

ORDINANCE NO. 24-001

AN ORDINANCE OF THE CITY OF GASTON VACATING A SIX-FOOT WIDE FOOT PATH LYING SOUTHERLY OF LOT 13 AND ADJACENT TO LOTS 7-12 OF THE LAKEVIEW ADDITION TO THE CITY OF GASTON, AND PROVIDING FOR THE VESTING OF TITLE

WHEREAS, the City of Gaston (“City”) adopted Resolution Number 24-006 on November 19, 2024, which initiated action on the City’s own motion in accordance with ORS 271.080 et seq., to vacate the real property described in the attached **Exhibits A and B** (the “Property”);

WHEREAS, the City Recorder caused notice to be given as provided in ORS 271.110;

WHEREAS, the property which is the subject of the motion to vacate is not necessary to provide ingress and egress to that area of the City, is not necessary for the safe and convenient flow of traffic, and has never been an improved path, street, or public right-of-way;

WHEREAS, the proposed vacation is in the best interests of City and its residents;

WHEREAS, a public hearing was held at 6:00 p.m. on December 17, 2024, in the City Council chambers and all interested persons were given an opportunity to be heard on the proposed vacation at the hearing;

WHEREAS, no objections by remonstrance, written or verbal, have been made by any affected property owners as enumerated in ORS 271.080;

WHEREAS, the City finds that the Property subject to vacation was originally dedicated from that certain property which comprises Lakeview Addition to the City of Gaston; and

WHEREAS, the City Recorder has filed a certificate showing that all City liens and taxes have been paid on the right-of-way to be vacated in the office of the City Recorder, as shown on **Exhibit C**.

THE CITY OF GASTON, ORDAINS AS FOLLOWS:

SECTION 1. Order to Vacate. The City Council orders that the Property described in Exhibits A and B is vacated. Furthermore, the Property was originally dedicated from the property that was developed into Lakeview Addition. Lots 7-12 of the Lakeview Addition to the City of Gaston are the lots that abut the Property; therefore, title to the vacated Property shall attach to those Lots 7-12.

SECTION 2. Reservation for Utilities. Pursuant to ORS 271.120, the City reserves to itself and any operating public utility provider easements over the entire Property vacated by Section 1 of this Ordinance for access, installation, maintenance, and repair of any existing or future public facility or public utility including but not limited to overhead or underground power or telecommunications lines, water lines, gas lines, fire hydrants, sanitary sewer and storm sewer.

SECTION 3. Filing. Petitioner shall file a certified copy of this Ordinance and any map, plat or other record in regard thereto which may be required or provided for by law for recording with Washington County.

SECTION 4. Effective Date. This Ordinance shall take effect 30 days after adoption by the City Council and approval by the Mayor, subject to the completion of the required filings described in Section 3 of this Ordinance.

Presented and Passed first reading on the ____ day of _____, 2024.

Presented and Passed the second and final reading on the ____ day of _____, 2024.

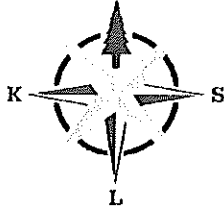
Votes in favor _____

Votes against _____

Wenonah Blanchette, City Recorder

Approved this ____ day of _____, 2024, by the Mayor.

Mayor Bill Martin



KLS Surveying Inc.

1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115
Fax: (866) 297-1402
Email: don@klssurveying.com

Exhibit A

That 6.00' feet wide "Foot Path" lying Southerly of Lot 13 and adjacent to Lots 7-12, Lakeview Addition to Gaston Washington County Records, lying in the Southeast quarter of Section 35, Township 1 South, Range 4 West of the Willamette Meridian, City of Gaston, Washington County, Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D
Wallace

Digitally signed by Donald
D Wallace
Date: 2024.07.30 10:55:16
-07'00'

