

**A SPECIAL ORDINANCE VACATING A PORTION OF  
WARRING STREET AND A PORTION OF THE ALLEY BETWEEN WARRING  
STREET AND OLD FORT ROAD**

WHEREAS, the owner of the real property hereinafter described, desires to vacate Warring Street between the Channing Street and the alley between Laguna Street and Old Fort Road, and the same alley, between Warring Street and Old Fort Road; and

WHEREAS, after notice having been duly given, the City Planning Commission held a public hearing on November 12, 1996, on said request; and

WHEREAS, the City Council hearing notice having been duly given, did hold a public hearing on January 6, 1997, 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,**

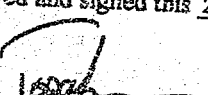
**THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:**

All of the real property located in Klamath County, Oregon, as all being shown on the Supplementary Plat of Dixon Addition to the City of Klamath Falls, Oregon, as shown in Exhibit "B" and being more particularly described as follows:

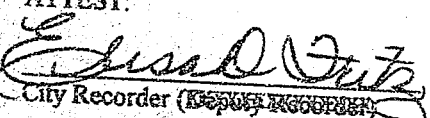
A portion of Warring Street and an alley, abutting Lots 1 and 2 of Block 6.

Passed by the Council of the City of Klamath Falls, Oregon, the 21st day of January, 1997.

Presented to the Mayor (~~Mayor~~), approved and signed this 22nd day of January, 1997.

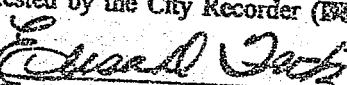
  
Mayor (~~Mayor~~)

ATTEST:

  
City Recorder (~~Deputy Recorder~~)

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

I, Elise D. Fritz, 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 21st day of January, 1997 and thereafter approved and signed by the Mayor (~~Mayor~~) and attested by the City Recorder (~~Deputy Recorder~~).

  
City Recorder (~~Deputy Recorder~~)

After recording, return to:  
City Recorder  
P. O. Box 237  
Klamath Falls, OR 97601

97 MAR 27 P2:32

## BEFORE THE KLAMATH FALLS CITY COUNCIL

## EXHIBIT "A"

In the Matter of a	)	
Street Vacation	)	1-V-96
	)	
Portion of Warring Street and the	)	DECISION
alley between Warring Street and	)	AND FINDINGS
Old Fort Road	)	

THIS MATTER came on for hearing before the Klamath Falls City Council on January 6, 1997. Following the required public notice, the City Planning Commission had conducted a public hearing on this matter at its November 12, 1996 meeting. The Planning Commission recommended approval with findings. The record before the Planning Commission had been provided to Council in advance of its January 6, 1997 hearing, and required public notice of the Council hearing was given.

## DECISION

BASED UPON THE FINDINGS SET FORTH BELOW, the vacation of a portion of Warring Street between Channing Street and the alley between Warring Street and Old Fort Road, which is also to be vacated, as described herein, is hereby approved.

## FINDINGS

The following addresses the criteria specific to section 13.025 of the City's Community Development Ordinance. In applying the facts to the criteria, specific cross references may have been made; however, the facts separately set forth are generally applicable to more than one criteria and therefore, should be treated as cumulative and supplementary.

1. Criteria. The consent of the owners of the requisite area has been obtained.  
Finding. Consent has been obtained, the signed petitions area attached.
2. Criteria. The notice of the proposed vacation has been duly given.  
Finding. Notice was mailed to 32 property owners on October 23, 1996, and published in the Herald & News on the same day.
3. Criteria. The public interest will be prejudiced by vacation of such plat or part thereof.  
Finding. No evidence has been submitted to show that the public interest will be prejudiced by the vacation of the street and alley. Currently the street and alley are unimproved and are not used for access to any lot.
4. Criteria. The proposed vacation conforms to the Comprehensive Plan, all applicable street plans, and all applicable provisions of Chapters 10 to 14.  
Finding. The proposed vacation does conform to the Comprehensive Plan, all applicable street plans, and all applicable provisions of Chapters 10 to 14.

