

**A SPECIAL ORDINANCE AMENDING THE LEGAL DESCRIPTIONS SET FORTH
WITHIN ORDINANCE NO.03-05 VACATING A PORTION OF LOT 6 AND ALL OF LOTS 7,
8, 9, AND 10, BLOCK 206 IN THE MILLS SECOND ADDITION SUBDIVISION**

WHEREAS, the owner of the properties desires to vacate a portion of lot 6 and all of lots 7, 8, 9, and 10, located at the northwest corner of East Main Street and the Shasta Way intersection; and

WHEREAS, a public hearing was held on January 27, 2003, pursuant to applicable laws, at which time all evidence and objection with reference to said proposed vacation were considered by the Planning Commission; and

WHEREAS, the City Council, hearing notices having been duly given, did hold a public hearing on March 3, 2003, on the recommendation of and including the record of the Planning Commission concerning the vacation; and

WHEREAS, pursuant to such record and hearing the City Council determined the vacation to be in compliance with the Community Development Ordinance and the Comprehensive Plan;

WHEREAS, the City Council adopted Ordinance No.03-05 incorporating the findings of the Planning Commission attached hereto and incorporated by this reference as Exhibit B; and

WHEREAS, the legal description of the vacated properties erroneously omitted the south 119 feet of lots 9 and 10, Block 206, Mills Second Addition, NOW THEREFORE,

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

A portion of lot 6, all of lots 7, 8, 9, and 10, Block 206 of the Mills Second Addition Subdivision, as shown on Exhibit A, and more particularly described below, are hereby vacated:

Parcel 1:

The South 39 feet of lot 6, and the North 8 feet of Lot 7, in Block 206, Mills Second Addition to Klamath Falls, according to the official plat therefore on file in the office of the County Clerk of Klamath Falls, Oregon.

Parcel 2:

The southerly 42 feet of lot 7, Block 206, Mills Second Addition to Klamath Falls, according to the official plat therefore on file in the office of the County Clerk of Klamath Falls, Oregon.

Parcel 3:

Lot 8, Block 206, Mills Second Addition to Klamath Falls, according to the official plat therefore on file in the office of the County Clerk of Klamath Falls, Oregon.

Parcel 4:

The North 100 feet of lot 9 and 10, Block 206 Mills Second Addition to Klamath Falls, according to the official plat therefore on file in the office of the County Clerk of Klamath Falls, Oregon.

Parcel 5:

South 119 feet of lots 9 and 10, Block 206 Mills Second Addition to the Addition to the City of Klamath Falls, according to the official plat, thereof on file in the office of the County Clerk of Klamath Falls, Oregon.

State of Oregon, County of Klamath
Recorded 11/03/03 2:33 p. m
Vol M03 Pg 81656-59
Linda Smith, County Clerk
Fee \$ 36.00 # of Pgs 4

81657

Passed by the Council of the City of Klamath Falls, Oregon, the 18th day of August, 2003

Presented to the Mayor, approved and signed this 19th day of August, 2003



Mayor

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, 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 on the 18th day of August, 2003 and therefore approved and signed by the Mayor and attested by the City Recorder (Deputy Recorder).

City Recorder (Deputy Recorder)

