

ORDINANCE NO. 94-29

A SPECIAL ORDINANCE
VACATING LOTS 7 & 8
BLOCK ONE, SHIPPINGTON FIRST ADDITION

WHEREAS, the owners of the real property hereinafter described, desire to vacate lots 7 and 8, Block 1, Shippington First Addition; and

WHEREAS, after notice having been duly given, the City Planning Commission held a public hearing on August 9, 1994 on said request; and

WHEREAS, the City Council hearing notice having been duly given, did hold a public hearing on September 19, 1994, on the record of the Planning Commission on the request of the property owner; and

WHEREAS, pursuant to such record and hearing, the City Council adopts the findings of the Planning Commission, attached hereto as Exhibit "A", determining the street vacation to be in compliance with the Comprehensive Plan and Community Development Ordinance;
NOW THEREFORE,

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

All of the real property located in the limits of the City of Klamath Falls, Klamath County, Oregon, as all being shown on Lots 7 and 8, Block 1, Shippington First Addition, as shown in Exhibit "B", attached hereto and incorporated herein by this reference, is hereby vacated.

Passed by the Council of the City of Klamath Falls, Oregon, the 3rd day of October, 1994.

Presented to the Mayor (~~Mayor Pro-tem~~), approved and signed this 5th day of October, 1994.

[Signature]
Mayor (~~Mayor Pro-tem~~)

ATTEST:

Traci R. Brace
City Recorder (Deputy Recorder)

STATE OF OREGON
COUNTY OF KLAMATH
CITY OF KLAMATH FALLS } ss

I, Traci R. Brace, Recorder (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the 3rd day of October, 1994 and thereafter approved and signed by the Mayor (~~Mayor Pro-tem~~) and attested by the ~~City Recorder~~ (Deputy Recorder).

Traci R. Brace
City Recorder (Deputy Recorder)

AFTER RECORDING RETURN TO:
City Recorder
P. O. Box 237
Klamath Falls, OR 97601

In the Matter of a
Plat Vacation

Lots 7 and 8, Block One
Shippington First Addition
located on Bismarck Street

4-V-94

DECISION, CONDITIONS AND FINDINGS

DECISION

CONDITIONS

- ## FINDINGS

1. Criteria. Whether the consent of the owners of the requisite area has been obtained. [CDO Section 13.035(1)]

Finding. Trendwest owns all of the property within the area to be vacated.

- Facts. Notice of the proposed vacation was mailed to 82 property owners located within 500 feet of the area to be vacated and published in the Herald & News on June 22, 1994.

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3. Criteria. Whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. [CDO Section 13.035(3)]

Facts. After vacation the applicant proposes to construct single family and two family residential condominiums on the parcel. Zoning and the Harbor Isles PUD Development Plan will be amended to allow multiple units on one parcel.

Finding. No evidence has been found that shows that the vacation will prejudice the public interest.

4. Criteria. Whether the proposed vacation is in conformance with the Comprehensive Plan, all applicable provisions of Chapters 10 to 14, and any applicable street plans. [CDO Section 13.035(4)]

Facts. Platted lots at this location are no longer necessary. A condominium plat is proposed after dwellings have been constructed. The street serving some of these lots has previously been vacated, leaving them landlocked. It is in the best interests of the city to have these lots vacated.

Finding. This criteria is satisfied.

