

GARIBALDI ORDINANCES

ORDINANCE NO. 197

BOOK 347 PAGE 130

AN ORDINANCE VACATING A PORTION OF FIRST STREET, NORTH OF EVERGREEN AVENUE.

WHEREAS the Garibaldi City Council was requested by Roger Franklin to vacate the east and north portions of First Street, north of Evergreen Avenue, as described in the survey known as "Attachments A and B", and

WHEREAS the City Council initiated street vacation procedures as requested, in accordance with Oregon State Law, and

WHEREAS a public hearing was held November 9, 1992, regarding the proposed street vacation,

THEREFORE the City of Garibaldi ordains as follows:

Section 1. That the portion of First Street, north of Evergreen Avenue, abutting property belonging to Roger Franklin, Tax lots 1N1021AA 5300 and 5400, as submitted in Attachment A, is hereby vacated.

Section 2. The legal description of the vacated portion is: Commencing at the initial point of Wendling's Addition to the City of Garibaldi, in the Northeast quarter of the Northeast quarter of Section 21, Township 1 North, Range 10 West of the Willamette meridian, Tillamook County, Oregon; thence North $3^{\circ} 10' 31''$ West 20.77 feet; thence North $88^{\circ} 25' 12''$ West 35.30 feet to the east sideline of First Street and the True Point of Beginning; thence North $88^{\circ} 25' 12''$ West 30.00 feet to the centerline of First Street; thence along said centerline, North $1^{\circ} 34' 48''$ East 54.53 feet; thence along the arc of a 30 foot radius curve left, through a central angle of $90^{\circ} 00'$, the long chord of which bears North $43^{\circ} 25' 12''$ West 42.43 feet to the west line of First Street; thence North $1^{\circ} 34' 48''$ East 20.00 feet to the south line of Lot 2, Block 1, Wendling's Addition; thence South $88^{\circ} 25' 12''$ East 60.00 feet to the northwest corner of lot 1; thence along the east line of said lot 1, South $1^{\circ} 34' 48''$ West 104.53 feet to the point of beginning.

Section 3. Roger Franklin shall bear the costs for posting of public notices, preparation of certified copies and filing of this ordinance with the Tillamook County Clerk, the Tillamook County Assessor, and the Tillamook County Surveyor.



ALLAN E. DUNCAN

September 29, 1992

Professional Land Surveyor

4206 Cypress Street
Tillamook, Oregon 97141
Home: 842-2876
Bus: 842-5478

Mr. Roger Franklin
P.O. Box 11347
Portland, OR 97211

Mr. Franklin:

The included map depicts the proposed vacation of a portion of First in Garibaldi, and also proposed deeds from you to the City of Garibaldi, and a description for vacation of a portion of First Avenue.

(Deed from Franklin to City of Garibaldi)

Commencing at the Initial Point of Wendling's Addition to the City of Garibaldi, in the Northeast quarter of the Northeast quarter of Section 21, Township 1 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon; thence North 3°10'31" West 20.77 feet; thence North 88°25'12" West 65.30 feet to the center line of First Street; thence along said centerline, North 1°34'48" East 54.53 feet; thence along the arc of a 30 foot radius curve left, through a central angle of 90°00', the long chord of which bears North 43°25'12" West 42.43 feet to the west sideline of First Street and the TRUE POINT OF BEGINNING;

thence North 42°48'47" West 27.99 feet to the east sideline of that tract conveyed to the State of Oregon by deed recorded in Book 206 at Page 223, Tillamook County Records; thence South 1°34'48" West 50.00 feet to the south line of vacated Biak Avenue; thence South 88°25'12" East 19.58 feet to the west line of First Street; thence North 1°34'48" East 30.00 feet to the true point of beginning.

