

04 MAR 10 AM 8:33

Ordinance No. 04-03

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State of Oregon, County of Klamath  
Recorded 03/10/2004 8:33 AM

Vol M04 Pg 13650

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

**A SPECIAL ORDINANCE AMENDING THE LEGAL DESCRIPTIONS SET FORTH  
WITHIN ORDINANCE NO. 03-06, VACATING A PORTION OF LOT 6 AND ALL OF LOTS  
7, 8, 9, AND 10, BLOCK 206 IN THE MILLS SECOND ADDITION SUBDIVISION AND  
REPEALING ORDINANCE NO. 03-20**

**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. 03-06 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;

**WHEREAS**, Ordinance No. 03-20 attempted to corrected the legal description, but erroneously identified the wrong ordinance number; NOW, THEREFORE,

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

The South 39 feet of lot 6, all of lots 7, 8, 9, and 10, Block 206 of the Mills Second Addition Subdivision, as shown on Exhibit A are hereby vacated and Ordinance No. 03-20 is hereby repealed.

Passed by the Council of the City of Klamath Falls, Oregon, the 17th day of February, 2004

Presented to the Mayor, approved and signed this 18th day of February, 2004

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder (Deputy Recorder)

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

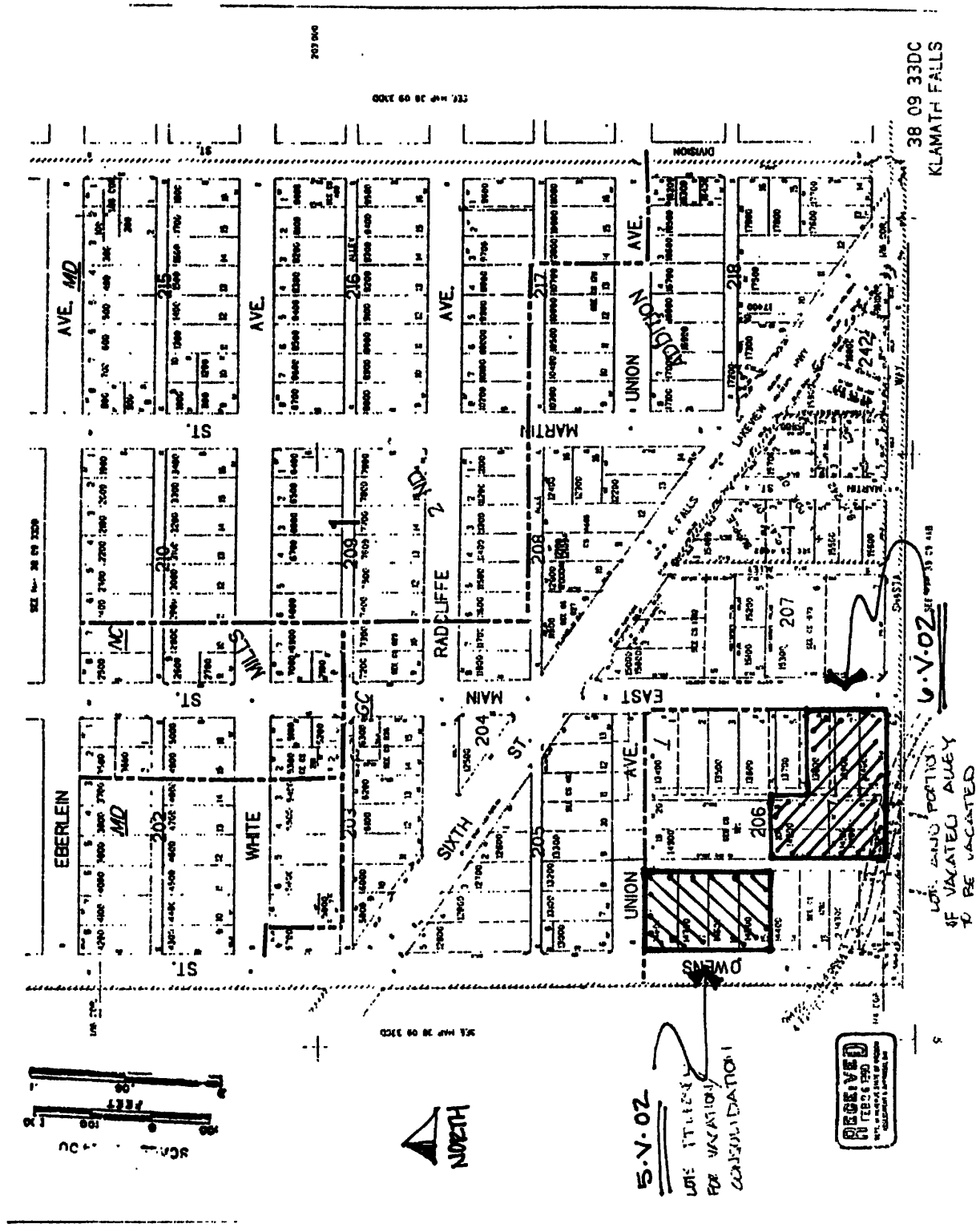
I, Shirley Kappas Recorder (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon at the meeting on the 17th day of February, 2004 and therefore approved and signed by the Mayor and attested by the ~~City Recorder~~ (Deputy Recorder).

  
\_\_\_\_\_  
City Recorder (Deputy Recorder)

31/✓

RE: City

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.