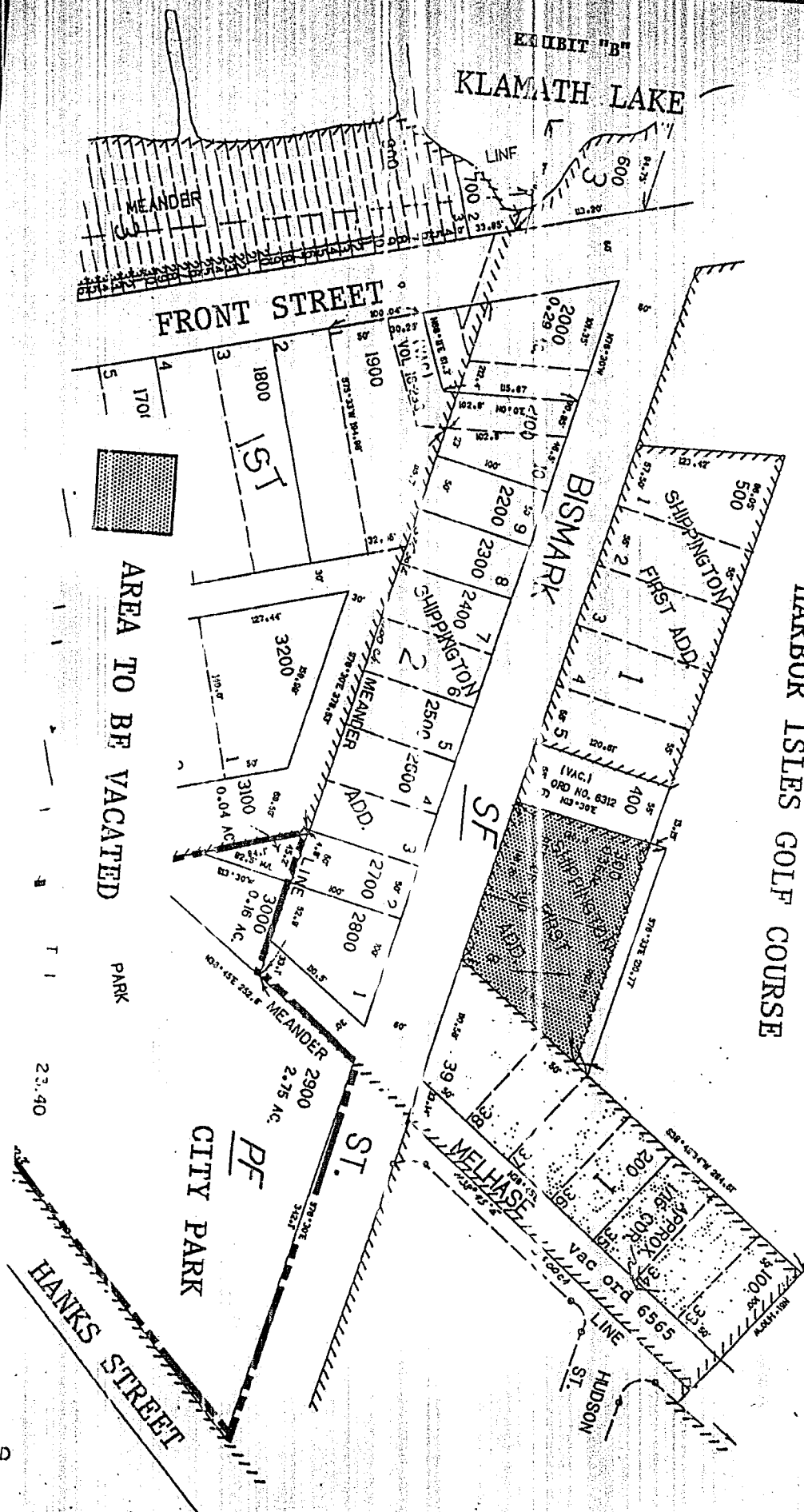
33249

SW1/4 SW1/4 SEC. 19 T.38S. R.09E. W.M.
KLAMATH COUNTY

1-100'

HARBOR ISLES GOLF COURSE

38 09 19CC
KLAMATH FALLS



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Filed for record at request of City of Klamath Falls the 26th day
of Oct A.D., 19 94 at 10:59 o'clock A M., and duly recorded in Vol. M94
of Deeds on Page 33246

FEE \$25.00

Evelyn B. Ehn County Clerk
By Quilene M. Henderson