

2006-024961

Klamath County, Oregon



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Fee: \$26.00

THE COMMON COUNCIL OF THE TOWN OF BONANZA, OREGON  
AN OREGON MUNICIPAL CORPORATION

An Ordinance Vacating those certain portions of  
North Street (Highway 70) and Third Street  
as described herein and declaring an emergency

)  
) ORDINANCE NO. A-446  
)

WHEREAS, it has come to the attention of the Town Council of Bonanza that when the plats were filed for the First Addition of the Town of Bonanza in January of 1904 (1904 plat) and when the Grand View Addition was added to the Town in 1906, according to the plats of both taken together, Third Street from North Street to Modoc is approximately 95 feet wide, rather than 60 feet. The town has improved the west 60 feet of Third Street. Over the years property owners who own property in the First Addition adjacent to Third Street have built into the Town's right of way on the 35 foot street shown on the 1904 plat of the First Addition.

WHEREAS, the 1904 plat shows approximately 35 foot strip parallel to North Street between Third Street and Van Street as having been closed by Ordinance in 1903. No ordinance or record of it now can be located. This has created confusion among surveyors and property owners as to whether or not said 30 foot strip is part of North Street or not. The Town desiring to resolve these issues finds it in the best interest of the public that the 30 foot strip which appear to be part of Third Street between North Street and Modoc Street, more particularly described below should be vacated and further, that the described strip of North Street between Third Street and Van Street more particularly described below, should be vacated.

Whereas, the Common Council of the Town of Bonanza did, by resolution provide a notice in compliance with ORS 271.110, fixed the public hearing on this proposed vacation for the 6<sup>th</sup> day of November, 2006, at 6:45 p.m. at the Bonanza Town Hall. Said public hearing occurred and no objections were filed, orally or in writing. The Recorder has filed her certificate indicating that no taxes are owed on the lands covered by this proposed vacation.

The Common Council of the Town of Bonanza further finds that it is in the public interest to vacate this property and there will be no decrease in market value to the adjacent property owners.

NOW THEREFORE, the Town of Bonanza does ordain as follows.

Section 1. That certain portion of North Street (Highway 70), as shown on the Supplementary Map of the Town of Bonanza filed and recorded January 8, 1904, (1904 plat) more particularly described as

A 30 foot strip of land which lies directly South of and adjoins to Block 13 of 1<sup>st</sup> Addition to Bonanza, described as follows:

Beginning at the SW corner of Lot 11 Block 13 1<sup>st</sup> Addition to Bonanza; thence West 35 feet, thence South 30 feet; thence East to a point directly South of the SE

corner Lot 1 Block 13; thence North 30; thence West to SW corner of Lot 11 being the point of beginning

is hereby vacated.

Section 2. A certain portion of Third Street, as shown on the Supplementary Map of the Town of Bonanza filed and recorded January 8, 1904, (1904 plat) more particularly described as follows

A 35 foot strip of land which lies adjacent to and adjoins Blocks 13, 14 and 15 of 1<sup>st</sup> Addition to Bonanza, described as follows:

Beginning at the NW corner Lot 6 Block 15 of 1<sup>st</sup> Addition to Bonanza; thence South to the SW corner of Lot 11 Block 13; thence West 35 feet; thence North to a point directly West of the NW corner Lot 6 Block 15; thence West 35 feet to the point of beginning

is hereby vacated.

Section 3. The Town Recorder is hereby directed to file certified copies of this Ordinance with the County Clerk for recording and deed records, the County Assessor and the County Surveyor of Klamath County for use in their respective offices.

Section 4 Declaring an Emergency. This ordinance being deemed necessary for the public peace, health, safety and welfare of said Town an emergency is declared to exist in the case of this ordinance and the same shall be in full force in effect from its passage by a three-fourths (3/4) aye and nay vote of the quorum of the common council and its approval by the mayor.

Passed by the Common Council of the Town of Bonanza, Oregon, this 4<sup>th</sup> day of December, 2006

Presented to the Mayor and by her approved and signed this 7<sup>th</sup> day of December 2006.



Betty Lyne  
Mayor

Debbie Baker  
Recorder