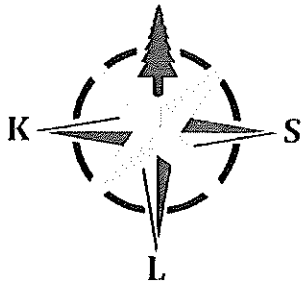
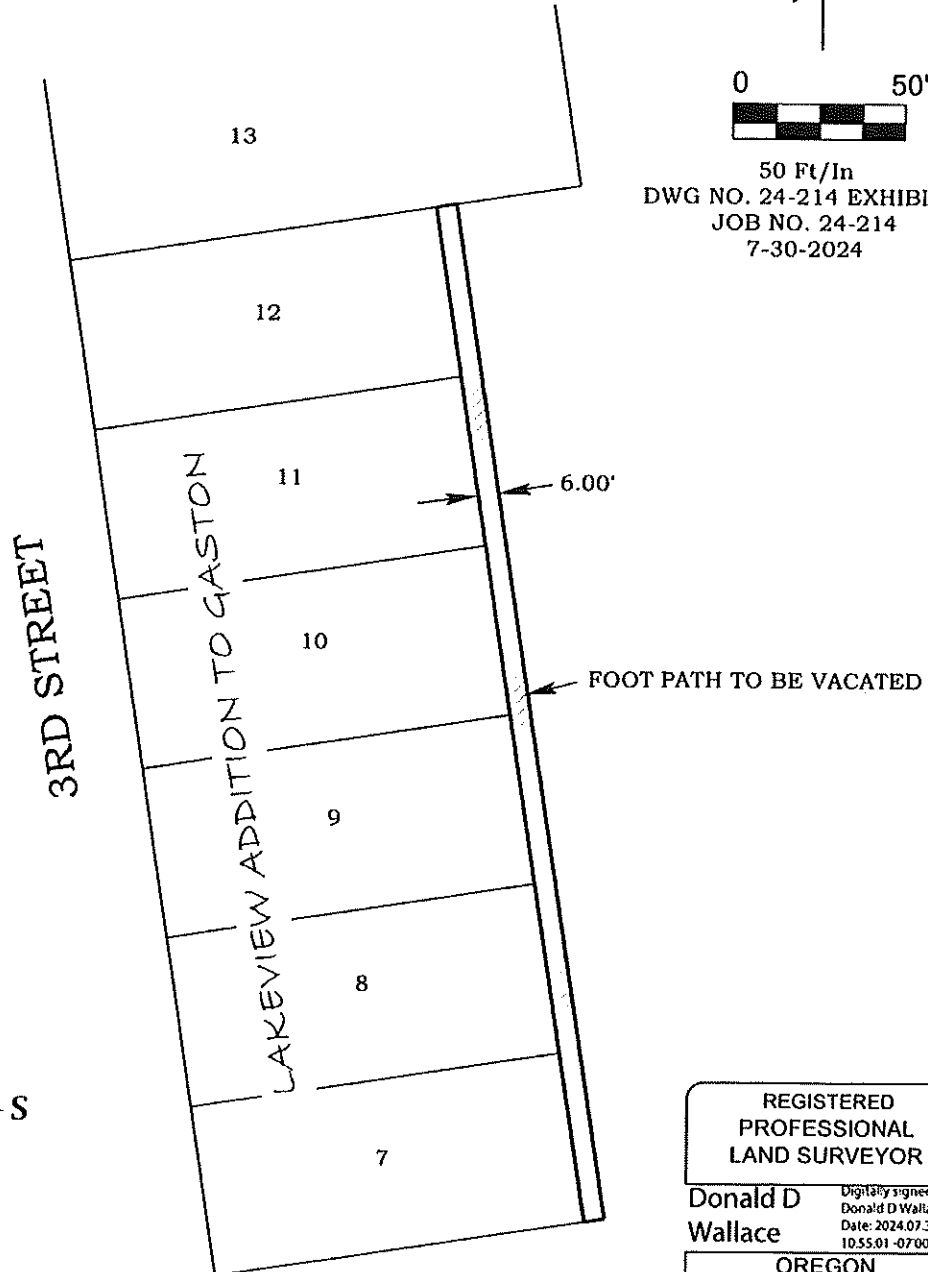
OREGON
JANUARY 19, 1993
DONALD D WALLACE, JR
2601

RENEWS 6/30/26

EXHIBIT B
CITY OF GASTON
IN THE SE 1/4 OF SECTION 35,
T1S, R4W, W.M., CITY OF GASTON
WASHINGTON COUNTY, OREGON
JULY 19, 2024



50 Ft/In
DWG NO. 24-214 EXHIBIT B
JOB NO. 24-214
7-30-2024



K.L.S. SURVEYING INC.
1224 ALDER STREET
VERNONIA, OREGON 97064
(503) 429-6115

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Donald D
Wallace

Digitally signed by
Donald D Wallace
Date: 2024.07.30
10:55:01 -0700'

OREGON
JANUARY 19, 1993
DONALD D WALLACE, JR
2601

RENEWS 6/30/26

Wenonah Blanchette

From: Ruben Cleaveland <cleavelandr@yahoo.com>
Sent: Wednesday, December 11, 2024 11:57 AM
To: Wenonah Blanchette
Cc: MARGARET/RONALD BELL
Subject: Street Vacation
Attachments: Vacation Ordinance.pdf; SKM_284e24121112360.pdf

Hi Wenonah,

Attached is the Ordinance and Exhibits to complete the street vacation. I understand the public hearing is next week. I am assuming that no one shows up to complain at the public hearing but if they do, we will need to revise the ordinance accordingly. Due to this, I am thinking that you will hold the public hearing next week, but then the Council will not adopt the ordinance until the January meeting. Either way, it is mostly "teed" up for when we are ready to go.

One additional step is that we need a certificate showing that all city liens and all taxes have been paid. I'm thinking you can get that from the County. It is to be attached to the ordinance as Exhibit C.

I'm happy to help with any of this. Please let me know if you have any questions or need further assistance.

Ruben

Ruben D. Cleaveland
VanKoten & Cleaveland LLC
417 Sherman Avenue, Suite 7
Hood River, OR 97031
541-436-3422

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