

WHEREAS, the City of Pendleton, Umatilla County, Oregon, desires to vacate through its City Council the following described street right of way located in the City of Pendleton:

A tract of land lying in the Northwest Quarter of Section 8, T2N R32 E.W.M. More particularly described as follows:

Commencing at the Southeasterly corner of that tract of land belonging to Prowler Industries of Oregon, Inc., as recorded on Roll 2, Page 966, Umatilla County Deed Records, said point being the true point of beginning:

Thence along the Easterly and extended Easterly line of said Prowler Tract North 29° 09' 49" West a distance of 621.26 feet M/L to a point on the extended Northerly line of said Prowler Tract;

Thence along said extended Northerly line North 60° 59' 21" East a distance of 60.00 feet;

Thence South 29° 09' 49" East a distance of 625.83 feet;

Thence along a 1370 foot radius curve to the right a distance of 3.06 feet, said curve having a L.C. of (South 57° 09' 46" West a distance of 3.06 feet);

Thence South 57° 13' 36" West a distance of 57.06 feet;

Thence North 29° 09' 49" West a distance of 8.55 feet M/L to the true point of beginning.

Said tract contains 0.865 acres M/L.

Said tract of land shall be subject to the following utility easement.

A perpetual right of way and easement being 20 feet in width and lying 10 feet on each side of, when measured at right angles to, the following described line.

Commencing at the Southeasterly corner of that tract of land belonging to Prowler Industries of Oregon, Inc., as recorded on Roll 2, Page 966, Umatilla County Deed Records;

Thence along the Easterly and extended easterly line of said Prowler Tract North 29° 09' 49" West a distance of 621.26 feet M/L to a point on the extended Northerly line of said Prowler Tract;

Thence along said extended Northerly line North 60° 59' 21" East a distance of 15.30 feet to the true point of beginning;

Thence South 29° 49' 01" East a distance of 293.41 feet;

Thence South 62° 08' 11" East a distance of 75.98 feet to the terminus point of this easement.

All being in the County of Umatilla, State of Oregon.

NOTE: All data within this description is based on the Pendleton Local Coordinate System.

WHEREAS, the public interest will not be prejudiced by a vacation of the above described street right of way and said vacation will not substantially affect the market value of abutting property, and

WHEREAS, it is necessary and expedient to affect vacation as soon as possible, the City Council of the City of Pendleton on its own motion, does hereby initiate vacation proceedings, to vacate the above described street right of way, and

WHEREAS, the City of Pendleton retains a perpetual right of way for a utility easement

AND, THEREFORE, BE IT RESOLVED by the City of Pendleton, a municipal corporation, that a public hearing be called for the 18th day of January, 1977 at the 7:40 p.m. o'clock in the Council Chambers in the City Hall of the City of Pendleton. A public hearing will be held on the proposal to close and vacate the above described street right of way, and any person interested or affected thereby is hereby notified to appear before the Council at the above mentioned time and place to show cause, if there be any, why said street right of way should not be vacated, and

BE IT FURTHER RESOLVED that since the vacation will not substantially affect the market value of the property affected, no provisions are made for the paying of damages, and

BE IT FURTHER RESOLVED that the City Recorder be required to give notice by publication in the East Oregonian, once a week for four successive weeks, of said hearing in the manner provided by law, and that a copy of said notice be posted at each end of the street right of way to be vacated.

INASMUCH as it is necessary for the immediate preservation of the peace, health and safety of the City of Pendleton that this resolution shall have immediate effect, an emergency is hereby declared to exist, and this resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED by the vote of the Council members present and approved by the Mayor this 7th day of DEC., 1976.

APPROVED: Eddie O. Kropp
Mayor

ATTEST: Margaret E. Johnson
City Recorder