

ORDINANCE NO. 5137

AN ORDINANCE VACATING THAT PORTION OF THE EXISTING RIGHT-OF-WAY OF 19TH AVENUE (FORMERLY LEHIGH COURT, STREET NAME CHANGE CASE NO. SR-06-93) WHICH IS NECESSARY FOR THE NEW STREET ALIGNMENT WHICH WAS CHANGED WITH THE REPLATTING OF BLOCKS 3 AND 4 (SUBDIVISION CASE NO. M1-10-93) AND ADOPTING ATTACHED EXHIBIT "A" KNOWN AS "FINDINGS" AND DECLARING AN EMERGENCY (FILE NO. VC-03-94).

WHEREAS, on June 15, 1994, the proposed Street Vacation was requested by Gordon Vogt and Bob Mitchell dba West Coast Homes (100% of the adjoining property owners) and 100% of the property owners within the required 2/3rd's signature area; and

WHEREAS, notices of the public hearings have been mailed, posted and published as required by state and local law; and

WHEREAS, the Albany Hearings Board held a Public Hearing on August 1, 1994, and recommended approval of the proposed vacation; and

WHEREAS, the Albany City Council held a Public Hearing on August 10, 1994, and parties were given an opportunity to be heard and the Council being fully informed.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: That portion of the existing right-of-way of 19th Avenue (formerly Lehigh Court) adjacent to Lots 15 through 28, Block 3, Riderwood Subdivision, Linn County, Oregon (adjacent to Tax Lots 3000 through 4300, Assessor's Map No 11-3W-09CC) is hereby vacated.

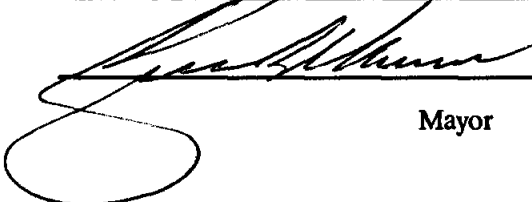
Section 3: EMERGENCY CLAUSE

Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of this City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by the Council: August 10, 1994

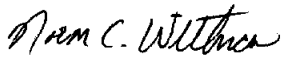
Approved by the Mayor: August 10, 1994

Effective Date: August 10, 1994



Mayor

ATTEST:



Deputy City Recorder

