

ORDINANCE NO. 229

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF NORTH FOURTH COURT, WITHIN THE CITY OF COOS BAY, COOS COUNTY, OREGON.

The City of Coos Bay ordains as follows:

Section 1. The City Council of the City of Coos Bay deemed it desirable to vacate the following portion of North 4th Court within the City of Coos Bay, more particularly described as follows:

Ten and ½ feet (10.5) of the east right of way for North 4th Court abutting lots 7 & 8 of block 30 in the E. B. Clement Plat, Coos Bay, Coos County, Oregon.

and set the hour of 7:00 p.m. on January 16, 1996 in the Council Chambers of the City Hall in Coos Bay, Oregon, as the time and place for a public hearing on the matter of the vacation, at which time and place all persons having any objections were invited to be heard by the Planning Commission. The City of Coos Bay Community Service Department provided notice of the hearing as prescribed in ORS Sections 271.080-271.120, which notice declared the Council's intention to take appropriate proceedings to vacate the above-mentioned portion of street within the City of Coos Bay, Coos County, Oregon.

Section 2. The Community Service Department gave notice of time and place of the hearing by posting notice on a stake at the north and south ends of the vacation area and posting on the bulletin board in City Hall. The notices were posted in a conspicuous place where they could be easily read.

Notice of time and place of said hearing was mailed to all the affected property owners and was also published in The World, a newspaper of general circulation printed and published in Coos Bay, Oregon, and said notice was published in the entire issue of said newspaper once a week for four consecutive weeks beginning with the December 12, 1995 issue and continuing through January 2, 1996, as shown on the affidavit of publication which is by reference made a part hereof.

Section 3. Pursuant to the notice, a hearing was held before the Coos Bay Planning Commission on January 16, 1996, in the Council Chambers of Coos Bay City Hall, at the hour of 7:00 p.m. at which time and place all persons had an opportunity to appear and object to the vacation described in Section 1.

Section 4. After careful consideration of all testimony presented in the public hearing the Planning Commission recommended the City Council vacate the area described in Section 1. The Commission's recommendation included the findings of fact and conclusions the Commission reached after closing the public hearing.

RETURN TO: City Clerk's Office
500 Central Avenue
Coos Bay OR 97420

Section 5. The City Council reviewed the Commission's final recommendation and the record of the public hearing during a meeting on April 16, 1996 meeting and adopted the Planning Commission's final findings and recommendation.

Section 6. It is hereby found that the City Council and the Community Service Department have complied with ORS Chapter 271 regarding the procedures followed in this proceeding and that the grant of the requested street vacation will not prejudice the public interest.

Section 7. The vacation is subject to the reservation of a perpetual ten (10) foot wide utility easement centered on the existing over head power line.

Section 8. The City Manager shall have prepared within a reasonable time an intelligible map of the property hereby vacated and the City Recorder shall cause the map to be filed with this ordinance in the office of the County Clerk, Coos County, Oregon.

Section 9. It is hereby declared to be in the best interest of the City of Coos Bay to vacate; and the City of Coos Bay does hereby vacate the portion of North Fourth Court described in Section 1, in the City of Coos Bay, Coos County, Oregon.

Section 10. This Ordinance shall take effect 30 days from and after its passage and approval by the Mayor.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay this 16th day of April 1996, by the following vote:

Yes: Councilors Joe Benetti, Gary Combs, Cindi Miller, Don Spangler, and Dave Williams

No: None

Absent: Mayor Joanne Verger and Councilor Judy Weeks

Joanne Verger
Mayor of the City of Coos Bay
Coos County, Oregon

Attest: _____
Joyce Jansen
Recorder of the City of Coos Bay
Coos County, Oregon