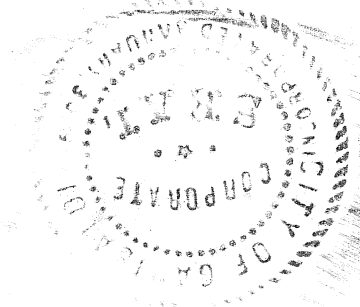
Beginning at the Initial Point of Wendling's Addition to the City of Garibaldi, in the Northeast quarter of the Northeast quarter of Section 21, Township 1 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon;

thence North 3°10'31" West 20.77 feet;
thence North 88°25'12" West 35.30 feet to the east sideline of First Street;
thence along said sideline, South 1°34'48" West 20.47 feet to the north sideline of Evergreen Avenue;
thence South 88°25'12" East 36.97 feet to the point of beginning."

(PROPOSED VACATION OF A PORTION OF FIRST STREET)

Commencing at the Initial Point of Wendling's Addition to the City of Garibaldi, in the Northeast quarter of the Northeast quarter of Section 21, Township 1 North, Range 10 West of the Willamette meridian, Tillamook County, Oregon; thence North 3°10'31" West 20.77 feet; thence North 88°25'12" West 35.30 feet to the east sideline of First Street and the TRUE POINT OF BEGINNING; thence North 88°25'12" West 30.00 feet to the centerline of First Street; thence along said centerline, North 1°34'48" East 54.53 feet; thence along the arc of a 30 foot radius curve left, through a central angle of 90°00', the long chord of which bears North 43°25'12" West 42.43 feet to the west line of First Street; thence North 1°34'48" East 20.00 feet to the south line of Lot 2, Block 1,

Wendling's Addition; thence South 88°25'12" East 60.00 feet to the northwest corner of Lot 1; thence along the east line of said Lot 1, South 1°34'48" West 104.53 feet to the point of beginning."



**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Allan E. Duncan

**OREGON
JULY 14, 1967
ALLAN E. DUNCAN
793**

3465

the within instrument
cord and recorded in
book, State of Oregon.



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and seal affixed.
Rl, County Clerk

Neil Deputy

KT - \$20
CP - \$5
Im - \$1
3000
*2500 surveyor
paid*

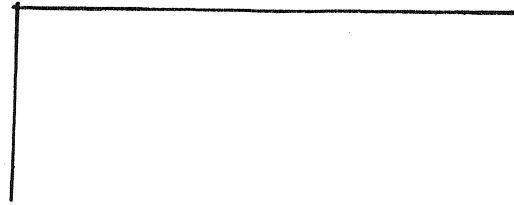
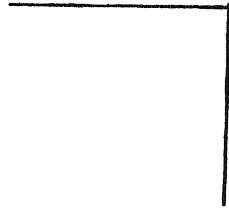
EVERGREEN

S 1°3'

Initial Point
WENDLING'S ADD'N

AVENUE
(60' wide, public dedication)

FIRST STREET
(Public dedication, 60' wide)



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Allan E. Duncan

OREGON
JULY 14, 1967
ALLAN E. DUNCAN
793

PROPOSED VACATION AND DEED(s) TO CITY OF GARIBALDI
PORTION OF FIRST STREET and LOTS 1 & 3,

in

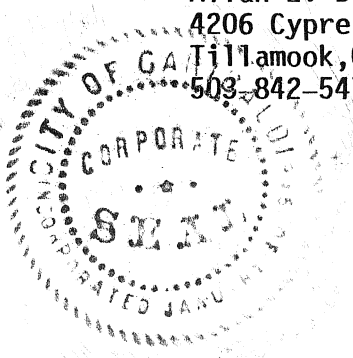
BLOCK 1, WENDLING'S ADDITION to CITY OF GARIBALDI

