

AMENDED ORDINANCE NO. 1053

AN ORDINANCE VACATING THAT PORTION OF THE EAST-WEST ALLEY BETWEEN WEST 3RD AND 4TH STREETS AND DEER & HARWOOD STREETS BORDERING THE SOUTH PROPERTY BOUNDARIES OF LOTS 3, 4 AND 5 OF BLOCK 2 OF BARRON'S FIRST ADDITION AS MORE SPECIFICALLY DESCRIBED AND SHOWN IN EXHIBIT "A"

WHEREAS, pursuant to provisions of ORS Chapter 271, the City Council of the City of Prineville, by and through a request by the affected property owner Prineville Bancorporation, has initiated vacation proceedings for that portion of the East-West alley between West 3rd and 4th and Deer & Harwood Streets, referred to above and more specifically described and shown in Exhibit "A" attached hereto and hereby adopted by reference as though set forth in full herein; and

WHEREAS, a public hearing was held by the City of Prineville after giving notice as required by ORS Chapter 271; and

WHEREAS, the City has found that the subject portion of said alley proposed for vacation is not necessary to provide access or public utility service to the subject adjoining properties so long as the public has a right to travel across the property owned by the Petitioner and further so long as Petitioner agrees to rededicate the alley in case the improvements to be located on the alley are removed; and

WHEREAS, the City deems that it is in the best interests of the City of Prineville and the affected property owner that said vacation be granted, subject to the conditions described above.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

1. That a portion of the East-West alley located between West 3rd and West 4th Streets, and between North Deer and Harwood Streets boarding the South property boundaries of Lots 3, 4 and 5 of Block 2 of Barron's First Addition as described and shown in Exhibit "A" of this Ordinance is hereby vacated conditioned upon Prineville Bancorporation executing an agreement in favor of the public granting the public vehicle access from the alley East and West of the vacated alley across Prineville Bancorporation's property and Prineville Bancorporation agreeing to rededicate the alley if the improvements to be constructed on the vacated alley are removed, and

2. That the portion of said alley that is vacated by this Ordinance shall become the property of the owner of the adjacent properties identified as Lots 3, 4 and 5 of Block 2 and Lots 1 and

2 of Block 5 of Barron's First Addition, i.e. Tax Lots No.s 2700,
2800, 2900 and 11200 of Crook County Assessor's Map 15-16-6AB.

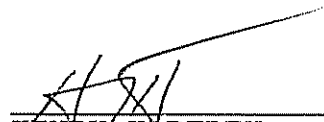
PASSED by the City Council this 9th day of December, 1997.

APPROVED by the Mayor this 9th day of December, 1997.



PAUL CAPELL, Mayor

ATTEST:



HENRY HARTLEY
City Manager/Recorder

Attachment: Exhibit "A"

2 - AMENDED ORDINANCE NO. 1053

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LEGAL DESCRIPTION

EAST-WEST ALLEY VACATION BETWEEN WEST 3RD & 4TH STREETS,
AND DEER & HARWOOD STREETS BORDERING THE SOUTH PROPERTY
LINES OF LOTS 3, 4 AND 5 OF BLOCK 2 OF BARRON'S FIRST ADDITION

That portion of the subject east-west alley located between West 3rd Street on the south and West 4th Street on the north, and between North Deer Street on the east and North Harwood Street on the west; Beginning at the Southeast corner of Lot 3 of Block 2 of Barron's First Addition; Thence westerly a distance of 198 feet m/l along the south boundary lines of Lots 3, 4 and 5 of Block 2 of Barron's First Addition to the southwest corner of said Lot 5; Thence southeasterly a distance of 12 feet m/l to the common northwest corners of Lots 1 and 2 of Block 5 of Barron's First Addition; Thence easterly a distance of 198 feet m/l along the north boundary line of said Lot 1 of Block 5; Thence northwesterly a distance of 12 feet to the point of beginning.

