

RESOLUTION NO. LXX (70)

A RESOLUTION FIXING A TIME FOR A PUBLIC HEARING ON THE PETITION OF GEORGE MISTEREK, ET UX, ET AL, FOR AN ORDER DECLARING AND AUTHORIZING THE VACATION OF THE ALLEY IN BLOCK D, WILSONVILLE, CLACKAMAS COUNTY, OREGON.

WHEREAS, a Petition by George Misterek and Vionna Misterek, husband and wife, Donald E. Sweet and Cindy L. Sweet, husband and wife, Ronald A. Harm and Jeannie M. Harm, husband and wife, and Deanna Jeanne Thom, has been presented to the City Recorder for the vacation of the alley in Block D, Wilsonville, Clackamas County, Oregon; and

WHEREAS, the said Petition which was entitled "PETITION FOR AND CONSENT TO VACATION OF AN ALLEY" has been examined by the City Recorder and found by her to be sufficient, and was therefore filed in the City Recorder's office on November 8, 1975, and notice thereof was given to the said petitioners. A copy of the said Petition and Consent as filed is attached hereto marked Exhibit "A" for identification purposes and by this reference made a part hereof; and

WHEREAS, the said Petition came before the Wilsonville City Council at a regular meeting thereof on Monday, December 1, 1975, and after consideration of the matter, there appears to be no reason why the Petition should not be allowed in whole and a time for formal hearing thereon is required to be fixed and notice thereof given as required by law; and

WHEREAS, it appears from the Petition and Consent of the property owners as filed that they are all of the owners of all of the lots in said Block, and their names and lot ownerships are as follows:

BLOCK D, WILSONVILLE

<u>NAME</u>	<u>PROPERTY OWNERSHIP</u>
George Misterek and Vionna Misterek, husband and wife	Lots 1 to 11, inclusive
Donald E. Sweet and Cindy L. Sweet, husband and wife	Lot 12
Ronald A. Harm and Jeannie M. Harm, husband and wife	Lot 13
Deanna Jeanne Thom	Lot 14

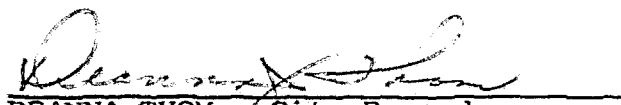
THEREFORE, IT IS HEREBY RESOLVED by the Wilsonville City Council

that 15TH day , March , 1976, at the hour of 8:00 p.m. at the
Wilsonville Grade School in Wilsonville, Clackamas County, State of
Oregon, is hereby fixed and set as the time and place for a formal
hearing on the Petition of George Misterek, et ux, et al, for an
Order of the Wilsonville City Council declaring and authorizing the
vacation of the alley in Block D, Wilsonville, Clackamas County, Oregon.

Adopted by the Wilsonville City Council at a regular meeting
thereof on Monday, January 19, 1976.


PHILLIP R. BALSIGER - Mayor

ATTEST:


DEANNA THOM / City Recorder

PETITION FOR AND CONSENT TO VACATION OF AN ALLEY

TO: The Honorable Mayor and
Members of the Wilsonville City Council
Wilsonville City Hall
Wilsonville, Oregon 97070

Gentlemen:

The undersigned are all of the owners of Lots 1 to 14, inclusive, of Block D, WILSONVILLE, Clackamas County, Oregon. The alley between Fourth and Fifth Streets in said Block is not used for any purpose and hasn't been used since the subdivision was platted. We propose to use the alley for additions to our adjoining land, and by doing so, will improve the appearance of the area, add more value to taxable land, and increase the size of our lots for building purposes, thereby creating a less crowded or congested appearance in any building development project.

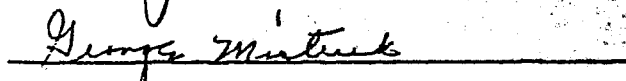
WHEREFORE, the undersigned respectfully petition the Wilsonville City Council to allow this Petition and fix a time for formal hearing as required by law, and thereafter make a determination by Ordinance for the vacation of said alley. The undersigned, as all of the owners of the abutting property, hereby expressly consent to the proposed vacation, disclaim any damage to our properties by reason of the vacation of this alley, and agree that the vacation will not substantially affect the market value of our abutting properties. Furthermore, we jointly and severally consent and agree to pay the City's costs of publication, posting and other anticipated expenses, and tender herewith the sum of \$300 to apply on such costs.

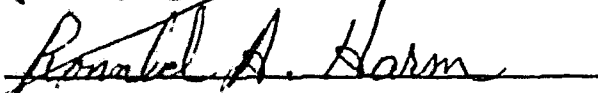
Dated this 9th day of November, 1975.

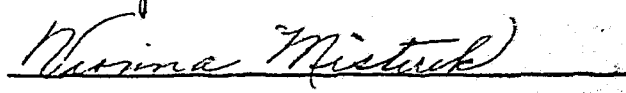


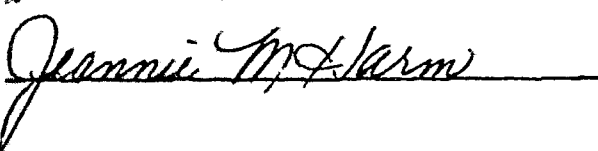












STATE OF OREGON)
County of Clackamas) ss.

11-8, 1975

Personally appeared the above named Donald J. Horn and _____, husband and wife, and acknowledged to me that they executed the foregoing instrument freely and voluntarily for the uses and purposes therein stated.

BEFORE ME:

Robert T. Hill
Notary Public for Oregon
My Commission Expires: 11-11-75

STATE OF OREGON)
County of Clackamas) ss.

November 8, 1975

Personally appeared the above named ~~Donald J. Horn~~ and Cindy L. Sweet, husband and wife, and acknowledged to me that they executed the foregoing instrument freely and voluntarily for the uses and purposes therein stated.

BEFORE ME:

Robert T. Hill
Notary Public for Oregon
My Commission Expires: 11-11-75

STATE OF OREGON)
County of Clackamas) ss.

November 8, 1975

Personally appeared the above named Ronald A. Harm and Jeanne M. Harm, husband and wife, and acknowledged to me that they executed the foregoing instrument freely and voluntarily for the uses and purposes therein stated.

BEFORE ME:

Robert T. Hill
Notary Public for Oregon
My Commission Expires: 11-11-78

STATE OF OREGON)
County of Clackamas) ss.

11-8, 1975

Personally appeared the above named George M. Mistrick and Theresa Mistrick, husband and wife, and acknowledged to me that they executed the foregoing instrument freely and voluntarily for the uses and purposes therein stated.

BEFORE ME:

Robert T. Hill
Notary Public for Oregon
My Commission Expires: 11-11-78