

ORDINANCE NO. 00- 19

**A SPECIAL ORDINANCE AMENDING TIME
RESTRICTIONS IMPOSED IN SPECIAL ORDINANCE NO. 99-13
FOR THE VACATION OF A PORTION OF FULTON STREET
BETWEEN SARGENT AND WORDEN AVENUES WITHIN
THE FAIRVIEW ADDITION**

WHEREAS, Special Ordinance No. 99-13 did vacate the eastern 110 feet of the 60-foot wide Fulton Street right-of-way between Sargent and Worden Avenues; and

WHEREAS, the Ordinance required the applicant to apply for and obtain a Conditional Use Permit for any physical improvements to Fairview School and the proposed turf play area; and

WHEREAS, the Ordinance required completion of all proposed and required improvements by October 19, 2000, or the right-of-way ownership would revert back to the City; and

WHEREAS, the appeals process for the Conditional Use Permit was not concluded until the City Council meeting held on September 5, 2000, which may not allow the applicant sufficient time to complete all proposed and required improvements by the deadline of October 19, 2000; and

WHEREAS, the applicant has requested that Council extend the deadline to October 19, 2001; NOW THEREFORE

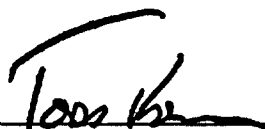
THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

Ordinance No. 99-13, entitled "A Special Ordinance Vacating a Portion of Fulton Street Between Sargent and Worden Avenues Within the Fairview Addition," is hereby amended to read as follows:

The eastern 110 feet, between Lot 6 of Block 8 and Lot 1 of Block 5 of the Fairview Addition, of the 60 foot-wide Fulton Street right-of-way between Sargent and Worden Avenues, located in the northwest 1/4 of the southeast 1/4 of Section 29, Township 38 South, Range 9 East, of the Willamette Meridian, of the City of Klamath Falls, Klamath County, Oregon, as shown on Exhibit "A", is hereby vacated; provided, however, that failure to complete the proposed and required improvements imposed by the Conditional Use Permit mandated by this Ordinance, the Community Development Ordinance, and the parking space additions on Fulton Street as set forth on Exhibit "B" by October 19, 2001, will result in the right-of-way ownership reverting back to the City.

Passed by the Council of the City of Klamath Falls, Oregon, the 16 day of October, 2000.

Presented to the Mayor (Mayor Pro-tem), approved and signed this 17 day of October, 2000.



Mayor (Mayor Pro-tem)

ATTEST:



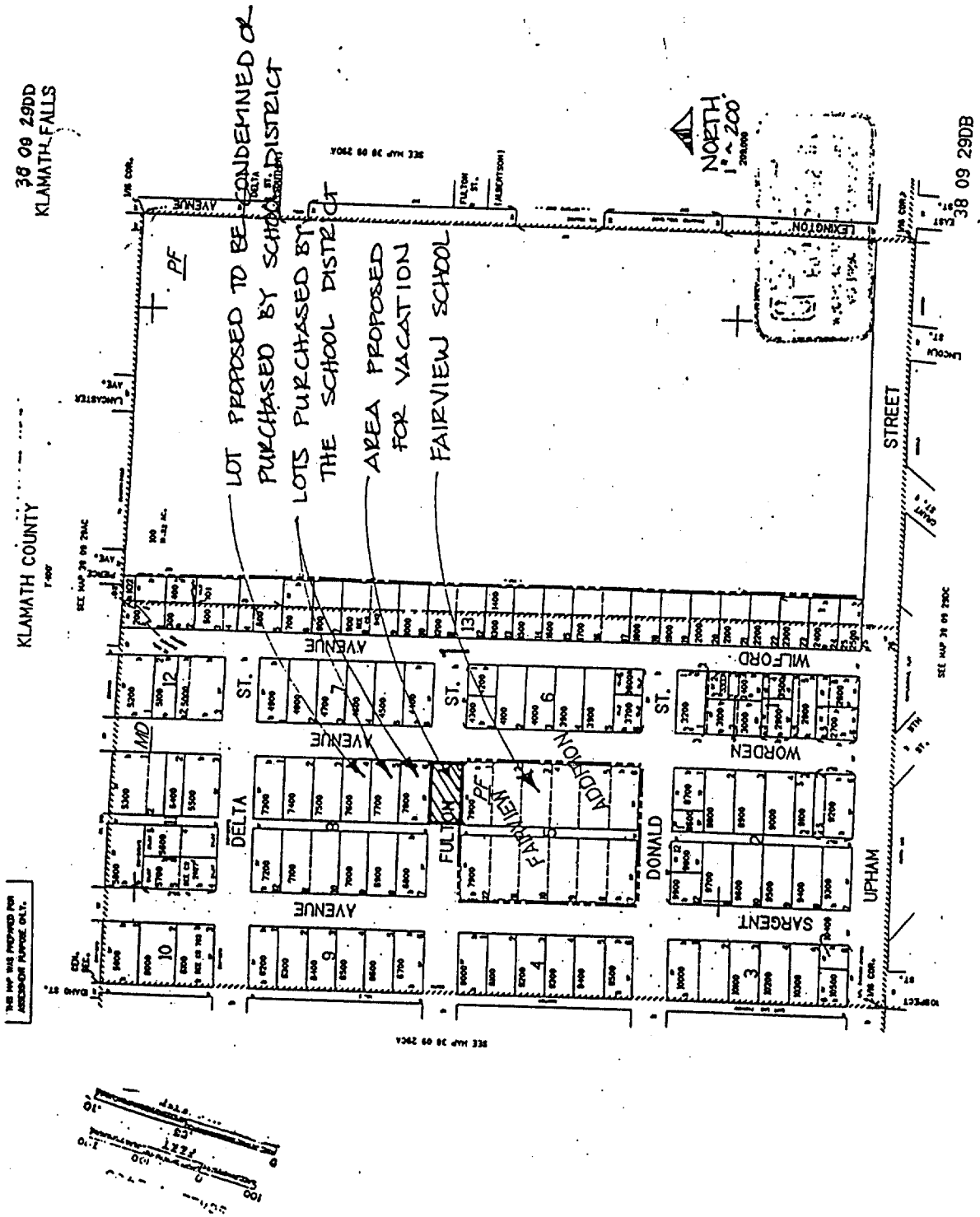
City Recorder (Deputy Recorder)

