



- g. The application must include a Signature of Consent for Resident Property Owners form (Attachment A) from:
  - i. All owners of property abutting the area proposed to be vacated; and
  - ii. Owners of at least two-thirds of the land described in f. above. Where a property has more than one owner of record, the petition must be signed by all owners. For example, if the property is held by a husband and wife, the applicant must obtain signatures from both the husband and the wife.
- h. The Signature of Consent form must be signed by the applicant before and be certified by a licensed notary public. The applicant thereby authenticates all signatures on the form.
- i. The application must include a Signature of Consent for Non-Resident Property Owners form (Attachment B.) which has been signed by all non-resident property owners. Signatures appearing on the Signature of Consent form for non-resident owners must be notarized individually.
- j. The application must include an 8½x11 inch vicinity map. This map may be provided by the title company providing the certified list of property owners in the affected area. The map must show:
  - i. the area to be vacated;
  - ii. the affected land as described in f. above;
  - iii. names and addresses of the owners of affected properties.

#### 4. ACCEPTANCE OR DENIAL BY CITY COUNCIL

The completed application is presented to the city council and the council may either:

- a. Deny the petition with notice to the applicant; or
- b. Accept the petition and call for a public hearing on the matter.

#### 5. NOTICE

The city will send notices of public hearing to the affected property owners and place a notice of public hearing in a newspaper of local distribution for two (2) consecutive weeks prior to the hearing. A notice must be posted by the applicant in the street or alley for which the vacation is proposed. The notices advise of the proposed street or alley vacation and the time and place of the public hearing before the city council.

#### 6. PUBLIC HEARING

The city council will hear testimony from proponents and opponents of the proposed vacation. After the hearing, the council shall consider the proposal and testimony and shall render a decision for approval or denial of the vacation. If approved, the council will adopt an approving ordinance.

#### 7. TITLE TO THE VACATED AREA

Upon vacation, title attaches to the lands bordering on the vacated area in equal portions. If the land was dedicated to the city, the land shall revert to the original owner or his successor.

#### 8. FINAL RECORDING

The executed ordinance vacating the street or alley shall be filed with the Marion or Linn County Recorder.

#### 9. FOR MORE INFORMATION

Call or write to Mill City City Hall, 444 S 1<sup>st</sup> Ave, P.O. Box 256, Mill City OR 97360. 503.897.2302.

PETITION FOR VACATION OF STREET OR ALLEY

\_\_\_\_\_ HEREBY PETITIONS the City Council of Mill City, Oregon to vacate the following described street or alley located within the city limits of the City of Mill City, Linn/Marion Counties, Oregon. To wit:

Reasons for submission of petition for street/alley vacation:

If vacation is granted, the vacated area will be used for:

The signatures attached to this petition as Attachment A and Attachment B, which are incorporated herein by this reference, represent the consent of all owners of land abutting the street/alley for which vacation is proposed, and the consent of landowners of not less than two-thirds of the area of real property, as defined by ORS 271/080(2), affected by this petition.

Date: \_\_\_\_\_ By: \_\_\_\_\_

STATE OF OREGON )  
 ) ss.  
County of Linn/Marion )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me the above-named \_\_\_\_\_, and acknowledged the foregoing \_\_\_\_\_ to be (his/her) voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires: \_\_\_\_\_



