

ORDINANCE NO. 166

AN ORDINANCE VACATING A PUBLIC UTILITY EASEMENT PLATTED ON LOTS 3 & 4, BLOCK 4, THIRD ADDITION TO WHOAHINK ACRES SUBDIVISION AND DECLARING AN EMERGENCY

WHEREAS, a petition was filed August 25, 2003, by Gerald & Elizabeth Hamilton for the vacation of above-described public utility easement, and;

WHEREAS, the consent of the owners of the requisite areas, as defined by ORS 271.080(2), was obtained on said petition, and;

WHEREAS, notice of said public utility easement was published on August 30 and September 3, 2003, in the Siuslaw News, a newspaper of general circulation and notices were posted at each end of the public utility easement proposed for vacation and;

WHEREAS, on the 11th day of September 2003, a public hearing was held by the City Council of Dunes City, and;

WHEREAS, at said public hearing no remonstrance's were presented and the City Council determined that the consent of the owners of the requisite site area had been obtained and further determined that notice had been duly given and found that the public interest will not be prejudiced by the vacation of said public utility easement;

NOW THEREFORE, Dunes City ordains as follows:

Section 1. That the following described public utility easement is hereby vacated effective immediately. As platted and recorded in volume 47, page 4, Lane County Oregon Plat Records in Lane County, Oregon, the area vacated is described as follows:

Seven (7) feet on either side and perpendicular to the common boundary line between Lots 3 and 4, Block 4, Third Addition to Whoahink Acres.

Section 2. The Dunes City City Recorder is hereby directed to prepare a certified copy of this ordinance and provide said copy to the County Clerk of Lane County, the County Assessor of Lane County, and the County Surveyor of Lane County.

Section 3. It being necessary for the peace, health, safety, or orderly development of the City of Dunes City, an emergency is hereby declared to exist and this ordinance shall become effective immediately upon its passage by the council and signature by the mayor.

ADOPTED BY THE DUNES CITY COUNCIL THIS 2ND DAY OF OCTOBER, 2003.

Ayes: 3 Nays: 0 Abstain: 0 Absent: 2

Robert B. Ward Jr., Mayor

Joanne Hickey, City Recorder

Joanne Hickey