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ORDINANCE No 194. B

A BILL, For

An ORDINANCE vacating a certain road in Annex No 2 to Hollisters addition to the Town of Stayton, Oregon and declaring an emergency.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1, That the petition of Chas'Gehlen, Joseph Walz and John Gehlen in the form required by law, for the vacation of the hereinafter described road was filed with the Recorder of the Town of Stayton, ~~Oregon~~ Oregon on the 2nd day of February 1926 That the said road is described as follows; That certain road shown on the recorded plat of Annex No 2 to G.W.Hollisters Addition to Stayton, Oregon, more particularly described as follows:

Beginning at a point on the West line of Annex No 2 to G.W.Hollister's Addition to the Town of Stayton, Oregon, 167.82 feet North of the most Westerly Southwest corner of Lot No 8 in said Annex No 2, as shown by the recorded plat thereof now on file and of record in the office of the County Recorder for Marion County, Oregon, thence East 1668.20 feet; thence South 488.20 feet; thence East 40 feet; thence North 528.20; thence West 1708.20 feet to the West line of said Annex No 2; thence South 40 feet to the place of beginning.

Section 2, That it appears from said petition, and this Council finds the same to be true, that said road has never been opened or used, That said Annex No 2 was laid out and plated in lots of approximately 5 acres each, but that it is not held or owned by lots but in tracts of larger size. That at the time of filing said petition John A. Gehlen, Chas' Gehlen and Joseph Walz owned all of the land abutting on or served or intended to be served by said road and that no other parties are served or could be served by it. That it is located inconveniently for use by any of said parties or by any one at all.

Section 3, That the property of John A.Gehlen, abutting on said road has, since the filing of said petition been acquired by John English. That the consent of all persons owning property immediately adjoining said road, namely John A.Gehlen, John N English, Chas' Gehlen and Joseph Walz, has been obtained in writing to the vacating thereof, which consent is duly acknowledged by all of said parties, before a Notary public for Oregon as required by law.

Section 4. That the Town of Stayton has no interest in keeping said road ~~as~~ as a public road. That the same has never been used and it is not likely that it ever will be used. That it is for the best interest of the public, the Town of Stayton and the adjoining property owners that the same be vacated.

Section 6. That it appears from due and sufficient proof filed with the Recorder of the Town of Stayton that after the filing of said petition and more than thirty days prior to the date hereof the said petitioners gave notice as required by law, that said petition for vacation has been filed, containing a description of the property to be vacated and notifying all persons interested therein to present their objections, if any to this council, on or before the 6th day of April 1926. That copies of said notice were posted in three public places within the Town of Stayton, Oregon, to-wit; in the post office, on the door of the City Hall, and on the bulletin board at the corner of Second and Water Streets, and that all remained so posted for more than thirty days thereafter, that No objections have been made or filed to the vacating of said road.

Section 7, That said road, described above, be, and the same is hereby vacated.

Section 8, That it is the judgement of this Council that the immediate operation of this ordinance is necessary for the preservation of the peace, health safety of the Town of Stayton, that an emergency exists

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and that this ordinance shall be in full force and effect from and after its passage by the council and approval by the Mayor.

Passed the Council this 6th day of April, 1926.

Approved by the Mayor this 6th day of April 1926.

Signed

George Keech,
Mayor of the Town of Stayton.

Attest J.B.Grier
Recorder of the Town of Stayton.