

Ordinance No. 97-22

**A SPECIAL ORDINANCE VACATING STREETS
WITHIN A PORTION OF THE DIXON ADDITION**

WHEREAS, the owner of property adjacent to said public streets, due to a replat of a portion of the Dixon Addition, desires to vacate Gibbs Street, a portion of Wendling Street, a portion of Williams Avenue, a portion of Warring Street, and the alley between Wendling, Williams, Gibbs and Warring; and

WHEREAS, a hearing was held on June 23, 1997, pursuant to applicable laws, at which time all objections with reference to said proposed vacation and were considered by the Planning Commission; and

WHEREAS, the City Council hearing notice having been duly given, did hold a public hearing on July 28, 1997; on the record of the Planning Commission on the annexation ; and

WHEREAS, the Council has adopted the findings of the Planning Commission, attached hereto and incorporated by this reference as Exhibit "B", determining the annexation to be in compliance with the Comprehensive Plan and Community Development Ordinance; and


WHEREAS, pursuant to such record and hearing, the City Council has determined the vacation to be in compliance with the Community Development Ordinance and the Comprehensive Plan; **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 the Dixon Addition to the City of Klamath Falls, Oregon, as shown in Exhibit "A".

Passed by the Council of the City of Klamath Falls, Oregon, the 18th day of August, 1997.

Presented to the Mayor (~~Mayor Pro Tem~~), approved and signed this 19th day of August, 1997.


Mayor (~~Mayor Pro Tem~~)

ATTEST:


City Recorder (Deputy Recorder)

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

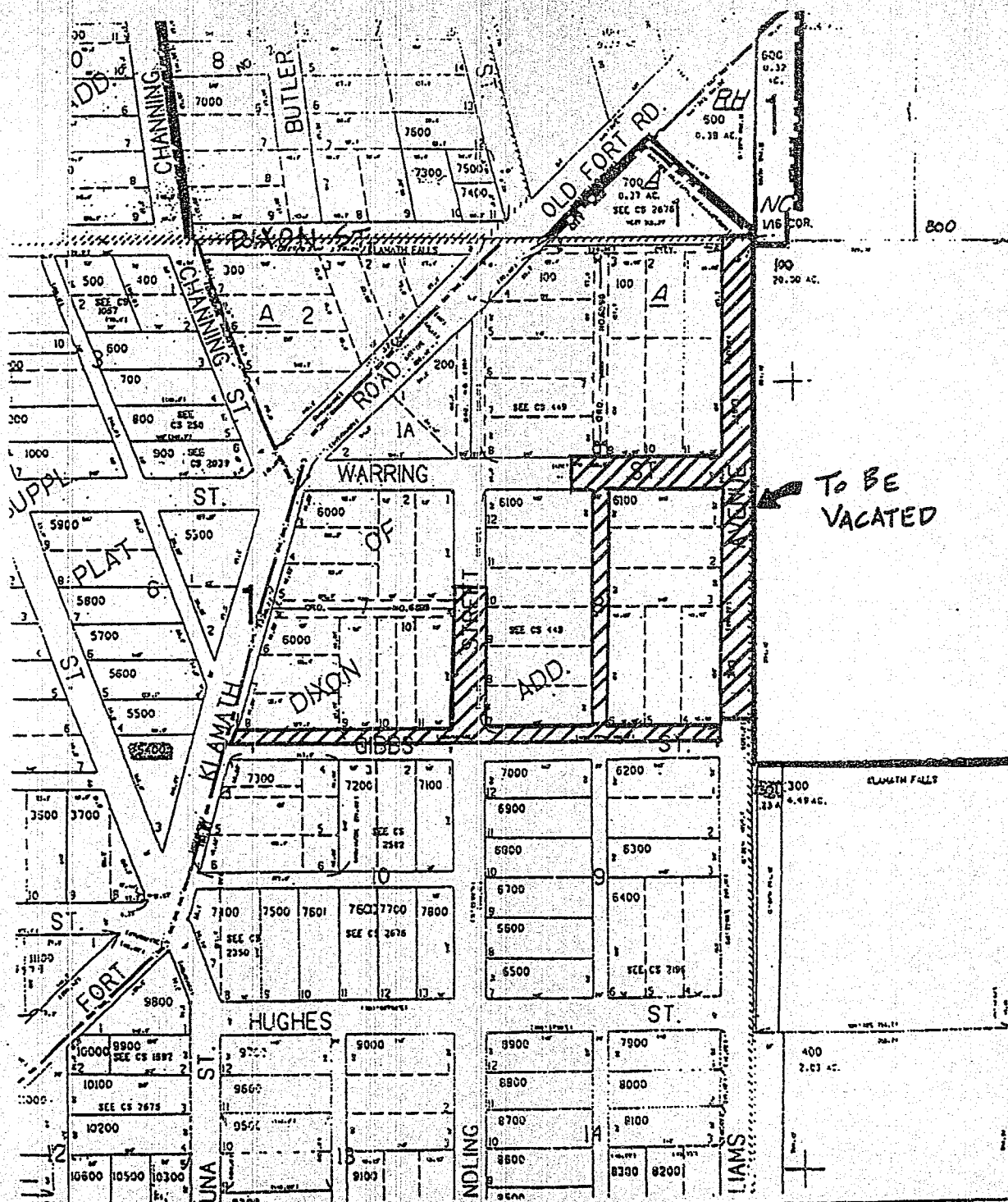
I, Shirley Kappas (~~Recorder~~) (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the 18th day of August, 1995 and thereafter approved and signed by the Mayor (~~Mayor Pro Tem~~) and attested by the City Recorder (~~City Recorder~~) (Deputy Recorder).


City Recorder (Deputy Recorder)

97 SEP 30 P 3:20

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Exhibit "A"



ADPINS CONSULT K FALLS

07/18/97 FRI 10:24 FAX 5418844335

Exhibit "B"

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 from all those required by law.

2. Criteria The notice of the proposed vacation has been duly given.

Finding Notice of the proposed vacation was mailed to 80 property owners on May 30, 1997, and on July 11, 1997, and published in the Herald & News on the same days.

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.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of City of Klamath Falls the 30th day
of September A.D., 19 97 at 3:20 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 32139.

FEE \$20.00

Return: City Recorder
500 Klamath Ave.
KFO 97601

By Kathleen Ross Bernetha G. Leisch, County Clerk