

ORDINANCE NO. 1558

AN ORDINANCE VACATING AN UNNAMED RIGHT OF WAY WITHIN THE CITY OF WEST LINN, OREGON.

WHEREAS, the West Linn City Council, on November 13, 2007, accepted a street vacation application from Renaissance Development, pursuant to Oregon Revised Statutes 271.080, to vacate an unnamed right-of-way south of Dollar Street and west of Ostman Road in the Willamette neighborhood of West Linn; and,

WHEREAS, the City published notice of the proposed street vacation in the West Linn Tidings on January 3, 2008 and January 10, 2008, and,

WHEREAS, on December 26, 2007, City staff posted a copy of the notice with all required information at two conspicuous places near each end of the proposed vacation area; and,

WHEREAS, the City Council held a public hearing on the proposed vacation on January 14, 2008; and,

WHEREAS, the applicant has obtained consent from all abutting property owners of more than 2/3 of the affected area as defined by Oregon Revised Statutes

WHEREAS, the public interest will not be prejudiced by the vacation because the unnamed right of way is unimproved for street purposes, provides no through route between Dollar Street and Willamette Falls Drive, and will be replaced with a suitable through route between these two streets by the Renaissance at Riverbend subdivision; and

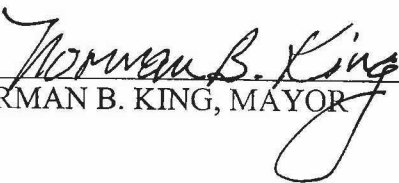
WHEREAS, the two existing public utility lines traversing the right-of-way shall be protected for continued public use by the reservation of a utility easement along their routes;

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

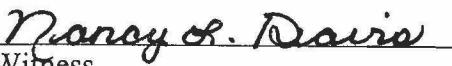
Section 1. The portion of a public street in the City of West Linn, Clackamas County, Oregon, described on Exhibit "A" and shown on Exhibit "B" is hereby declared to be vacated.

Section 2. Prior to recordation of the street vacation with the County Recorder, the applicant shall dedicate a twenty-foot wide utility easement centered upon each of the existing utility lines that traverse the unnamed right-of-way to the City.

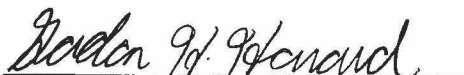
PASSED AND APPROVED THIS 14th DAY OF JANUARY 2008.


NORMAN B. KING, MAYOR

ATTEST:


Witness

APPROVED AS TO FORM


City Attorney

STREET VACATION DESCRIPTION
December 15, 2006

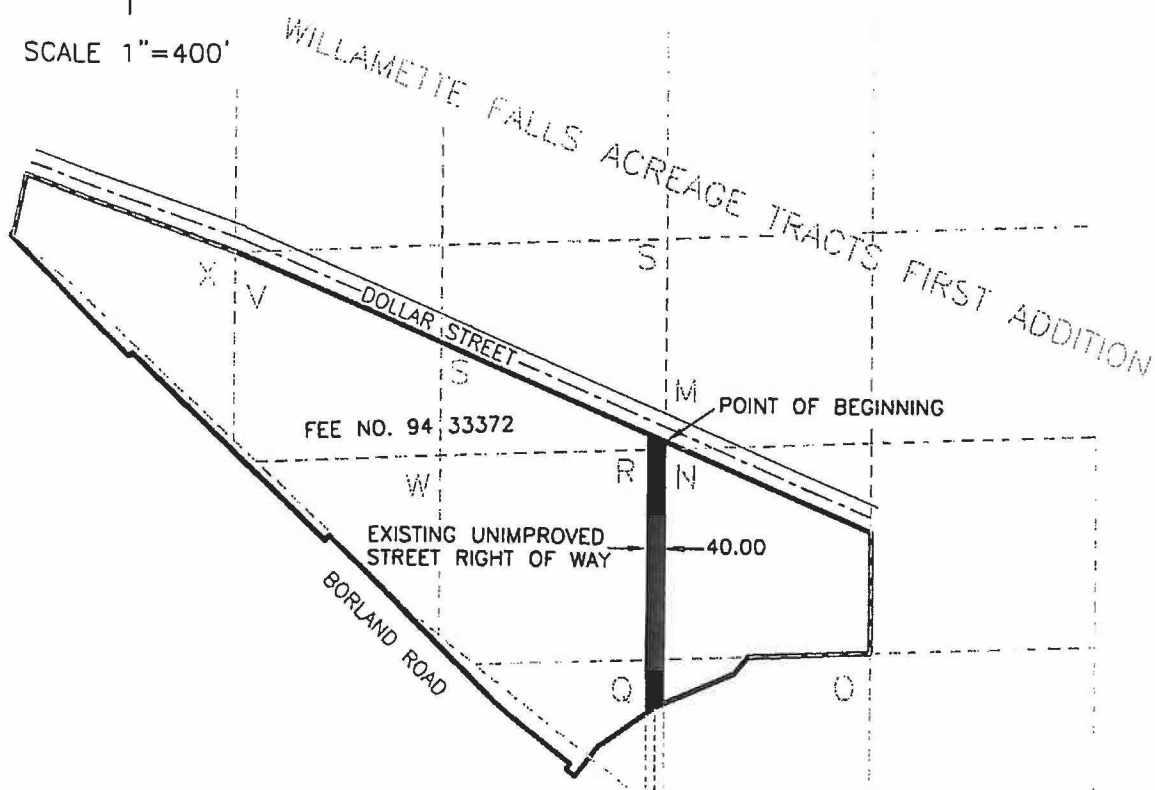
A strip of land 40.00 feet in width lying in the Joseph Fields D.L.C. No.67 in the Southwest and the Southeast one-quarters of Section 34, Township 2 South, Range 1 East, Willamette Meridian, City of West Linn, Clackamas County, Oregon, lying 40.00 feet Westerly, when measured perpendicular to and parallel with the following described line:

Beginning at the Northwest corner of "Tract N" as said Tract is shown and so designated on the Plat of "First Addition Willamette Falls Acreage Tracts" a duly recorded plat filed on July 25, 1902 in Book 5 of Plats, Page 29, Clackamas County Plat Records, said Point of Beginning being further described as the point of intersection of the East right of way line of an un-named public street as shown on said Plat with the Southerly right of way line of Dollar Street (County Road Number 171); thence tracing the West line of said "Tract N" and the West line of "Tract O" as shown on said Plat, southerly to the point of intersection with the South line of that certain property as described in Deed recorded April 20, 1994 as Fee Number 94-33372, Clackamas County Deed Records and the Terminus of this strip.

The westerly line of this strip shall be lengthened or shortened as necessary to intersect with the southerly right of way line of said Dollar Street and with the southerly line of said Fee Number 94-33372.



SCALE 1"=400'



LEGEND:

X DENOTES TRACT NUMBER
PER PLAT OF FIRST ADDITION WILLAMETTE FALLS ACERAGE TRACTS

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EXHIBIT B
PLAT OF DESCRIPTION
STREET VACATION

IN THE SE 1/4 AND THE SW 1/4 OF SECTION 34, T.2S., R.1E., W.M.
CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON

otak
incorporated

surveyors
engineers
planners

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