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

I, _____, Recorder (Deputy Recorder) for the City of Klamath Falls, Oregon to hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the 16 day of October, 2000, and thereafter approved and signed by the Mayor (~~Mayor~~ ~~Pro-tem~~) and attested by the City-Recorder (Deputy Recorder).

City Recorder (Deputy Recorder)

Exhibit "A"



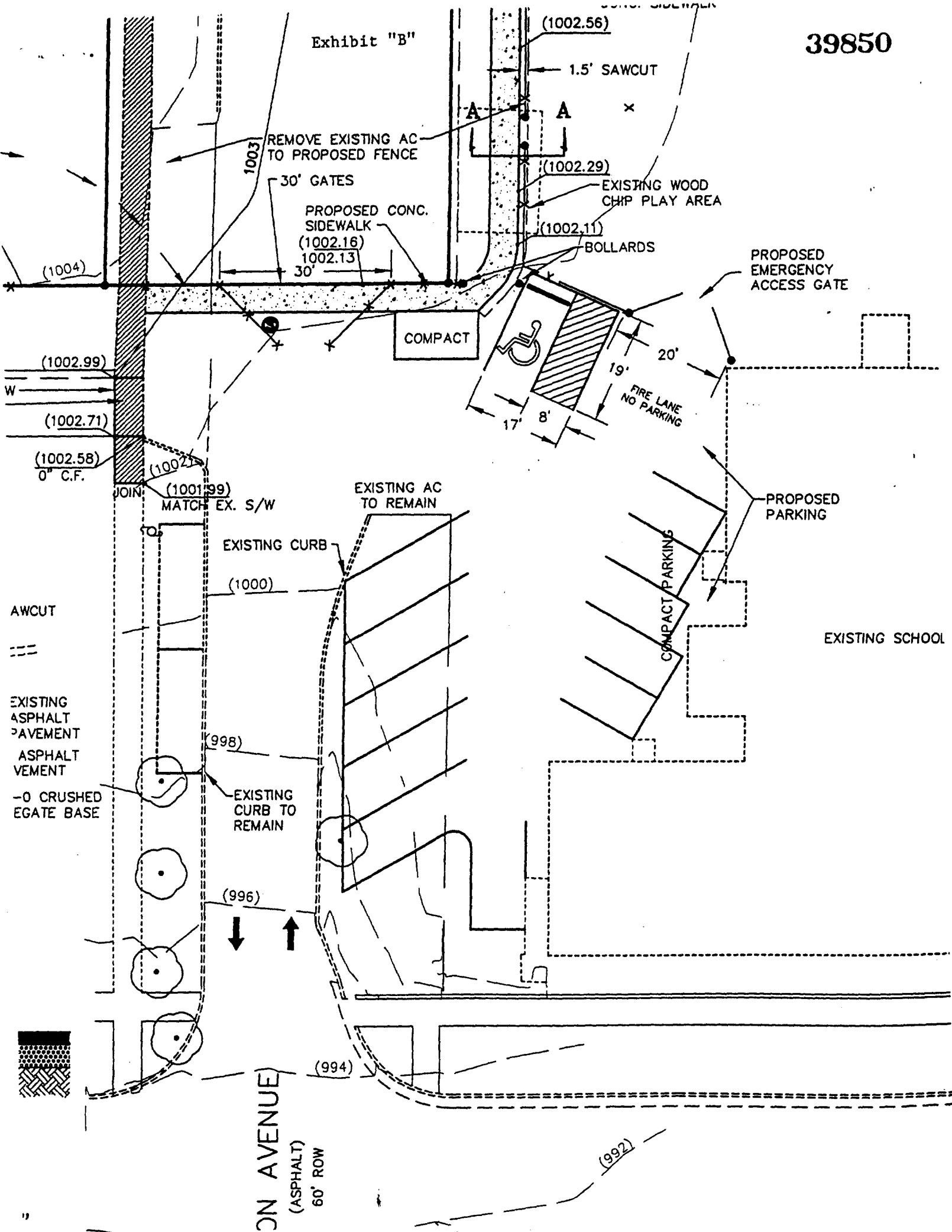
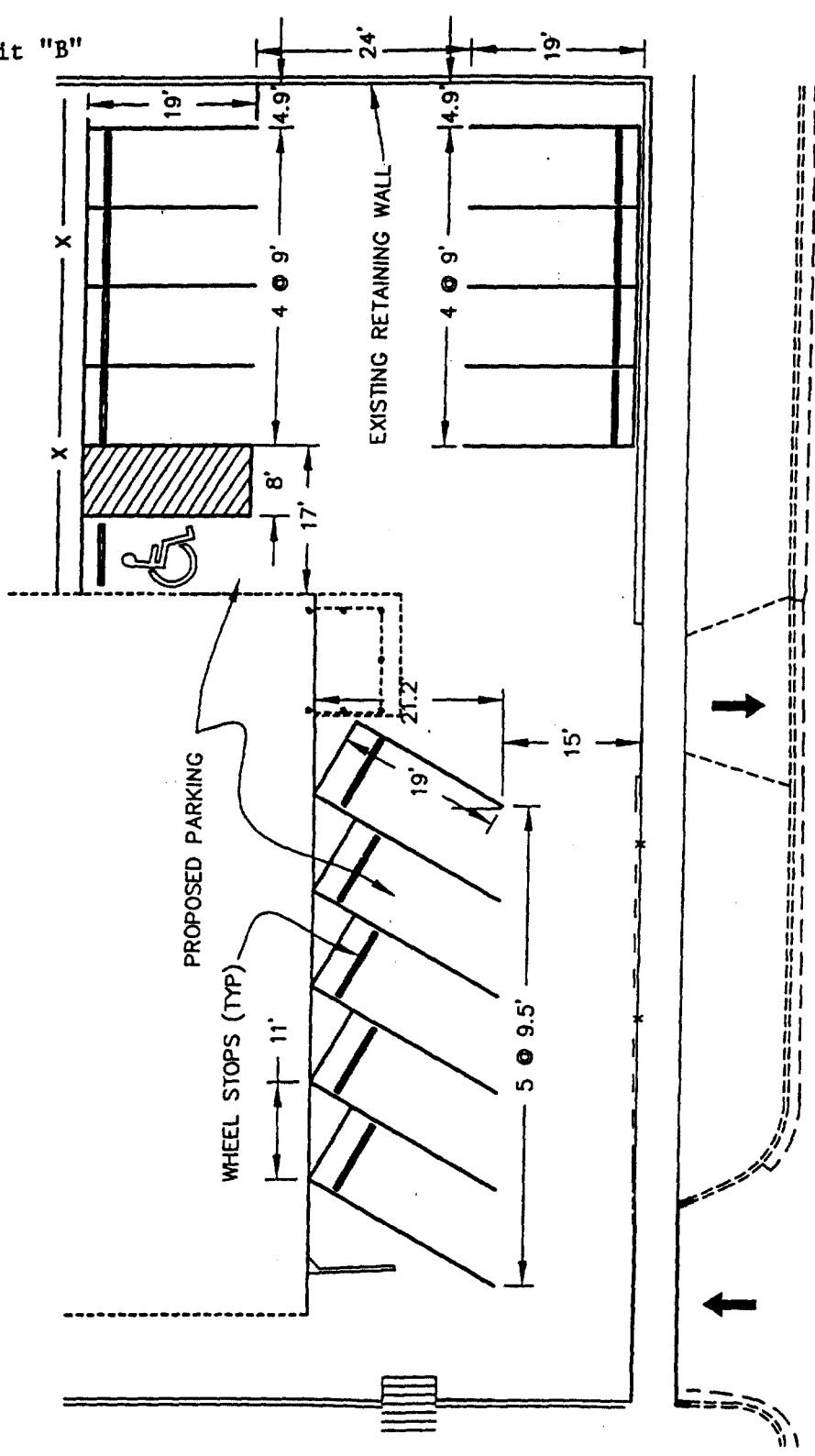


Exhibit "B"



STRIPING PLAN

EXISTING 5' SIDEWALK (TYP)

State of Oregon, County of Klamath
Recorded 11/01/00, at 10:03 a.m.
In Vol. M00 Page 39847
Linda Smith,
County Clerk Fee \$ 41.00