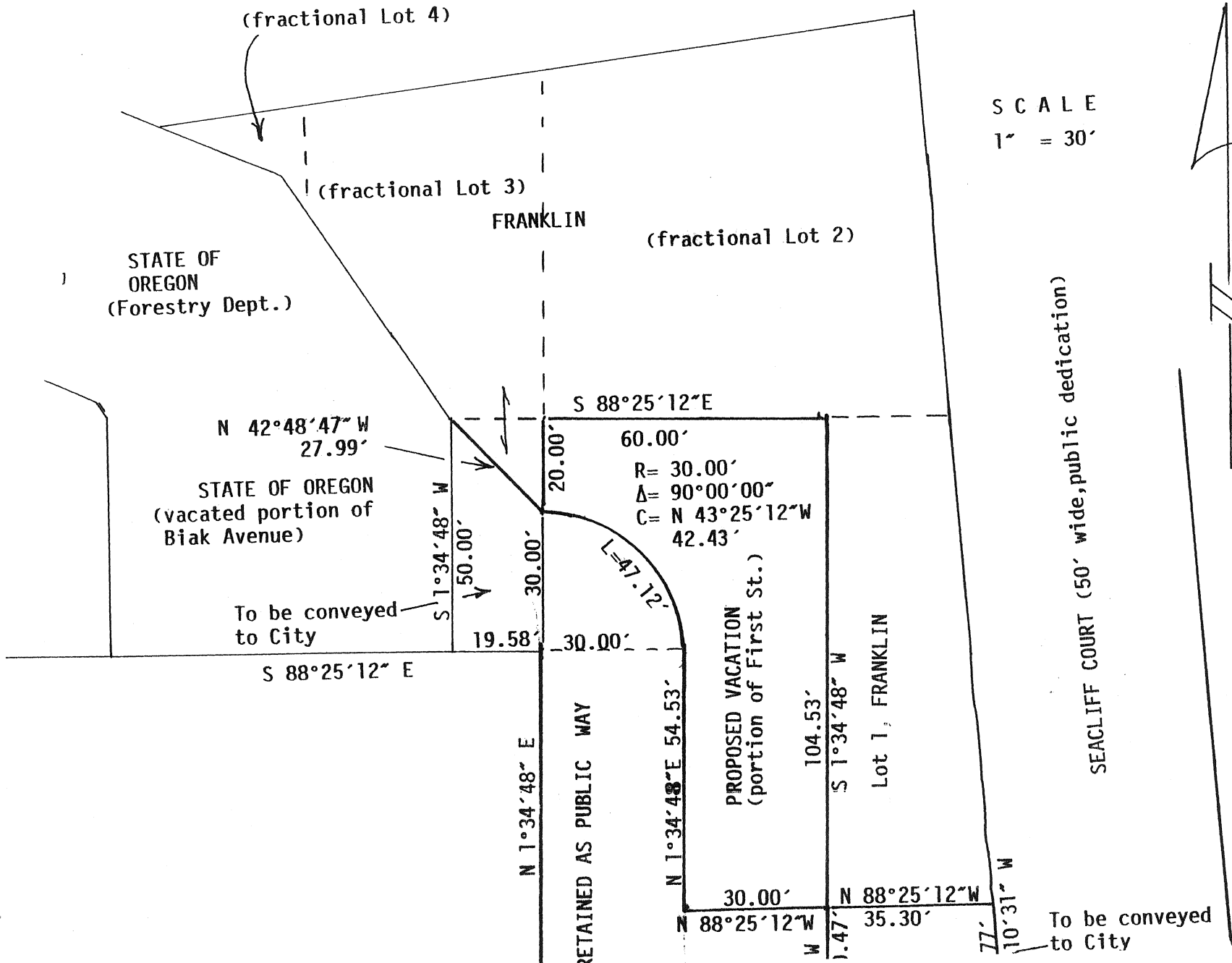
NE 1/4 NE 1/4 SECTION 21, T. 1 N., R. 10 W., W.M.

TILLAMOOK COUNTY, OREGON

SEPTEMBER 27, 1992

Allan E. Duncan
4206 Cypress St.
Tillamook, OR 97141
503-842-5478





Section 4. This ordinance shall be in effect the same day that the real property is dedicated to the public by Roger Franklin as described in Attachment B.

Passed by the Council and approved by the Mayor this 9th day of November, 1992


DENNIS A. WELCH MAYOR

ATTEST:


SAUNDRA L. JONES, CITY RECORDER

