged by each owner, before a Notary Public, authorized to take such acknowledgement.

Section IV.

It appears to the Common Council that the public interests will not be prejudiced by the vacation of such portion of said street, and that it will be for the best interest of the general public that it be vacated.

Section V.

That said petition is hereby approved, and it is ordered that the following described portion of Earle Street, in the City of Klamath Falls, Oregon, to-wit:

Beginning at a line extending from the most Northerly corner of Lot 1, Block 44, to the most easterly corner of Lots 4, Block 43, all in Hillside Addition to said City, westerly to a line extending from the most southerly corner of said Lot 1, Block 43 to the most westerly corner of said Lot 1, Block 44, said Hillside Addition; except a ten foot strip, extending five feet on each side of the Center line of said Earle Street, which is hereby reserved to the City of Klamath Falls, Oregon;

be and it is hereby vacated.

Section VI.

The Police Judge is hereby directed to file a certified copy of this ordinance with the following officers; County Clerk of Klamath County, Oregon, for recording in Deed Records; the Assessor and the Surveyor of said County, for use by their respective offices.

Section VII.

The immediate enactment of this ordinance being deemed necessary for the protection of the public peace, health and safety of the City of Klamath Falls, Oregon, an emergency is hereby declared to exist in the case of this ordinance and the same shall be in full force and effect from and after its passage by a three-fourths aye and nay vote of the Common Council and its approval by the Mayor.

Passed by the Common Council of the City of Klamath Falls, Oregon, the 23rd day of January, 1956.

Presented to the Mayor of said City and by him approved and signed this 24th day of January, 1956.

PAUL O. LANDRY

Mayor

ATTEST:

FRANK A. BLACKMER

Police Judge.

Page-2-

16