

AN ORDINANCE TO VACATE A PORTION OF NORTH BELKNAP STREET SOUTH OF THE CITY OF PRINEVILLE RAILWAY RIGHT OF WAY IN THE CITY OF PRINEVILLE MORE PARTICULARLY DESCRIBED HEREINBELOW.

WHEREAS, pursuant to provisions of Chapter 271, Oregon Revised Statutes, a proper, complete and sufficient petition has been presented to the Council of the City of Prineville, Oregon, for the vacation of a portion of North Belknop Street, Prineville, Oregon, described below; and

WHEREAS, the Council and the Mayor of the City of Prineville have read and examined said petition and held a public hearing thereon after giving notice as required by ORS Chapter 271, and said Council deems it in the best interests of the City and area property owners that said petition be granted and subject street vacated;

THEREFORE, the people of the City of Prineville do ordain as follows:

1. That the following described real property located in Crook County, Oregon, is hereby vacated:

All that portion of North Belknop Street lying South of the Southerly Boundary of the City of Prineville Railway right of way and North of the West extension of the North boundary of the following described parcel located in the City of Prineville, Crook County, Oregon, as follows:

Beginning at a point on the East line of East B or Belknop Street 208 feet North of a point due East of the Northeast corner of Block Three (3) Newsom's Addition of Prineville, Oregon, according to the Amended plat thereof on file and of record in the office of the County Clerk for Crook County, Oregon; thence East 120 feet; thence North 40 feet; thence West 120 feet; thence South 40 feet to the point of beginning.

2. That all the said street shall, upon the taking effect of this vacation, become the property of the abutting owners bordering on the street in equal proportions.

3. That said vacation is subject to the following conditions:

- a. Granting of a utility easement to Pacific Power and Light Company for its electrical facilities, water main and fire hydrant on subject property.
- b. Granting of a utility easement to Cascade Natural Gas Company for its gas main on subject property.
- c. The existing hydrant on the southeast corner of subject property and the existing storm drainage pipe shall remain permanently on the property and access to and the right to maintain it shall be permitted.
- d. The owner of the vacated property shall pay any extra cost of maintenance, repair, etc., of any utility caused in part or whole by any structure or object placed on said property.

Passed by the City Council this 10th day of January, 1978.

Approved by the Mayor this 11 day of Jan, 1978.

Patrick J. Lynch
Patrick J. Lynch, City Administrator/Recorder

Nello Giovanini
Nello Giovanini, Mayor