Exhibit A
VICINITY MAP

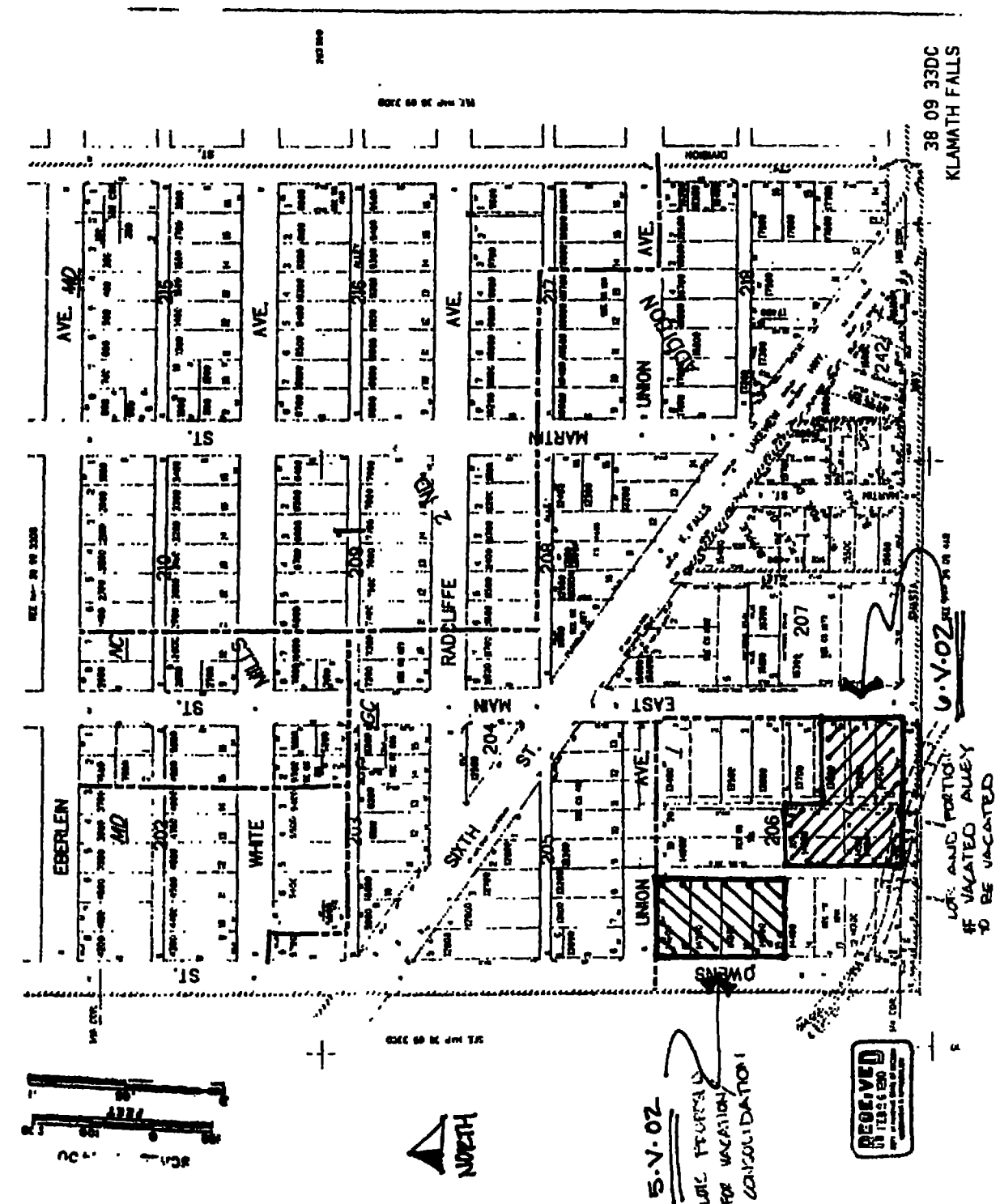


Exhibit B
PLANNING COMMISSION FINDINGS

Criterion #1 Consent of the owners of the requisite area has been obtained.

· **Finding** Consent of the owners of the requisite area has been obtained.

Criterion #2 Notice of the proposed vacation has been duly given.

Finding Notice of the proposed vacation was duly given by mail and publishing in the local newspaper.

Criterion #3 The public interest will not be prejudiced by the vacation of such plat or part thereof.

Finding The public interest will not be prejudiced by the vacation of a part of the plat.

Criterion #4 The vacation conforms to the Comprehensive Plan, all applicable provisions of Chapters 10 to 14 of the City Code and any applicable street plans.

Finding The vacation conforms to the comprehensive plan and applicable provisions of Chapters 10 to 14 of the Community Development Ordinance and any applicable street plans.