

ORDINANCE NO. 3955

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AN ORDINANCE VACATING BAKER STREET BETWEEN SECOND AND FOURTH AVENUES IN ADDITION TO A SECTION OF ALLEY ON THE EAST SIDE OF BAKER STREET BETWEEN SECOND AND THIRD AVENUES.

WHEREAS, the City Council of the City of Albany, did, by adoption of Resolution No. 1792, City of Albany Resolutions, at the Council meeting held on the 9th day of June, 1976, set the hour of 7:15 p.m. o'clock on the 14th day of July, 1976, as the time for hearing of objections to the proposed vacation of a portion of

Baker Street between Second and Fourth Avenues in addition to a section of alley on the east side of Baker Street between Second and Third Aves.

WHEREAS, the said notice has been posted and published as required by law, and

WHEREAS, the said hearing on the 14th day of July, 1976, has been duly held and parties were given an opportunity to be heard and the Council being fully informed,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1:

That portion of Baker Street as hereto attached in the legal description is hereby vacated subject to the following conditions:

1. Retain the Baker Street 66-foot right of way and 20-foot alley right of way as a permanent utility easement.
2. All development plans shall be reviewed and approved by the Planning Commission prior to building permits being issued by the City.
3. Any proposed parking lot location, design, or improvements south of Third Avenue shall not restrict access through the alley between Lyon, Baker, Third, and Fourth or proposed parking lots by Sears to any adjoining property owner or emergency vehicles.

Section 2:

This ordinance shall not be in full force and effective until submission of complete development plans for this property by the property owner to the Albany City Council in writing and approval of these development plans by the Albany City Council and said submission of development plans shall be made on or before December 1, 1976, and failure to do so shall revoke this ordinance. (SEE ATTACHED SHEET FOR AMENDMENT)

Passed by Council: July 28, 1976

Approved by Mayor: July 28, 1976

Effective Date: January 19, 1977 \*see 1/19/77 Council minutes for explanation.

*David C. Hayes*  
MAYOR

ATTEST:

*Ernest W. Isham*

CITY RECORDER

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BY COUNCIL ACTION ON NOVEMBER 24, 1976, THE ATTACHED ORDINANCE WAS AMENDED SUCH THAT THE SUBMISSION DATE OF COMPLETE DEVELOPMENT PLANS AS OUTLINED IN SECTION 2 SHALL BE EXTENDED TO MARCH 1, 1977.

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LEGAL DESCRIPTION

Baker Street, 2nd to 4th

That portion of Baker Street being 66 feet in width from the southerly right-of-way line of Second Avenue to the northerly right-of-way of Third Avenue and from the southerly right-of-way line of Third Avenue to the northerly right-of-way of Fourth Avenue; also, vacating a 20-foot wide alleyway extending easterly 67.13 feet from Baker Street between Second and Third Avenues.