

RESOLUTION NO. 352

A RESOLUTION ORDERING CONSTRUCTION OF SIDEWALKS ON CERTAIN PROPERTY
IN THE CITY OF STAYTON

WHEREAS, the owner of property located on the southwest corner of Fourth Avenue at Florence Street in the City of Stayton, applied for a building permit (application No. 85-1-110) to reconstruct the roof for the structure located on said property addressed as 354 E Florence; and

WHEREAS, City Code Section 4.315 requires that streets, curbs and sidewalks be constructed prior to the issuance of a building permit, and the owner applied under the provisions of City Code Section 4.333 for a temporary waiver of this requirement on the basis of impracticality and economic hardship (The City Council addressed the request during their regular session of January 6, 1986 and accepted the postponement of the street construction requirement but denied the postponement of the construction of the curb and sidewalk); and

WHEREAS, the property owner received the building permit (No. 1831) with the order to construct the curb and sidewalk within sixty (60) days of the January 6, 1986 Council direction, and no construction has occurred within the allotted time;

NOW THEREFORE,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STAYTON, OREGON:

Section 1. The sidewalk shall be constructed in accordance with plans and standard specifications of the City fronting the subject property on both the Florence Street and the Fourth Avenue right-of-way.

Section 2. The cost of said sidewalk fronting Fourth Avenue shall be borne by the property owner, and the sidewalk fronting Florence Street shall be borne by the City, in recognition of a prior agreement filed against and running with the land as recorded in Volume 733, page 534, Deed Records for Marion County, Oregon.

Section 3. The subject property affected by this order is fully described as follows:

The Southerly 30 feet of Lot 1, and all of Lot 2, Block 1, A. & C. Clark's Addition to Stayton as filed in Volume 1, Page 63, Town Plats for Marion County, Oregon, Dated 1879.

- Section 4. The City Administrator is hereby empowered to notify the affected property owner, by certified mail, the substance of this Resolution and post a copy of this Resolution in a conspicuous place upon the affected property for a period of at least ten (10) days.
- Section 5. The sidewalk shall be completed within twenty (20) days of the date of this Resolution as provided for by City Code Section 4.340 and 4.345. Failure to comply will result in construction by the City as provided for in City Code Section 4.350.

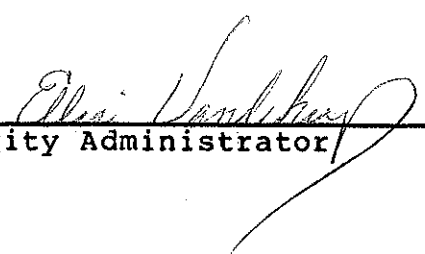
PASSED BY THE COMMON COUNCIL THIS 7th DAY OF April, 1986.

Signed by the Mayor this 11 day of April, 1986.



Mayor

ATTEST:



City Administrator