

**COUNCIL ORDINANCE No. 2241**

**AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, VACATING THE PUBLIC STREET RIGHT-OF-WAY WITHIN A SEGMENT OF WILLARD STREET.**

**WHEREAS** the North Clackamas School District (NCSD) submitted land use application CSU-2017-007 seeking approval to reconstruct the main building of Milwaukie High School, and

**WHEREAS** the Planning Commission approved CSU-2017-007 subject to condition of approval 5.e., which required NCSD to “[p]rovide for right-of-way vacation of that portion of 23<sup>rd</sup> Ave/Willard to provide for a 50-ft right-of-way”, and

**WHEREAS** a public utility easement shall be executed that provides for the continued protection, maintenance, and replacement of the existing public water main line located within the segment of Willard Street right-of-way to be vacated, and

**WHEREAS** the city is authorized under Oregon Revised Statute (ORS) 271.130 to initiate vacation proceedings on its own motion and to hold a hearing upon proper notice to accomplish the same, and

**WHEREAS** with the public utility easement in place, the city initiated vacation proceedings for the segment of Willard Street right-of-way described and depicted in Exhibits A and B, and

**WHEREAS** proper notice was given, and a hearing was held on April 16, 2024.

**Now, Therefore, the City of Milwaukie does ordain as follows:**

Section 1. That portion of the SE Willard Street right-of-way described and depicted in Exhibits A and B is vacated.

Section 2. The city engineer is authorized to take any action necessary to effectuate the vacation so ordered.

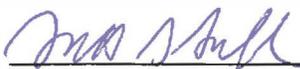
Read the first time on 4-16-24 and moved to second reading by 3:0 vote of the City Council.

Read the second time and adopted by the City Council on 4-16-24.

Signed by the ~~Mayor~~ on 4-16-24.  
Council President

  
Robert Massey, Council President

ATTEST:

  
Scott S. Stauffer, City Recorder

APPROVED AS TO FORM:

  
Justin D. Gericke, City Attorney



## EXHIBIT A

### Right-of-Way Vacation Description

A portion of right-of-way located in the Northwest One-Quarter of Section 36, Township 1 South, Range 1 East, Willamette Meridian, City of Milwaukie, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 8, Block 4 of the plat "Young's Addition", Plat No. 460, Clackamas County Plat Records, also being on the northerly right-of-way line of SE Willard Street (25.00 feet from centerline); thence along said northerly right-of-way line, South 82°00'09" West 48.58 feet to the Point of Beginning; thence leaving said northerly right-of-way line on a non-tangent curve to the left (Radial Bearing of South 23°56'24" East) with a Radius of 104.00 feet, a Delta of 44°15'08", a Length of 80.32 feet, and a Chord of South 43°56'02" West 78.34 feet; thence South 21°48'28" West 48.91 feet; thence North 68°11'32" West 6.26 feet to the westerly right-of-way line of SE 23rd Avenue (35.00 feet from centerline); thence along said westerly right-of-way line, North 07°59'51" West 87.63 feet to said northerly right-of-way line of SE Willard Street; thence along said northerly right-of-way line, North 82°00'09" East 91.42 feet to the Point of Beginning.

The above described tract of land contains 3,261 square feet, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

