



I, Bill Burgess, County Clerk for Marion County, Oregon, certify that the instrument identified herein was recorded in the Official Records.

*Bill Burgess*

Pgs=2 TLM

AFTER RECORDING RETURN TO:  
ALISSA ANGELO  
ASST. CITY MANAGER  
CITY OF STAYTON  
362 N. THIRD AVE.  
STAYTON, OR 97383

**ORDINANCE 1064**

**AN ORDINANCE VACATING AN ALLEYWAY IN THE CITY OF STAYTON, MARION COUNTY, OREGON**

WHEREAS, ORS 271.080(1) provides that whenever any person interested in any real property in an incorporated city desires to vacate all or part of any street, such person may file a petition setting forth a description of the ground to be vacated; the reason for such vacation; and, the purpose for which the ground is proposed to be used;

WHEREAS, ORS 271.080(2) provides that appended to such petition, and as a basis for granting the same, must be the written and authorized consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected;

WHEREAS, Dark Horse Enterprises LLC has filed a Petition requesting that the alleyway between N First Ave and N Second Ave running between E Hollister St and E Pine St be vacated;

WHEREAS, the purpose and reason for the street vacation is to revert ownership of the vacated street portion to the respective Petitioner, so that they can utilize the property for the expansion of their veterinary clinic;

WHEREAS, appended to such Petition was the written and authorized consent of the owners of the abutting properties and of over two-thirds in area of the real property affected;

WHEREAS, on July 31, 2023 the Stayton Planning Commission did conduct a public hearing and following the public hearing recommended to the City Council that the subject alleyway be vacated;

WHEREAS, August 21, 2023, the Stayton City Council did conduct a public hearing concerning the proposed vacation at which public testimony and the written record were received and considered; and

WHEREAS, at the conclusion of the public hearing the Stayton City Council determined that it was in the public interest to vacate the subject alley;

NOW, THEREFORE the Stayton City Council hereby ordains as follows:

**Section 1.** The alley between N First Ave and N Second Ave, running between E Hollister St and E Pine Street, located in block 6 of the Pines Addition as recorded in Marion County Records Book of Town Plats Volume 13, Page 29, is hereby vacated.

**Section 2.** The public storm drain system in the alley is hereby vacated and the applicant shall be responsible for the operation and maintenance of the storm drain system in the alley.

**Section 3.** This Ordinance shall take effect 30 days after adoption by the Stayton City Council and the Mayor's signing and shall be recorded in the Marion County Deed Records.

ADOPTED BY THE STAYTON CITY COUNCIL THIS 21<sup>ST</sup> DAY OF AUGUST 2023

CITY OF STAYTON

Date: 8/22, 2023

By: *Brian Quigley*  
Brian Quigley, Mayor

Date: 8-22, 2023

Attest: *Julia Hajduk*  
Julia Hajduk, City Manager

MP  
ANNETT  
regon  
5295  
ril 3, 2027

# ACKNOWLEDGEMENT

State of OREGON

County of MARION

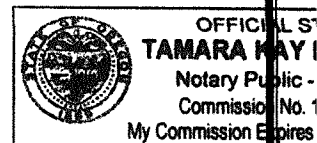
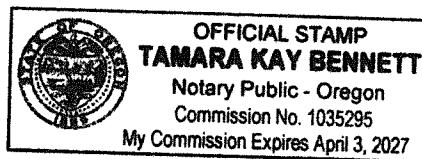
This record was acknowledged before me on August 22, 2023 by Brian Quigley, Mayor and Julia Hajduk, City Manager of the City of Stayton.

Tamara K Bennett

Notary Public – State of Oregon

Tammy Bennett, Office Specialist

Official Stamp



## Document Description

This certificate is attached to Ordinance No. 1064, an Ordinance Vacating an Alleyway in the City of Stayton, Marion County, Oregon, dated August 21, 2023 consisting of 1 page.

Marion County  
Document Separator Page

**Instrument # 2023-026940**

**September 06, 2023 09:36 AM**

State of Oregon  
County of Marion

I hereby certify that the attached  
instrument was received and duly  
recorded by me in Marion County  
records:

Fee: \$91.00

Bill Burgess  
Marion County Clerk

This is not an invoice.