

80055

Vol. ¹¹⁷ 73 Page 10602

ORDINANCE NO. ~~5031~~

A SPECIAL ORDINANCE VACATING CERTAIN
STREETS, ALLEYS, AND INTERSECTIONS FOR
JUST COMPENSATION AS REQUESTED BY
MODOC LUMBER CO.

WHEREAS, on July 16, 1973, pursuant to Resolution No. 2131, the City Council of the City of Klamath Falls held a public hearing on a proposal to vacate all streets, alleys, and intersections within the area described in Exhibit A attached hereto and by reference made a part hereof; and

WHEREAS, Modoc Lumber Co. has offered to convey certain real property to the City of Klamath Falls as described in Exhibit B attached hereto and by reference made a part hereof; and

WHEREAS, the City Council of said City has determined that it is in the best interests of the City and its inhabitants to vacate said streets, alleys, and intersections.

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

Section 1.

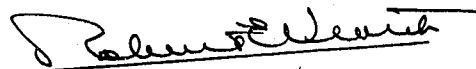
All the streets, alleys, and intersections within the area described in Exhibit A, attached hereto and by reference made a part hereof, are hereby vacated. The City of Klamath Falls reserves for itself and the utility companies franchised by the City all rights to operate, maintain, repair, and reconstruct the existing utility systems now located within the streets, alleys, and intersections to be vacated. In order to exercise this right, Modoc Lumber Co., its successors and assigns, are hereby prohibited from erecting any walls, foundations, or building structures within fifteen (15) feet of existing utility systems, unless written permission is obtained from the City or the utility affected.

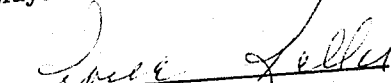
Section 2.

The City of Klamath Falls accepts all that real property described in Exhibit B, attached hereto and by reference made a part hereof, as just compensation for said vacation.

Passed by the City Council of the City of Klamath Falls, Oregon, this 6th day of August, 1973.

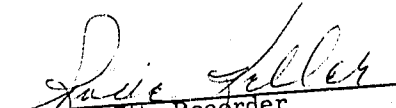
Presented to the Mayor and by him approved and signed this 6th day of August, 1973.


Mayor

ATTEST: 
Deputy City Recorder

STATE OF OREGON,
COUNTY OF KLAMATH, SS.
CITY OF KLAMATH FALLS.

I, Rosie Keller, Deputy City Recorder for the City of Klamath Falls, Oregon, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly adopted at the regular meeting of the City Council held on the 6th day of August, 1973, and thereafter approved and signed by the Mayor and attested by the Deputy City Recorder.


Deputy City Recorder

A parcel of land situated in the City of Klamath Falls, Oregon being more particularly described as follows:

Beginning at the most westerly corner of that certain parcel of land conveyed in Deed Volume 326 at page 573 Klamath County Deed Records, said point being 60.00 feet southwesterly along the southerly line of Klamath Avenue from the intersection of said southerly line of Klamath Avenue with the southerly extension of the westerly line of Center Street; thence N38°56'00"E along said southerly line of Klamath Avenue, 695 feet to the northeasterly corner of Block 72, Klamath Addition as platted; thence S51°04'00"E along the westerly line of Second Street, 127.5 feet; thence N38°56'00"E parallel to but 7.5 feet southerly of the southerly line of the vacated alley in Block 73 of said Klamath Addition, 380 feet to the easterly line of Third Street; thence N51°04'00"W along said easterly line of Third Street, 127.5 feet to the said southerly line of Klamath Avenue; thence N38°56'00"E along said southerly line of Klamath Avenue, 260 feet to the westerly line of Fourth Street; thence S51°04'00"E along said westerly line of Fourth Street, 170 feet; thence S38°56'00"W parallel to but 50 feet northerly of the northerly line of Walnut Street, 104 feet to the westerly line of Lot 9, Block 74 of said Klamath Addition; thence S 51°04'00"E parallel to but 104 feet westerly of said westerly line of Fourth Street, 120 feet to the southerly line of Walnut Street; thence N38°56'00"E along said southerly line of Walnut Street, 104 feet to said westerly line of Fourth Street; thence S51°04'00"E along said westerly line of Fourth Street, 50 feet; thence S38°56'00"W along a line parallel to, but 50 feet southerly of said southerly line of

Walnut Street, 104 feet to the westerly line of Lot 2, Block 86 of said Klamath Addition; thence S51°04'00"E, 70 feet to the southerly line of the alley in Block 86 of said Klamath Addition; thence N38°56'00"E along said southerly line of said alley, 104 feet to said westerly line of Fourth Street; thence S51°04'00"E along said westerly line of Fourth Street, 750 feet to the southerly line of Willow Street; thence N38°56'00"E along said southerly line of Willow Street, 320 feet to the westerly line of Fifth Street; thence S51°04'00"E along said westerly line of Fifth Street, 661 feet more or less to the southerly line of that certain property conveyed as parcel one in Deed Volume 346 page 414 Klamath County Deed Records; thence S10°46'30"W along said southerly property line, 405 feet more or less to the beginning of a curve to the left; thence along the arc of a 497.68 feet radius curve to the left (delta = 40°31'00" long chord = S09°29'00"E, 337.72 feet) 344.86 feet to the southerly extension of the easterly line of Third Street; thence S51°04'00"E along said southerly extension of the easterly line of Third Street, 130 feet more or less to the easterly line of Section 32, T38S, R9E, W.M.; thence S00°08'30"W along said easterly section line, 160 feet more or less to the northwesterly corner of that certain parcel of land conveyed as parcel three in said Deed Volume 346 at page 414 Klamath County Deed Records; thence S57°32'34"E along the southerly right-of-way line of the O.C. & E. Railroad, 125.17 feet; thence S51°04'00"E, along said southerly right-of-way line, 74.83 feet; thence S21°42'00"W, 446.65 feet to said easterly section line and the shore of Lake Ewauna; thence northwesterly along said shore to the southwesterly line of that certain parcel of land conveyed in said Deed Volume 326 at page 573 Klamath County Deed Records; thence N51°04'00"E along said southwesterly line, 230 feet more or less to the point of beginning.

10604

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of City Hall

this 10 day of August 1973 at 12:02 clock P.M., and

duly recorded in Vol. M-73, of deeds on Page 10602

fee 6.00

By W.D. Miller County Clerk
Hazel Drayton

2/11/1974