6/9/2021



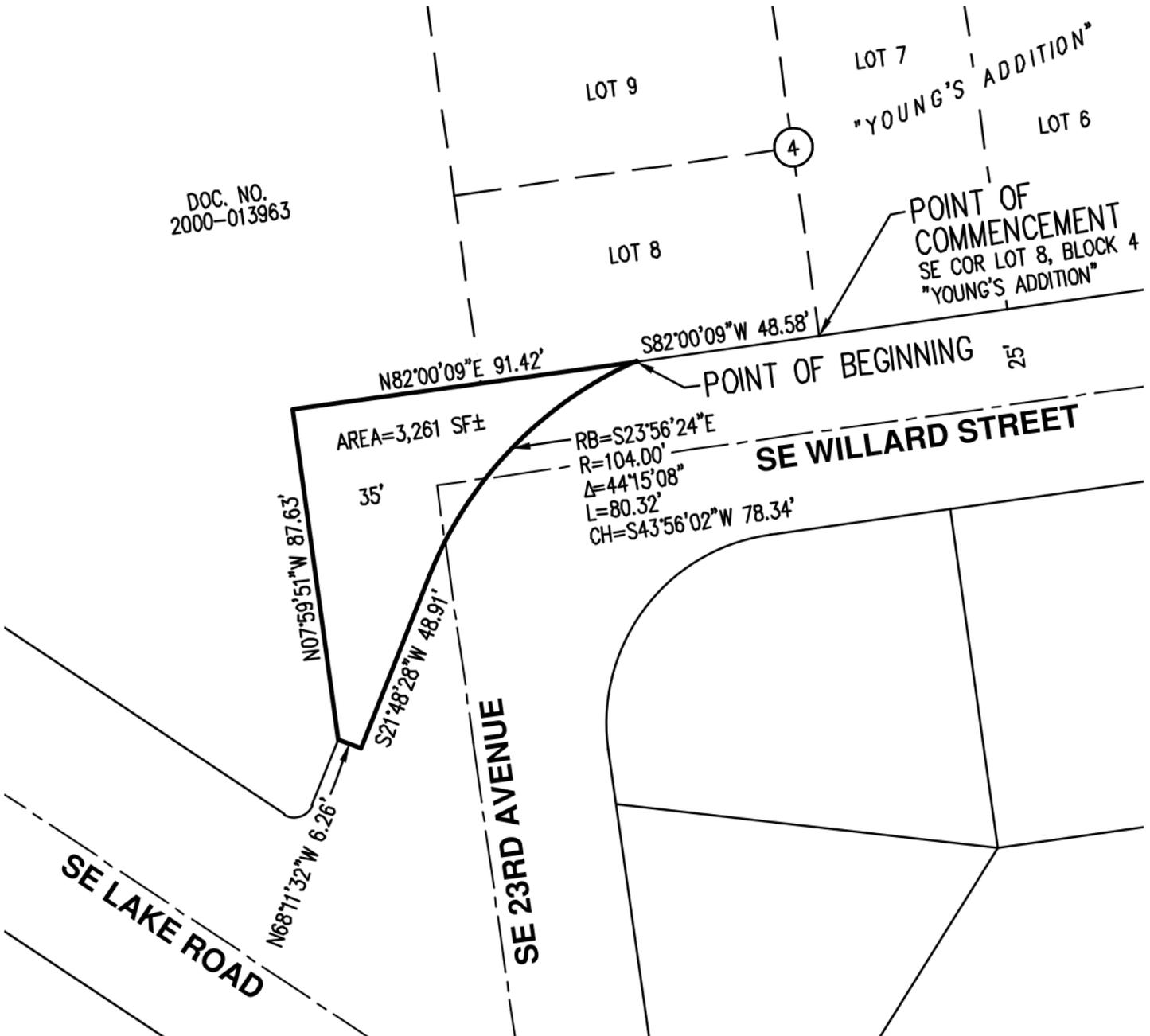
*Nick White*



RENEWS: 6/30/22

# EXHIBIT B

A PORTION OF RIGHT-OF-WAY LOCATED IN THE NORTHWEST 1/4 OF SECTION 36,  
TOWNSHIP 1 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN,  
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON



DOC. NO.  
2000-013963

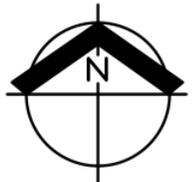
AREA=3,261 SF±

6/9/2021

### PREPARED FOR

NORTH CLACKAMAS SCHOOL DISTRICT  
4444 SE LAKE ROAD  
MILWAUKIE, OR 97222

SCALE: 1" = 40 FEET



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Nick White*

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/22

RIGHT-OF-WAY VACATION MAP	
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151    WWW.AKS-ENG.COM	
<b>AKS</b>	

EXHIBIT  
**B**  
DRWN: WCB  
CHKD: NSW  
AKS JOB:  
5859

